

**BIOLOGICAL RESOURCES ASSESSMENT AND JURISDICTIONAL DELINEATION FOR
THE PROPOSED BANANA AVE. TOWNHOME PROJECT IN UNINCORPORATED
AREA OF FONTANA, SAN BERNARDINO COUNTY, CALIFORNIA**

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**BIOLOGICAL RESOURCES ASSESSMENT AND JURISDICTIONAL DELINEATION FOR THE PROPOSED
BANANA AVE. TOWNHOME PROJECT**

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SECTION 1.0 - INTRODUCTION

Jennings Environmental, LLC (Jennings) was retained by Lilburn Corporation (Lilburn) to conduct a literature review and reconnaissance-level survey for the proposed Banana Ave. Townhome Project (Project) in unincorporated area of Fontana, San Bernardino County, California. The survey identified vegetation communities, the potential for the occurrence of special status species, or habitats that could support special status wildlife species, and recorded all plants and animals observed or detected within the Project boundary. This biological resources assessment is designed to address the potential effects of the proposed Project on designated critical habitats and/or any species currently listed or formally proposed for listing as endangered or threatened under the federal Endangered Species Act (ESA) and the California Endangered Species Act (CESA) or species designated as sensitive by the California Department of Fish and Wildlife (CDFW) or the California Native Plant Society (CNPS). Information contained in this document is in accordance with accepted scientific and technical standards that are consistent with the requirements of the United States Fish and Wildlife Service (USFWS) and (CDFW). Additionally, the site was surveyed for any drainage features that would meet the definition of the Waters of the US (WOUS), Waters of the State (WOS), or CDFW jurisdiction.

1.1 PROJECT LOCATION

The Project is approximately 4.7 acres of vacant land located on the southwest corner of the intersection of Banana Ave. and Seville Ave. It is depicted on the *Fontana* U.S. Geological Survey's (USGS) 7.5-minute topographic map within Section 10, Township 1 South, Range 6 West. The Project Site is identified as Assessor Parcel Numbers (APNs) 0230-031-67 & -68, within an unincorporated area of Fontana, San Bernardino County, California. The Project site is surrounded by residential development to the north, east, west, and south, with some commercial operations to the southwest. (Figures 1 and 2 in Appendix A).

1.2 PROJECT DESCRIPTION

The proposed Project is to develop a 68-unit attached townhome development. The Project Site is currently designated Low Density Residential (LDR) according to the San Bernardino County Countywide Plan 2020, with a zoning designation of Single Residential (RS). The Project Applicant is requesting approval of a General Plan Amendment to change the land use from Low Density Residential (LDR), to Medium Density Residential (MDR), and a Zone Change from Single Residential (RS) to Multiple Residential (RM). The Project also seeks approval of a Conditional Use Permit (CUP) and Tentative Tract Map (TTM 20727) to subdivide two (2) parcels into 68 parcels to allow for a multi-family attached townhome development.

2.0 – METHODOLOGY

2.1 LITERATURE REVIEW

Prior to performing the field survey, existing documentation relevant to the Project site was reviewed. The most recent records were reviewed for the following quadrangle containing and surrounding the Project site: *Fontana, Devore Cucamonga Peak and Guasti*, USGS 7.5-minute quadrangles. The *Devore Cucamonga Peak and Guasti* quads were included in this search due to the site's proximity to their

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borders. These databases contain records of reported occurrences of federal- or state-listed endangered or threatened species, California Species of Concern (SSC), or otherwise special status species or habitats that may occur within or in the immediate vicinity of the Project site. These sources include:

- California Natural Diversity Database (CNDDDB) managed by CDFW (CDFW 2025)
- U.S. Fish and Wildlife (USFWS) Critical Habitat Mapper (USFWS 2025)
- California Native Plant Society's Electronic Inventory (CNPSEI) of Rare and Endangered Vascular Plants of California (CNPS 2025)
- USFWS threatened and endangered species occurrence GIS overlay;
- USDA Natural Resources Conservation Service (NRCS) Web Soil Survey;
- USGS National Map;
- Calwater Watershed Maps
- Environmental Protection Agency My Waters Maps
- USFWS Designated Critical Habitat Maps
- San Bernardino County Biotic Resources Map

2.2 SOILS

Before conducting the surveys, soil maps for San Bernardino County were referenced online to determine the types of soil found within the Project site. Soils were determined in accordance with categories set forth by the United States Department of Agriculture (USDA) Soil Conservation Service and by referencing the USDA Natural Resources Conservation Service (NRCS) Web Soil Survey (USDA 2025).

2.3 BIOLOGICAL RECONNAISSANCE-LEVEL SURVEY

Jennings biologist, Gene Jennings, conducted the general reconnaissance survey within the Project site to identify the potential for the occurrence of special status species, vegetation communities, or habitats that could support special status wildlife species. The surveys were conducted on foot, throughout the Project site between 0800 and 0900 hours on April 11, 2025. A 250-foot buffer was included, where applicable. Weather conditions during the survey included temperatures ranging from 63 to 65 degrees Fahrenheit, with clear skies, no precipitation, and 0.5 to 1.0 mile-per-hour winds. Photographs of the Project site were taken to document existing conditions (Appendix B).

2.4 JURISDICTIONAL FEATURES

A general assessment of jurisdictional waters regulated by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and CDFW was conducted for the proposed Project area. Pursuant to Section 404 of the Clean Water Act, USACE regulates the discharge of dredged and/or fill material into waters of the United States. The State of California (State) regulates the discharge of material into waters of the State pursuant to Section 401 of the Clean Water Act and the California Porter- Cologne Water Quality Control Act (California Water Code, Division 7, §13000 et seq.). Pursuant to Division 2, Chapter 6, Sections 1600-1602 of the California Fish and Game Code, CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake, which supports fish or wildlife and its' associated riparian vegetation. The assessment was conducted by a desktop survey through the USGS National Hydrography Dataset for hydrological connectivity. An additional discussion of the regulatory framework is provided in Appendix C.

2.5 VEGETATION

All plant species observed within the Project site were recorded. Vegetation communities within the Project site were identified and qualitatively described. Plant communities were determined in accordance with the *Manual of California Vegetation, Second Edition* (Sawyer et al. 2009). Plant nomenclature follows that of *The Jepson Manual, Second Edition* (Baldwin et al. 2012). A comprehensive list of the plant species observed during the survey is provided in Appendix D.

2.6 WILDLIFE

All wildlife and wildlife signs observed and detected, including tracks, scat, carcasses, burrows, excavations, and vocalizations, were recorded. Additional survey time was spent in those habitats most likely to be utilized by wildlife (native vegetation, wildlife trails, etc.) or in habitats with the potential to support state- and/or federally listed or otherwise special-status species. Notes were made on the general habitat types, species observed, and the conditions of the Project site. A comprehensive list of the wildlife species observed during the survey is provided in Appendix D.

2.7 WILDLIFE CORRIDORS AND HABITAT CONSERVATION PLAN

According to the California Essential Habitat Connectivity Project, the Project site is not mapped within an area for wildlife movement. Additionally, the Project site is not within an adopted habitat conservation plan as mapped by CDFW's Natural Community Conservation Planning Program. Therefore, the proposed Project will not have an impact on any current wildlife corridors or habitat conservation plans.

SECTION 3.0 – RESULTS

3.1 LITERATURE REVIEW RESULTS

According to the CNDDDB, CNPSEI, and other relevant literature and databases, 92 sensitive species, 17 of which are listed as threatened, endangered, or species of special concern, and 5 sensitive habitats have been documented in the *Fontana, Devore Cucamonga Peak and Guasti* quads. This list of sensitive species and habitats includes any State and/or federally-listed threatened or endangered species, CDFW-designated Species of Special Concern (SSC), and otherwise Special Animals. "Special Animals" is a general term that refers to all of the taxa the CNDDDB is interested in tracking, regardless of their legal or protection status. This list is also referred to as the list of "species at risk" or "special status species." The CDFW considers the taxa on this list to be those of greatest conservation need.

An analysis of the likelihood for the occurrence of all CNDDDB-sensitive species documented in the *Fontana, Devore Cucamonga Peak and Guasti* quads is provided in Table 2, in Appendix D. This analysis takes into account species range as well as documentation within the vicinity of the Project area and includes the habitat requirements for each species and the potential for their occurrence on the site, based on required habitat elements and range relative to the current site conditions. According to the databases, no sensitive habitat, including USFWS-designated critical habitat, occurs within or adjacent to the Project site.

3.1.1 SOILS

After a review of the USDA Soil Conservation Service and by referencing the USDA NRCS Web Soil Survey (USDA 2024), it was determined that the Project site is located within the San Bernardino County

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Southwestern Area (California area CA677). Based on the results of the database search, one (1) soil type is documented in the Project site:

Tujunga loamy sand, 0 to 5 percent slopes (TuB). This soil is somewhat excessively drained with a high to very high capacity to transmit water. This soil consists of alluvium derived from granite, typically ranges in elevation from 650 to 3,110 feet above mean sea level (amsl), and is not considered prime farmland.

3.1.2 SPECIAL STATUS SPECIES BACKGROUND

Of the 92 species found within the *Fontana, Devore Cucamonga Peak and Guasti* quads, 17 have a special designation of either: federally listed or state listed under the California Fish and Game Code. The discussion below provides the background information on those species that have the potential to occur (i.e. suitable habitat) within the Project site.

Burrowing Owl – Candidate Endangered (State) and SSC

The western burrowing owl - *Athene cunicularia* (BUOW) is a state candidate species for endangered status under the California Endangered Species Act. BUOW is also a state and federal Species of Special Concern (SSC). This owl is a mottled, brownish, and sand-colored, dove-sized raptor, with large, yellow eyes, a rounded head lacking ear tufts, white eyebrows, and long legs compared to other owl species. It is a ground-dwelling owl typically found in arid prairies, fields, and open areas where vegetation is sparse and low to the ground. The BUOW is heavily dependent upon the presence of mammal burrows, with ground squirrel burrows being a common choice, in its habitat to provide shelter from predators, and inclement weather, and to provide a nesting place (Coulombe 1971). They are also known to make use of human-created structures, such as cement culverts and pipes, for burrows.

BUOW spends a great deal of time standing on dirt mounds at the entrance to a burrow or perched on a fence post or other low to the ground perch from which they hunt for prey. BUOW frequently hunt by hovering in place above the ground and dropping on their prey from above. They feed primarily on insects such as grasshoppers, June beetles, and moths, but will also take small rodents, birds, and reptiles. They are active during the day and night but are considered a crepuscular owl; generally observed in the early morning hours or at twilight. The breeding season for BUOW is February 1 through August 31. Up to 11, but typically 7 to 9, eggs are laid in a burrow, abandoned pipe, or other subterranean hollows where incubation is complete in 28-30 days. Young BUOW fledges in 44 days. The BUOW is considered a migratory species in portions of its range, which includes western North America from Canada to Mexico, and east to Texas and Louisiana. BUOW populations in California are considered to be sedentary or locally migratory.

Throughout its range, the BUOW is vulnerable to habitat loss, predation, vehicular collisions, and destruction of burrow sites and the poisoning of ground squirrels (Grinnell and Miller 1944, Zarn 1974, Remsen 1978). BUOW has disappeared from significant portions of their range in the last 15 years and, overall, nearly 60% of the breeding groups of owls known to have existed in California during the 1980s had disappeared by the early 1990s (Burrowing Owl Consortium 1993). The BUOW is not listed under the state or federal Endangered Species Act but is considered both a federal and state Species of Special Concern. The BUOW is a migratory bird protected by the international treaty under the Migratory Bird

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Treaty Act of 1918 and by State law under the California Fish and Game Code (CDFG Code #3513 & #3503.5).

western yellow bat (*Lasiurus xanthinus*)

The western yellow bat has blonde fur, darkened in the vicinity of its ears. Found throughout Mexico and the southwestern United States, it occupies a large range of habitats including riparian woodlands, desert regions, and tropical forests. The western yellow bat roosts in trees and within dead palm fronds, well-camouflaged by its yellowish fur. This bat migrates south for the winter but does not hibernate. Beetles are the main food source of western yellow bats though they will eat other insects. Mothers usually rear two to four pups annually.

pocketed free-tailed bat (*Nyctinomops femorosaccus*)

The pocketed free-tailed bat is dark brown with ears that connect in the center. They get their name from a fold of skin that forms a pocket near their knees. This bat can be found roosting in rock crevices, small caves, and buildings within desert shrub and pine-oak forest habitats. Pocketed free-tail bats tend to have colonies of less than 100 individuals. Their range include the southwestern US and Mexico. This species eats mostly large moths but also beetles and other insects. Mothers have one pup per year.

3.1.3 DESIGNATED CRITICAL HABITAT

The site is not located within or adjacent to any USFWS-designated Critical Habitat. No further action is required.

3.1.4 JURISDICTIONAL WATERS

Aerial imagery of the site was examined and compared with the surrounding USGS 7.5-minute topographic quadrangle maps to identify drainage features within the survey area as indicated by topographic changes, blue-line features, or visible drainage patterns. The U.S. Fish and Wildlife Service National Wetland Inventory and Environmental Protection Agency (EPA) Water Program “My Waters” data layers were also reviewed to determine whether any hydrologic features and wetland areas had been documented within the vicinity of the site. Similarly, the Soil maps from the U.S. Department of Agriculture (USDA) - Natural Resources Conservation Service (NRCS) Web Soil Survey (USDA 2025) were reviewed to identify the soil series on-site and to check if they have been identified regionally as hydric soils. Upstream and downstream connectivity of waterways (if present) was reviewed in the field, on aerial imagery, and topographic maps to determine jurisdictional status. No streams, channels, rivers, or hydrologic features were found during the literature review.

3.1.5 HYDROLOGY AND HYDROLOGIC CONNECTIVITY

Hydrologically, the project site is located within the Chino Split Hydrologic Sub-Area (HSA 801.21), as identified on the Calwater Watershed maps. This undefined area comprises a 190,515-acre drainage area within the larger Middle Santa Ana River Watershed Area (Hydrologic Unit Code [HUC10] 1807020308, US Watershed Maps) (CalTrans, 2025). The Middle Santa Ana River watershed is bordered to the north by the Lytle Creek watershed, to the east by the Upper Santa Ana and San Timoteo Wash watersheds, to the south by the Lower San Jacinto, Lower Santa Ana River, and Temescal Wash watersheds, and to the west by Chino Creek watershed. (Figure 4 in Appendix A).

3.2 FIELD STUDY RESULTS

3.2.1 VEGETATION

The vegetation on-site consists of a mixture of Wild oats and annual brome grasslands (*Avena* spp. - *Bromus* spp. Herbaceous Semi-Natural Alliance), ruderal/disturbed vegetation and developed/disturbed ground. The site is highly disturbed by the current developments. The site showed signs of current development, previous development, disking, staging of construction materials, disposing of construction materials, and vegetation management. A complete list of all plants observed is provided in Table 1 of Appendix D.

3.2.2 WILDLIFE

Several birds and animal species were seen or heard during the survey. Species observed or otherwise detected on or in the vicinity of the Project site during the surveys included; house finch (*Haemorrhous mexicanus*), house sparrow (*Passer domesticus*), and northern mockingbird (*Mimus polyglottos*). A complete list of all species observed is provided in Table 1 of Appendix D.

The Project site is located within a mostly developed area of Fontana. The entire site contained little native vegetation.

3.2.3 SPECIAL STATUS SPECIES

No State and/or federally listed threatened or endangered species or other sensitive species were observed on-site during surveys.

Burrowing Owl (Athene cunicularia) – Candidate Endangered (State) - SSC

The site is highly disturbed with compacted soils and current development. The conditions present onsite are not suitable for BUOW. Multiple domestic cats and domestic dogs were observed. The habitat assessment survey was structured, in part, to detect BUOW, which has been observed in the near vicinity of the Project site (within 5 miles). The survey consisted of walking transects spaced to provide 100% visual coverage of the Project site. The result of the survey was that no evidence of BUOW was found in the survey area. No BUOW pellets, feathers, or whitewash were found. No burrowing owl individuals were observed.

Findings: This species is considered absent from the Project site and the site does not contain suitable habitat for this species. Therefore, no further surveys are recommended or warranted.

Sensitive Bats

The site does contain a vacant structure and an existing residence with tile roof. These structures can provide potential roosting habitat for sensitive bat species such as, the western yellow bat (*Lasiurus xanthinus*) and the pocketed free-tailed bat (*Nyctinomops femorosaccus*). The structures were surveyed for evidence of these species and none was found. There was no opening in the roof that showed any sign of roosting bats (grease marks, guano, ammonia odor, or audible queues). There are large trees and other tile roofs within the existing residential neighborhood, but no impacts would occur as the proposed project does not authorize the removal of any additional structures or vegetation.

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Findings: Although these species were not observed, there is minimal suitable habitat for these species on-site. Therefore, pre-construction surveys are recommended.

3.2.5 NESTING BIRDS

The Project site and immediate surrounding area provide suitable habitats for nesting birds. There are mature trees on-site and in the immediate vicinity, as well as vacant and occupied structures, that provide bird nesting habitat. As such the Project site is subject to the following nesting bird regulations. Recommendations for avoidance and minimization are in Section 4.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act of 1918. This Act implements four international conservation treaties that the U.S. entered into with Canada in 1916, Mexico in 1936, Japan in 1972, and Russia in 1976. It is intended to ensure the sustainability of populations of all protected migratory bird species. The Act has been amended with the signing of each treaty, as well as when any of the treaties were amended, such as with Mexico in 1976 and Canada in 1995. The Act prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service.

California Fish and Game Code

The Project site is also subject to Sections 3503 and 3503.5 of the Fish and Game Code. Section 3503 states, "It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto". And Section 3503.5 states, "It is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto".

3.2.6 JURISDICTIONAL WATERS

Waters of the United States and Waters of the State

The USACE has the authority to permit the discharge of dredged or fill material in Waters of the U.S. (WOUS) under Section 404 CWA. While the Regional Water Quality Board has authority over the discharge of dredged or fill material in Waters of the State under Section 401 CWA as well as the Porter-Cologne Water Quality Control Act. The Project area was surveyed with 100 percent visual coverage and no drainage features were present on site that met the definition for WOUS. As such, the subject parcel does not contain any wetlands, Waters of the U.S., or Waters of the State.

Fish and Game Code Section 1602 - State Lake and/or Streambed

The CDFW asserts jurisdiction over any drainage feature that contains a definable bed and bank or associated riparian vegetation. The Project area was surveyed with 100 percent visual coverage and no definable bed or bank features exist on the Project site. As such, the subject parcel does not contain any areas under CDFW jurisdiction.

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Section 4.0 - CONCLUSIONS AND RECOMMENDATIONS

Based on the literature review and personal observations made in the immediate vicinity, no State and/or federally-listed threatened or endangered species are documented/or expected to occur within the Project site. Additionally, no plant species with the California Rare Plant Rank (CRPR) of 1 or 2 were observed on-site or documented to occur on-site in the relevant databases. No other sensitive species were observed within the Project area or buffer area.

Jurisdictional Features

There are no streams, channels, washes, or swales that meet the definitions of Section 1600 of the State of California Fish and Game Code (FGC) under the jurisdiction of the CDFW, Section 401 ("Waters of the State") of the Clean Water Act (CWA) under the jurisdiction of the Regional Water Quality Control Board (RWQCB), or "Waters of the United States" (WoUS) as defined by Section 404 of the CWA under the jurisdiction of the U.S. Army Corps of Engineers (Corps) within the subject parcel. Therefore, no permit, certification, or agreement is required from the Army Corps, RWQCB, and CDFW, respectively.

Burrowing Owl

Based on the habitat assessment for this species, the habitat on-site is not suitable for this species. They are not likely to occur within the Project site. Therefore, no further surveys or studies are required.

Sensitive Bats

Since there is minimal suitable habitat for these species, pre-construction surveys are recommended and the following mitigation measure should be implemented.

Suitable habitat and/or signs of bat use to look for during the daytime preliminary field assessment include guano, urine staining, and culled insect parts on or underneath the bridge. They can be performed during any time of the year, provided that weather conditions or local flooding do not affect the qualified biologist's ability to do a thorough evaluation. Recent rains or flooding may remove some evidence of bats.

Nesting Birds

Since there is some habitat within the Project site and adjacent area that is suitable for nesting birds in general, the following mitigation measure should be implemented.

Nesting bird nesting season generally extends from February 1 through September 15 in southern California. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) no more than 3-days prior to Project-related disturbance to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage, and expected types, intensity, and duration of the disturbance. The nests and buffer zones shall be field-checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no

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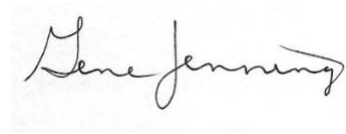
disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.

Certification

I hereby certify that the statements furnished herein, and in the attached exhibits present data and information required for this analysis to the best of my ability, and the facts, statements, and information presented are true and correct to the best of my knowledge and belief. This report was prepared in accordance with professional requirements and standards. Fieldwork conducted for this assessment was performed by me. I certify that I have not signed a non-disclosure or consultant confidentiality agreement with the Project proponent and that I have no financial interest in the Project.

Please do not hesitate to contact me at 909-534-4547 should you have any questions or require further information.

Sincerely,

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

Gene Jennings
Principal/Regulatory Specialist

Appendices:

- Appendix A – Figures
- Appendix B – Site Photos
- Appendix C – Regulatory Framework
- Appendix D – Tables

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Section 5 – REFERENCES

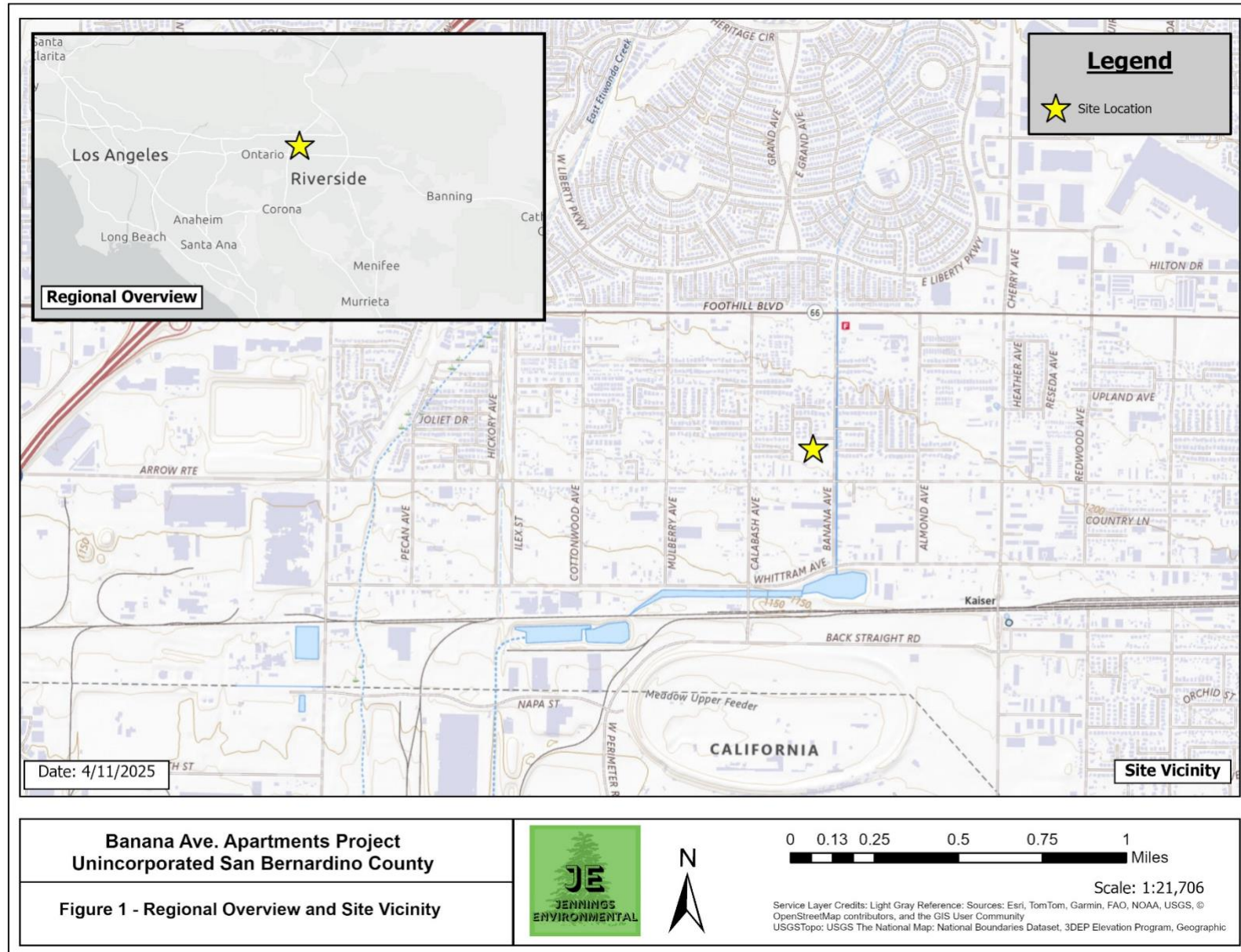
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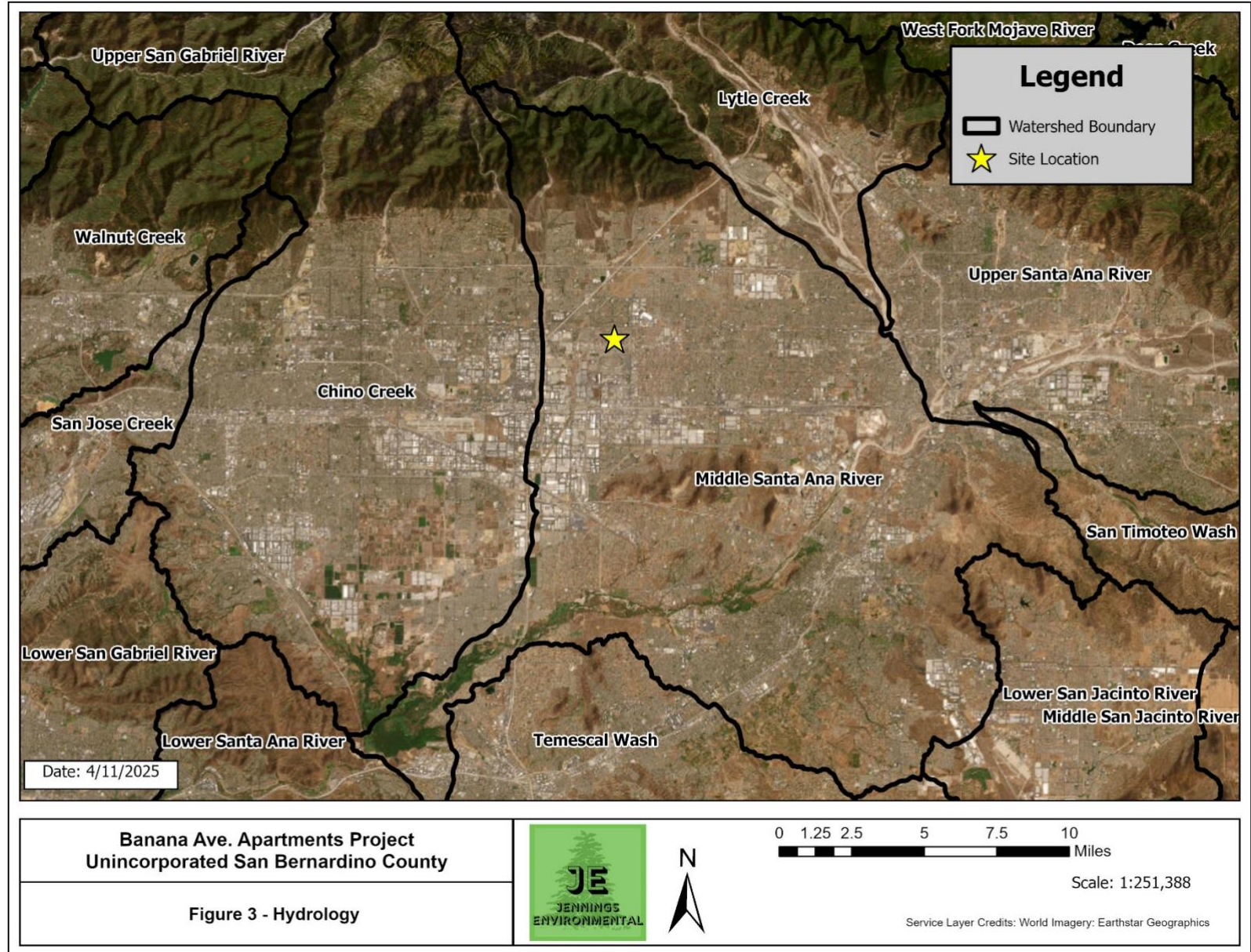
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Appendix A - Figures







Appendix B - Photos

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Photo 1 –
Center of
northern
border of
Project site,
facing
southwest.



Photo 2 –
Center of
northern
border of
Project site,
facing south.

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Photo 3 –
Center of
northern
border of
Project site,
facing
southeast.



Photo 4 –
Center of
northern
border of
Project site,
facing east.

Appendix C – Regulatory Framework

1.1 FEDERAL JURISDICTION

1.1.1 United States Army Corps of Engineers

Activities within inland streams, wetlands, and riparian areas in California are regulated by agencies at the federal, state, and regional levels. At the federal level, the U.S. Army Corps of Engineers (USACE) Regulatory Program regulates activities within wetlands and waters of the US pursuant to Section 404 of the Federal Clean Water Act (CWA).

At the state level, the California Department of Fish and Wildlife (CDFW) regulates activities within the bed, bank, and associated habitat of a stream under the Fish and Game Code §§ 1600–1616. The California State Water Resources Board (SWRB) delegates authority at the regional level to Regional Water Quality Control Boards (RWQCB) that are responsible for regulating discharge into waters of the US under Section 401 of the federal CWA and waters of the State under the California Porter-Cologne Water Quality Act.

The CWA was implemented to maintain and restore the chemical, physical, and biological integrity of the Waters of the United States (33 Code of Federal Regulations [CFR] Part 328 Section 328.3). “Waters of the US” are defined as follows:

§ 328.3 Definitions.

For the purpose of this regulation these terms are defined as follows:

(a) *Waters of the United States* means:

(1) Waters which are:

- (i) Currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
- (ii) The territorial seas; or
- (iii) Interstate waters, including interstate wetlands;

(2) Impoundments of waters otherwise defined as waters of the United States under this definition, other than impoundments of waters identified under paragraph (a)(5) of this section;

(3) Tributaries of waters identified in paragraph (a)(1) or (2) of this section:

- (i) That are relatively permanent, standing or continuously flowing bodies of water; or
- (ii) That either alone or in combination with similarly situated waters in the region, significantly affect the chemical, physical, or biological integrity of waters identified in paragraph (a)(1) of this section;

(4) Wetlands adjacent to the following waters:

- (i) Waters identified in paragraph (a)(1) of this section; or
- (ii) Relatively permanent, standing or continuously flowing bodies of water identified in paragraph (a)(2) or (a)(3)(i) of this section and with a continuous surface connection to those waters; or
- (iii) Waters identified in paragraph (a)(2) or (3) of this section when the wetlands either alone or in combination with similarly situated

waters in the region, significantly affect the chemical, physical, or biological integrity of waters identified in paragraph (a)(1) of this section;

(5) Intrastate lakes and ponds, streams, or wetlands not identified in paragraphs (a)(1) through (4) of this section:

(i) That are relatively permanent, standing or continuously flowing bodies of water with a continuous surface connection to the waters identified in paragraph (a)(1) or (a)(3)(i) of this section; or

(ii) That either alone or in combination with similarly situated waters in the region, significantly affect the chemical, physical, or biological integrity of waters identified in paragraph (a)(1) of this section.

(b) The following are not “waters of the United States” even where they otherwise meet the terms of paragraphs (a)(2) through (5) of this section:

(1) Waste treatment systems, including treatment ponds or lagoons, designed to meet the requirements of the Clean Water Act;

(2) Prior converted cropland designated by the Secretary of Agriculture. The exclusion would cease upon a change of use, which means that the area is no longer available for the production of agricultural commodities. Notwithstanding the determination of an area’s status as prior converted cropland by any other Federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA;

(3) Ditches (including roadside ditches) excavated wholly in and draining only dry land and that do not carry a relatively permanent flow of water;

(4) Artificially irrigated areas that would revert to dry land if the irrigation ceased;

(5) Artificial lakes or ponds created by excavating or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing;

(6) Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating or diking dry land to retain water for primarily aesthetic reasons;

(7) Waterfilled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States; and

(8) Swales and erosional features (*e.g.*, gullies, small washes) characterized by low volume, infrequent, or short duration flow.

(c) In this section, the following definitions apply:

(1) *Wetlands* means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that

under normal circumstances do support, a prevalence of vegetation typically

adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

(2) *Adjacent* means bordering, contiguous, or neighboring. Wetlands separated from other waters of the United States by man-made dikes or barriers, natural river berms, beach dunes, and the like are “adjacent wetlands.”

(3) *High tide line* means the line of intersection of the land with the water’s surface at the maximum height reached by a rising tide. The high tide line may be determined, in the absence of actual data, by a line of oil or scum along shore objects, a more or less continuous deposit of fine shell or debris on the foreshore or berm, other physical markings or characteristics, vegetation lines, tidal gages, or other suitable means that delineate the general height reached by a rising tide. The line encompasses spring high tides and other high tides that occur with periodic frequency but does not include storm surges in which there is a departure from the normal or predicted reach of the tide due to the piling up of water against a coast by strong winds such as those accompanying a hurricane or other intense storm.

(4) *Ordinary high water mark* means that line on the shore established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.

(5) *Tidal waters* means those waters that rise and fall in a predictable and measurable rhythm or cycle due to the gravitational pulls of the moon and sun. Tidal waters end where the rise and fall of the water surface can no longer be practically measured in a predictable rhythm due to masking by hydrologic, wind, or other effects.

(6) *Significantly affect* means a material influence on the chemical, physical, or biological integrity of waters identified in paragraph (a)(1) of this section. To determine whether waters, either alone or in combination with similarly situated waters in the region, have a material influence on the chemical, physical, or biological integrity of waters identified in paragraph (a)(1) of this section, the functions identified in paragraph (c)(6)(i) of this section will be assessed and the factors identified in paragraph (c)(6)(ii) of this section will be considered:

(i) Functions to be assessed:

(A) Contribution of flow;

(B) Trapping, transformation, filtering, and transport of materials (including nutrients, sediment, and other

- pollutants);
- (C) Retention and attenuation of floodwaters and runoff;
- (D) Modulation of temperature in waters identified in paragraph (a)(1) of this section; or
- (E) Provision of habitat and food resources for aquatic species located in waters identified in paragraph (a)(1) of this section;
- (ii) Factors to be considered:
 - (A) The distance from a water identified in paragraph (a)(1) of this section;
 - (B) Hydrologic factors, such as the frequency, duration, magnitude, timing, and rate of hydrologic connections, including shallow subsurface flow;
 - (C) The size, density, or number of waters that have been determined to be similarly situated;
 - (D) Landscape position and geomorphology; an
 - (E) Climatological variables such as temperature, rainfall, and snowpack.

1.2 STATE JURISDICTION

The State of California (State) regulates discharge of material into waters of the State pursuant to Section 401 of the CWA as well as the California Porter-Cologne Water Quality Control Act (Porter-Cologne; California Water Code, Division 7, §13000 et seq.). Waters of the State are defined by Porter-Cologne as “any surface water or groundwater, including saline waters, within the boundaries of the state” (Water Code Section 13050(e)). Waters of the State broadly includes all waters within the State’s boundaries (public or private), including waters in both natural and artificial channels.

1.2.1 Regional Water Quality Control Board

Under Porter-Cologne, the State Water Resources Control Board (SWRCB) and the local Regional Water Quality Control Boards (RWQCB) regulate the discharge of waste into waters of the State. Discharges of waste include “fill, any material resulting from human activity, or any other ‘discharge’ that may directly or indirectly impact ‘waters of the state.’” Porter-Cologne reserves the right for the State to regulate activities that could affect the quantity and/or quality of surface and/or groundwaters, including isolated wetlands, within the State. Wetlands were defined as waters of the State if they demonstrated both wetland hydrology and hydric soils. Waters of the State determined to be jurisdictional for these purposes require, if impacted, waste discharge requirements (WDRs).

When an activity results in fill or discharge directly below the OHWM of jurisdictional waters of the United States (federal jurisdiction), including wetlands, a CWA Section 401 Water Quality Certification is required. If a proposed Project is not subject to CWA Section 401 certification but

involves activities that may result in a discharge to waters of the State, the Project may still be regulated under Porter-Cologne and may be subject to waste discharge requirements. In cases where waters apply to both CWA and Porter-Cologne, RWQCB may consolidate permitting requirements to one permit.

1.2.2 California Department of Fish and Wildlife

Pursuant to Division 2, Chapter 6, Sections 1600-1602 of the California Fish and Game Code, the California Department of Fish and Wildlife (CDFW) regulates all diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake, which supports fish or wildlife.

CDFW defines a “stream” (including creeks and rivers) as “a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having surface or subsurface flow that supports or has supported riparian vegetation” (California Code of Regulations, Title 14, Section 1.72). The jurisdiction of CDFW may include areas in or near intermittent streams, ephemeral streams, rivers, creeks, dry washes, sloughs, blue-line streams that are indicated on USGS maps, watercourses that may contain subsurface flows, or within the flood plain of a water body. CDFW’s definition of “lake” includes “natural lakes or man-made reservoirs.” CDFW limits of jurisdiction typically include the maximum extents of the uppermost bank-to-bank distance and/or the outermost extent of riparian vegetation dripline, whichever measurement is greater.

In a CDFW guidance of stream processes and forms in dryland watersheds (Vyverberg 2010), streams are identified as having one or more channels that may all be active or receive water only during some high flow event. Subordinate features, such as low flow channels, active channels, banks associated with secondary channels, floodplains, and stream-associated vegetation, may occur within the bounds of a single, larger channel. The water course is defined by the topography or elevations of land that confine a stream to a definite course when its waters rise to their highest level. A watercourse is defined as a stream with boundaries defined by the maximal extent or expression on the landscape even though flow may otherwise be intermittent or ephemeral.

Artificial waterways such as ditches (including roadside ditches), canals, aqueducts, irrigation ditches, and other artificially created water conveyance systems also may be under the jurisdiction of CDFW. CDFW may claim jurisdiction over these features based on the presence of habitat characteristics suitable to support aquatic life, riparian vegetation, and/or stream-dependent terrestrial wildlife. As with natural waterways, the limit of CDFW jurisdiction of artificial waterways includes the uppermost bank-to-bank distance and/or the outermost extent of riparian vegetation dripline, whichever measurement is greater.

CDFW does not have jurisdiction over wetlands but has jurisdiction to protect against a net loss of wetlands. CDFW supports the wetland criteria recognized by USFWS; one or more indicators

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of wetland conditions must exist for wetlands conditions to be considered present. The following is the USFWS accepted definition of a wetland:

Wetlands are lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this classification, wetlands must have one or more of the following three attributes: (1) at least periodically, the land supports hydrophytes, (2) the substrate is predominantly undrained hydric soil; and (3) the substrate is nonsoil and is saturated with water or covered by shallow water at some time during the growing season of each year (Cowardin et al. 1979).

In A Clarification of the U.S. Fish and Wildlife Service's Wetland Definition (Tiner 1989), the USFWS definition was further clarified "that in order for any area to be classified as wetland by the Service, the area must be periodically saturated or covered by shallow water, whether wetland vegetation and/or hydric soils are present or not; this hydrologic requirement is addressed in the first sentence of the definition." When considering whether an action would result in a net loss of wetlands, CDFW will extend jurisdiction to USFWS-defined wetland conditions where such conditions exist within the riparian vegetation that is associated with a stream or lake and does not depend on whether those features meet the three-parameter USACE methodology of wetland determination. If impacts to wetlands under the jurisdiction of CDFW are unavoidable, a mitigation plan will be implemented in coordination with CDFW to support the CDFW policy of "no net loss" of wetland habitat.

Appendix D – Tables

**BIOLOGICAL RESOURCES ASSESSMENT AND JURISDICTIONAL DELINEATION FOR THE PROPOSED
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Table 1. Species Observed On-Site

Common Name	Scientific Name
<u>Plants</u>	
Shot-pod mustard	<i>Hirschfeldia incana</i>
Wall barley	<i>Hordeum murinum</i>
London rocket	<i>Sisymbrium irio</i>
Common stork's bill	<i>Erodium cicutarium</i>
Jimsonweed	<i>Datura stramonium</i>
Peruvian pepper tree	<i>Schinus molle</i>
Common sowthistle	<i>Sonchus oleraceus</i>
Common fiddleneck	<i>Amsinckia intermedia</i>
Cheesweed	<i>Malva parviflora</i>
Slender wild oat	<i>Avena barbata</i>
Ripgut brome	<i>Bromus diandrus</i>
Tree of heaven	<i>Ailanthus altissima</i>
Stinging nettle	<i>Urtica dioica</i>
<u>Birds</u>	
House sparrow	<i>Passer domesticus</i>
House finch	<i>Haemorhous mexicanus</i>
Black phoebe	<i>Sayornis nigricans</i>
Northern mockingbird	<i>Mimus polyglottos</i>
Common raven	<i>Corvus corax</i>
<u>Mammals</u>	
Domestic cat	<i>Felis catus</i>
Domestic dog	<i>Canis lupus familiaris</i>

Table 2 –Potential to Occur for the *Fontana, Devore, Cucamonga Peak, and Guasti* USGS 7.5-minute Quadrangles

<u>Scientific Name</u>	<u>Common Name</u>	<u>Federal/State Status</u>	<u>Other Status</u>	<u>Habitat</u>	<u>Potential to Occur</u>
Agelaius tricolor	tricolored blackbird	None, Threatened	G1G2, S2, CDFW-SSC	Highly colonial species, most numerous in Central Valley and vicinity. Largely endemic to California. Requires open water, protected nesting substrate, and foraging area with insect prey within a few km of the colony.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Ambrosia monogyra	singlewhorl burrobrush	None, None	G5, S2, 2B.2	Chaparral, Sonoran desert scrub. Sandy soils. 5-475 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Anniella stebbinsi	Southern California legless lizard	None, None	G3, S3, CDFW-SSC	Generally south of the Transverse Range, extending to northwestern Baja California. Occurs in sandy or loose loamy soils under sparse vegetation. Disjunct populations in the Tehachapi and Piute Mountains in Kern County. Variety of habitats; generally in moist, loose soil. They prefer soils with a high moisture content.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Arctostaphylos glandulosa ssp. gabrielensis	San Gabriel manzanita	None, None	G5T3, S3, 1B.2	Chaparral. Rocky outcrops; can be dominant shrub where it occurs. 960-2015 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Arenaria paludicola	marsh sandwort	Endangered, Endangered	G1, S1, 1B.1	Marshes and swamps. Growing up through dense mats of Typha, Juncus, Scirpus, etc. in freshwater marsh. Sandy soil. 3-170 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.

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<u>Scientific Name</u>	<u>Common Name</u>	<u>Federal/State Status</u>	<u>Other Status</u>	<u>Habitat</u>	<u>Potential to Occur</u>
Arizona elegans occidentalis	California glossy snake	None, None	G5T2, S2, CDFW-SSC	Patchily distributed from the eastern portion of San Francisco Bay, southern San Joaquin Valley, and the Coast, Transverse, and Peninsular ranges, south to Baja California. Generalist reported from a range of scrub and grassland habitats, often with loose or sandy soils.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Artemisiospiza belli belli	Bell's sparrow	None, None	G5T2T3, S3, CDFW-WL	Nests in chaparral dominated by fairly dense stands of chamise. Found in coastal sage scrub in south of range. Nest located on the ground beneath a shrub or in a shrub 6-18 inches above ground. Territories about 50 yds apart.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Asplenium vespertinum	western spleenwort	None, None	G3?, S4, 4.2	Chaparral, Cismontane woodland, Coastal scrub	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Athene cunicularia	western burrowing owl	None, Candidate Endangered	G4, S2, CDFW-SSC	Open, dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals, most notably, the California ground squirrel.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Batrachoseps gabrieli	San Gabriel slender salamander	None, None	G2G3, S2S3	Known only from the San Gabriel Mtns. Found under rocks, wood, and fern fronds, and on soil at the base of talus slopes. Most active on the surface in winter and early spring.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.

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<u>Scientific Name</u>	<u>Common Name</u>	<u>Federal/State Status</u>	<u>Other Status</u>	<u>Habitat</u>	<u>Potential to Occur</u>
<i>Bombus crotchii</i>	Crotch's bumble bee	None, Candidate Endangered	G2, S2	Coastal California east to the Sierra-Cascade crest and south into Mexico. Food plant genera include <i>Antirrhinum</i> , <i>Phacelia</i> , <i>Clarkia</i> , <i>Dendromecon</i> , <i>Eschscholzia</i> , and <i>Eriogonum</i> .	Suitable habitat for this species does not occur on site. The site is highly disturbed and consists of wild oat fields that are routinely maintained. No small burrows were observed. As such, this species is considered absent from the Project site.
California Walnut Woodland	California Walnut Woodland	None, None	G2, S2.1	Cismontane woodland	This habitat type is absent from the Project site.
<i>Calochortus plummerae</i>	Plummer's mariposa-lily	None, None	G4, S4, 4.2	Coastal scrub, chaparral, valley and foothill grassland, cismontane woodland, lower montane coniferous forest. Occurs on rocky and sandy sites, usually of granitic or alluvial material. Can be very common after fire. 60-2500 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
<i>Calochortus weedii</i> var. <i>intermedius</i>	intermediate mariposa-lily	None, None	G3G4T3, S3, 1B.2	Coastal scrub, chaparral, valley and foothill grassland. Dry, rocky calcareous slopes and rock outcrops. 60-1575 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
<i>Catostomus santaanae</i>	Santa Ana sucker	Threatened, None	G1, S1, CDFW-SSC	Endemic to Los Angeles Basin south coastal streams. Habitat generalists, but prefer sand-rubble-boulder bottoms, cool, clear water, and algae.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.

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<u>Scientific Name</u>	<u>Common Name</u>	<u>Federal/State Status</u>	<u>Other Status</u>	<u>Habitat</u>	<u>Potential to Occur</u>
Chaetodipus fallax fallax	northwestern San Diego pocket mouse	None, None	G5T3T4, S3S4	Coastal scrub, chaparral, grasslands, sagebrush, etc. in western San Diego, Riverside, San Bernardino, and Los Angeles Counties, inclusive of Orange County. Sandy, herbaceous areas, usually in association with rocks or coarse gravel.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Chaetodipus fallax pallidus	pallid San Diego pocket mouse	None, None	G5T3T4, S3S4	Desert border areas of San Diego, Riverside, San Bernardino, and Los Angeles counties in desert wash, desert scrub, desert succulent scrub, pinyon-juniper, etc. Sandy, herbaceous areas, usually in association with rocks or coarse gravel.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Chloropyron maritimum ssp. maritimum	salt marsh bird's-beak	Endangered, Endangered	G4?T1, S1, 1B.2	Marshes and swamps, coastal dunes. Limited to the higher zones of salt marsh habitat. 0-10 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Chorizanthe parryi var. parryi	Parry's spineflower	None, None	G3T2, S2, 1B.1	Coastal scrub, chaparral, cismontane woodland, valley and foothill grassland. Dry slopes and flats; sometimes at interface of 2 vegetation types, such as chaparral and oak woodland. Dry, sandy soils. 90-1220 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Chorizanthe xanti var. leucotheca	white-bracted spineflower	None, None	G4T3, S3, 1B.2	Mojavean desert scrub, pinyon and juniper woodland, coastal scrub (alluvial fans). Sandy or gravelly places. 365-1830 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.

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Scientific Name	Common Name	Federal/State Status	Other Status	Habitat	Potential to Occur
Cicindela tranquebarica viridissima	greenest tiger beetle	None, None	G5T1, S1	Inhabits the woodlands adjacent to the Santa Ana River basin. Usually found in open spots between trees.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Cladium californicum	California saw-grass	None, None	G4, S2, 2B.2	Meadows and seeps, marshes and swamps (alkaline or freshwater). Freshwater or alkaline moist habitats. -40-2150 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Claytonia peirsonii ssp. peirsonii	Peirson's spring beauty	None, None	G2G3T2, S2, 1B.2	Upper montane coniferous forest, subalpine coniferous forest. Granitic scree slopes, often with a sandy or fine soil component and granitic cobbles. 1510-2745 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Coastal and Valley Freshwater Marsh	Coastal and Valley Freshwater Marsh	None, None	G3, S2.1	Marsh & swamp Wetland	This habitat type is absent from the Project site.
Deinandra paniculata	paniculate tarplant	None, None	G4, S4, 4.2	Coastal scrub, Valley and foothill grassland, Vernal pools	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Diplacus johnstonii	Johnston's monkeyflower	None, None	G4, S4, 4.3	Lower montane coniferous forest (disturbed areas, gravelly, roadsides, rocky, scree)	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Dipodomys merriami parvus	San Bernardino kangaroo rat	Endangered, Endangered	G5T1, S1, CDFW-SSC	Alluvial scrub vegetation on sandy loam substrates characteristic of alluvial fans and flood plains. Needs early to intermediate seral stages.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.

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<u>Scientific Name</u>	<u>Common Name</u>	<u>Federal/State Status</u>	<u>Other Status</u>	<u>Habitat</u>	<u>Potential to Occur</u>
Dipodomys stephensi	Stephens' kangaroo rat	Threatened, Threatened	G2, S3	Primarily annual and perennial grasslands, but also occurs in coastal scrub and sagebrush with sparse canopy cover. Prefers buckwheat, chamise, brome grass and filaree. Will burrow into firm soil.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Dodecahema leptoceras	slender-horned spineflower	Endangered, Endangered	G1, S1, 1B.1	Chaparral, cismontane woodland, coastal scrub (alluvial fan sage scrub). Flood deposited terraces and washes; associates include Encelia, Dalea, Lepidospartum, etc. Sandy soils. 200-765 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Eriastrum densifolium ssp. sanctorum	Santa Ana River woollystar	Endangered, Endangered	G4T1, S1, 1B.1	Coastal scrub, chaparral. In sandy soils on river floodplains or terraced fluvial deposits. 180-705 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Eriogonum microtheca var. alpinum	alpine slender buckwheat	None, None	G5T3, S3, 4.3	Alpine dwarf scrub, Great Basin scrub	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Eriogonum microtheca var. johnstonii	Johnston's buckwheat	None, None	G5T2, S2, 1B.3	Subalpine coniferous forest, upper montane coniferous forest. Slopes and ridges on granite or limestone. 1795-2865 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Eriogonum umbellatum var. minus	alpine sulfur-flowered buckwheat	None, None	G5T4, S4, 4.3	Subalpine coniferous forest, Upper montane coniferous forest	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Eriophyllum lanatum var. obovatum	southern Sierra woolly sunflower	None, None	G5T4, S4, 4.3	Lower montane coniferous forest, Upper montane coniferous forest	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.

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<u>Scientific Name</u>	<u>Common Name</u>	<u>Federal/State Status</u>	<u>Other Status</u>	<u>Habitat</u>	<u>Potential to Occur</u>
Eugnosta busckana	Busck's gallmoth	None, None	G1G3, S2S3	Coastal southern California. Tiny micro-moth (1 cm) with larva forming galls on host plant Encelia californica (California brittlebush). Adult flight period is during winter, generally from November to February, and have been reported at UV lights and porch lights.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Eumops perotis californicus	western mastiff bat	None, None	G4G5T4, S3S4,	Many open, semi-arid to arid habitats, including conifer and deciduous woodlands, coastal scrub, grasslands, chaparral, etc. Roosts in crevices in cliff faces, high buildings, trees and tunnels.	The site contains minimally suitable habitat for this species. This species was not observed during the site visit. However, pre-construction surveys are recommended.
Fritillaria pinetorum	pine fritillary	None, None	G4, S4, 4.3	Chaparral, Lower montane coniferous forest, Pinyon and juniper woodland, Subalpine coniferous forest, Upper montane coniferous forest	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Galium angustifolium ssp. gabrielense	San Antonio Canyon bedstraw	None, None	G5T3, S3, 4.3	Chaparral, Lower montane coniferous forest	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Galium jepsonii	Jepson's bedstraw	None, None	G3, S3, 4.3	Lower montane coniferous forest, Upper montane coniferous forest	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Galium johnstonii	Johnston's bedstraw	None, None	G4, S4, 4.3	Chaparral, Lower montane coniferous forest, Pinyon and juniper woodland, Riparian woodland	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.

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<u>Scientific Name</u>	<u>Common Name</u>	<u>Federal/State Status</u>	<u>Other Status</u>	<u>Habitat</u>	<u>Potential to Occur</u>
<i>Gila orcuttii</i>	arroyo chub	None, None	G1, S2, CDFW-SSC	Native to streams from Malibu Creek to San Luis Rey River basin. Introduced into streams in Santa Clara, Ventura, Santa Ynez, Mojave and San Diego river basins. Slow water stream sections with mud or sand bottoms. Feeds heavily on aquatic vegetation and associated invertebrates.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
<i>Heuchera caespitosa</i>	urn-flowered alumroot	None, None	G3, S3, 4.3	Cismontane woodland, Lower montane coniferous forest, Riparian forest (montane), Upper montane coniferous forest	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
<i>Horkelia cuneata</i> var. <i>puberula</i>	mesa horkelia	None, None	G4T1, S1, 1B.1	Chaparral, cismontane woodland, coastal scrub. Sandy or gravelly sites. 15-1645 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
<i>Juglans californica</i>	Southern California black walnut	None, None	G4, S4, 4.2	Chaparral, Cismontane woodland, Coastal scrub, Riparian woodland	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
<i>Juncus duranii</i>	Duran's rush	None, None	G3, S3, 4.3	Lower montane coniferous forest, Meadows and seeps, Upper montane coniferous forest	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
<i>Lasiurus xanthinus</i>	western yellow bat	None, None	G4G5, S3, CDFW-SSC	Found in valley foothill riparian, desert riparian, desert wash, and palm oasis habitats. Roosts in trees, particularly palms. Forages over water and among trees.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.

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<u>Scientific Name</u>	<u>Common Name</u>	<u>Federal/State Status</u>	<u>Other Status</u>	<u>Habitat</u>	<u>Potential to Occur</u>
Laterallus jamaicensis coturniculus	California black rail	None, Threatened	G3T1, S2, CDFW-FP	Inhabits freshwater marshes, wet meadows and shallow margins of saltwater marshes bordering larger bays. Needs water depths of about 1 inch that do not fluctuate during the year and dense vegetation for nesting habitat.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Lepechinia fragrans	fragrant pitcher sage	None, None	G3, S3, 4.2	Chaparral	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Lepidium virginicum var. robinsonii	Robinson's pepper-grass	None, None	G5T3, S3, 4.3	Chaparral, coastal scrub. Dry soils, shrubland. 4-1435 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Lepus californicus bennettii	San Diego black-tailed jackrabbit	None, None	G5T3T4, S3S4	Intermediate canopy stages of shrub habitats and open shrub / herbaceous and tree / herbaceous edges. Coastal sage scrub habitats in Southern California.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Lilium humboldtii ssp. ocellatum	ocellated Humboldt lily	None, None	G4T4?, S4?, 4.2	Chaparral, Cismontane woodland, Coastal scrub, Lower montane coniferous forest, Riparian woodland	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Lilium parryi	lemon lily	None, None	G3, S3, 1B.2	Lower montane coniferous forest, meadows and seeps, riparian forest, upper montane coniferous forest. Wet, mountainous terrain; generally in forested areas; on shady edges of streams, in open boggy meadows and seeps. 625-2930 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.

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<u>Scientific Name</u>	<u>Common Name</u>	<u>Federal/State Status</u>	<u>Other Status</u>	<u>Habitat</u>	<u>Potential to Occur</u>
Linanthus concinnus	San Gabriel linanthus	None, None	G2, S2, 1B.2	Lower montane coniferous forest, upper montane coniferous forest, chaparral. Dry rocky slopes, often in Jeffrey pine/canyon oak forest. 1310-2560 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Lycium parishii	Parish's desert-thorn	None, None	G4, S1, 2B.3	Coastal scrub, Sonoran desert scrub. -3-570 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Malacothamnus parishii	Parish's bushmallow	None, None	GXQ, SX, 1A	Chaparral, coastal sage scrub. In a wash. 305-455 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Monardella australis ssp. jokerstii	Jokerst's monardella	None, None	G4T1?, S1?, 1B.1	Lower montane coniferous forest, chaparral. Steep scree or talus slopes between breccia. Secondary alluvial benches along drainages and washes. 210-1740 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Monardella pringlei	Pringle's monardella	None, None	GX, SX, 1A	Coastal scrub. Sandy hills. 300-400 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Monardella saxicola	rock monardella	None, None	G3, S3, 4.2	Chaparral, Closed-cone coniferous forest, Lower montane coniferous forest	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Muhlenbergia californica	California muhly	None, None	G4, S4, 4.3	Coastal scrub, chaparral, lower montane coniferous forest, meadows and seeps. Usually found near streams or seeps. 100-2000 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.

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Muhlenbergia utilis	aparejo grass	None, None	G4, S2S3, 2B.2	Meadows and seeps, marshes and swamps, chaparral, coastal scrub, cismontane woodland. Sometimes alkaline, sometimes serpentinite. 25-2325 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Navarretia prostrata	prostrate vernal pool navarretia	None, None	G2, S2, 1B.2	Coastal scrub, valley and foothill grassland, vernal pools, meadows and seeps. Alkaline soils in grassland, or in vernal pools. Mesic, alkaline sites. 3-1235 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Neolarra alba	white cuckoo bee	None, None	GH, SH	Known only from localities in Southern California. Cleptoparasitic in the nests of perdita bees.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Neotoma lepida intermedia	San Diego desert woodrat	None, None	G5T3T4, S3S4, CDFW-SSC	Coastal scrub of Southern California from San Diego County to San Luis Obispo County. Moderate to dense canopies preferred. They are particularly abundant in rock outcrops, rocky cliffs, and slopes.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Nyctinomops femorosaccus	pocketed free-tailed bat	None, None	G5, S3, CDFW-SSC	Variety of arid areas in Southern California; pine-juniper woodlands, desert scrub, palm oasis, desert wash, desert riparian, etc. Rocky areas with high cliffs.	The site contains minimally suitable habitat for this species. This species was not observed during the site visit. However, pre-construction surveys are recommended.

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<u>Scientific Name</u>	<u>Common Name</u>	<u>Federal/State Status</u>	<u>Other Status</u>	<u>Habitat</u>	<u>Potential to Occur</u>
Oncorhynchus mykiss irideus pop. 10	steelhead - southern California DPS	Endangered, Candidate Endangered	G5T1Q, S1	Federal listing refers to populations from Santa Maria River south to southern extent of range (San Mateo Creek in San Diego County). Southern steelhead likely have greater physiological tolerances to warmer water and more variable conditions.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Opuntia basilaris var. brachyclada	short-joint beavertail	None, None	G5T3, S3, 1B.2	Chaparral, Joshua tree woodland, Mojavean desert scrub, pinyon and juniper woodland. Sandy soil or coarse, granitic loam. 425-2015 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Oreonana vestita	woolly mountain-parsley	None, None	G3, S3, 1B.3	Subalpine coniferous forest, upper montane coniferous forest, lower montane coniferous forest. High ridges; on scree, talus, or gravel. 800-3370 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Ovis canadensis nelsoni	desert bighorn sheep	None, None	G4T3, S3, CDFW-FP	Widely distributed from the White Mtns in Mono Co. to the Chocolate Mts in Imperial Co. Open, rocky, steep areas with available water and herbaceous forage.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Perognathus longimembris brevinasus	Los Angeles pocket mouse	None, None	G5T2, S1S2, CDFW-SSC	Lower elevation grasslands and coastal sage communities in and around the Los Angeles Basin. Open ground with fine, sandy soils. May not dig extensive burrows, hiding under weeds and dead leaves instead.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.

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Phacelia mohavensis	Mojave phacelia	None, None	G4Q, S4, 4.3	Cismontane woodland, Lower montane coniferous forest, Meadows and seeps, Pinyon and juniper woodland	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Phacelia stellaris	Brand's star phacelia	None, None	G1, S1, 1B.1	Coastal scrub, coastal dunes. Open areas. 3-370 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Phrynosoma blainvillii	coast horned lizard	None, None	G4, S4, CDFW-SSC	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. Open areas for sunning, bushes for cover, patches of loose soil for burial, and abundant supply of ants and other insects.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Poliophtila californica californica	coastal California gnatcatcher	Threatened, None	G4G5T3Q, S2, CDFW-SSC	Obligate, permanent resident of coastal sage scrub below 2500 ft in Southern California. Low, coastal sage scrub in arid washes, on mesas and slopes. Not all areas classified as coastal sage scrub are occupied.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Pseudognaphalium leucocephalum	white rabbit-tobacco	None, None	G4, S2, 2B.2	Riparian woodland, cismontane woodland, coastal scrub, chaparral. Sandy, gravelly sites. 35-515 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Quercus durata var. gabrielensis	San Gabriel oak	None, None	G4T3, S3, 4.2	Chaparral, Cismontane woodland	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.

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<u>Scientific Name</u>	<u>Common Name</u>	<u>Federal/State Status</u>	<u>Other Status</u>	<u>Habitat</u>	<u>Potential to Occur</u>
<i>Rana muscosa</i>	southern mountain yellow-legged frog	Endangered, Endangered	G1, S2, CDFW-WL	Disjunct populations known from southern Sierras (northern DPS) and San Gabriel, San Bernardino, and San Jacinto Mtns (southern DPS). Found at 1,000 to 12,000 ft in lakes and creeks that stem from springs and snowmelt. May overwinter under frozen lakes. Often encountered within a few feet of water. Tadpoles may require 2 - 4 yrs to complete their aquatic development.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
<i>Rhaphiomidas terminatus abdominalis</i>	Delhi Sands flower-loving fly	Endangered, None	G1T1, S1	Found only in areas of the Delhi Sands formation in southwestern San Bernardino and northwestern Riverside counties. Requires fine, sandy soils, often with wholly or partly consolidated dunes and sparse vegetation. Oviposition req. shade.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
<i>Rhinichthys gabrielino</i>	Santa Ana speckled dace	Proposed Threatened, None	G5T1, S1, CDFW-SSC	Headwaters of the Santa Ana and San Gabriel rivers. May be extirpated from the Los Angeles River system. Requires permanent flowing streams with summer water temps of 17-20 C. Usually inhabits shallow cobble and gravel riffles.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Riversidian Alluvial Fan Sage Scrub	Riversidian Alluvial Fan Sage Scrub	None, None	G1, S1.1	Coastal scrub	This habitat type is absent from the Project site.

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Scientific Name	Common Name	Federal/State Status	Other Status	Habitat	Potential to Occur
Sagittaria sanfordii	Sanford's arrowhead	None, None	G3, S3, 1B.2	Marshes and swamps. In standing or slow-moving freshwater ponds, marshes, and ditches. 0-605 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Senecio aphanactis	chaparral ragwort	None, None	G3, S2, 1B.2	Chaparral, cismontane woodland, coastal scrub. Drying alkaline flats. 20-1020 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Senecio astephanus	San Gabriel ragwort	None, None	G3, S3, 4.3	Chaparral, Coastal scrub	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Southern Riparian Forest	Southern Riparian Forest	None, None	G4, S4	Riparian forest	This habitat type is absent from the Project site.
Southern Sycamore Alder Riparian Woodland	Southern Sycamore Alder Riparian Woodland	None, None	G4, S4	Riparian woodland	This habitat type is absent from the Project site.
Spea hammondii	western spadefoot	Proposed Threatened, None	G2G3, S3S4, CDFW-SSC	Occurs primarily in grassland habitats, but can be found in valley-foothill hardwood woodlands. Vernal pools are essential for breeding and egg-laying.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Sphenopholis obtusata	prairie wedge grass	None, None	G5, S2, 2B.2	Cismontane woodland, meadows and seeps. Open moist sites, along rivers and springs, alkaline desert seeps. 15-2625 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Streptanthus bernardinus	Laguna Mountains jewelflower	None, None	G3G4, S3S4, 4.3	Chaparral, lower montane coniferous forest. Clay or decomposed granite soils; sometimes in disturbed areas such as streambanks or roadcuts. 1440-2500 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.

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Symphotrichum defoliatum	San Bernardino aster	None, None	G2, S2, 1B.2	Meadows and seeps, cismontane woodland, coastal scrub, lower montane coniferous forest, marshes and swamps, valley and foothill grassland. Vernal mesic grassland or near ditches, streams and springs; disturbed areas. 3-2045 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Thamnophis hammondi	two-striped gartersnake	None, None	G4, S3S4, CDFW-SSC	Coastal California from vicinity of Salinas to northwest Baja California. From sea to about 7,000 ft elevation. Highly aquatic, found in or near permanent fresh water. Often along streams with rocky beds and riparian growth.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Viola pinetorum ssp. grisea	grey-leaved violet	None, None	G4G5T3, S3, 1B.2	Subalpine coniferous forest, upper montane coniferous forest, meadows and seeps. Dry mountain peaks and slopes. 1580-3700 m.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.
Vireo bellii pusillus	least Bell's vireo	Endangered, Endangered	G5T2, S3,	Summer resident of Southern California in low riparian in vicinity of water or in dry river bottoms; below 2000 ft. Nests placed along margins of bushes or on twigs projecting into pathways, usually willow, Baccharis, mesquite.	Suitable habitat for this species does not occur on site. As such, this species is considered absent from the Project site.

Coding and Terms

E = Endangered T = Threatened C = Candidate FP = Fully Protected WL = Watch List SSC = Species of Special Concern R = Rare

State Species of Special Concern: An administrative designation given to vertebrate species that appear to be vulnerable to extinction because of declining populations, limited acreages, and/or continuing threats. Raptor and owls are protected under section 3502.5 of the California Fish and Game code: "It is unlawful to take, possess or destroy any birds in the orders Falconiformes or Strigiformes or to take, possess or destroy the nest or eggs of any such bird."

State Fully Protected: The classification of Fully Protected was the State's initial effort in the 1960's to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for fish, mammals, amphibians and reptiles. Fully Protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock.

Global Rankings (Species or Natural Community Level):

G1 = Critically Imperiled – At very high risk of extinction due to extreme rarity (often 5 or fewer populations), very steep declines, or other factors.

G2 = Imperiled – At high risk of extinction due to very restricted range, very few populations (often 20 or fewer), steep declines, or other factors.

G3 = Vulnerable – At moderate risk of extinction due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors.

G4 = Apparently Secure – Uncommon but not rare; some cause for long-term concern due to declines or other factors.

G5 = Secure – Common; widespread and abundant.

? = Uncertainty in the exact status of an element (could move up or down one direction from current rank)

Subspecies Level: Taxa which are subspecies or varieties receive a taxon rank (T-rank) attached to their G-rank. Where the G-rank reflects the condition of the entire species, the T-rank reflects the global situation of just the subspecies. For example: the Point Reyes mountain beaver, *Aplodontia rufa* ssp. *phaea* is ranked G5T2. The G-rank refers to the whole species range i.e., *Aplodontia rufa*. The T-rank refers only to the global condition of ssp. *phaea*.

State Ranking:

S1 = Critically Imperiled – Critically imperiled in the State because of extreme rarity (often 5 or fewer populations) or because of factor(s) such as very steep declines making it especially vulnerable to extirpation from the State.

S2 = Imperiled – Imperiled in the State because of rarity due to very restricted range, very few populations (often 20 or fewer), steep declines, or other factors making it very vulnerable to extirpation from the State.

S3 = Vulnerable – Vulnerable in the State due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors making it vulnerable to extirpation from the State.

S4 = Apparently Secure – Uncommon but not rare in the State; some cause for long-term concern due to declines or other factors.

S5 = Secure – Common, widespread, and abundant in the State.

California Rare Plant Rankings (CNPS List):

1A = Plants presumed extirpated in California and either rare or extinct elsewhere.

1B = Plants rare, threatened, or endangered in California and elsewhere.

2A = Plants presumed extirpated in California, but common elsewhere.

2B = Plants rare, threatened, or endangered in California, but more common elsewhere.

3 = Plants about which more information is needed; a review list.

4 = Plants of limited distribution; a watch list.

Threat Ranks:

.1 = Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)

.2 = Moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)

.3 = Not very threatened in California (less than 20% of occurrences threatened / low degree and immediacy of threat or no current threats known)