Appendix B

GENERAL BIOLOGICAL REPORT

FOR THE

INTERSTATE 215 INTERCHANGE PROJECT

LOCATED IN THE CITY OF PERRIS, RIVERSIDE COUNTY, CALIFORNIA

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INFORMATION SUMMARY

A. Report Date: June 9, 2021

B. Report Title: General Biological Report for the Interstate 215 Interchange Project

C. Project Site Location: City of Perris, Riverside County, California. Interstate 215 offramp to State Route 74 east and onramp to Interstate 215 southbound from westbound State Route 74

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1.0 INTRODUCTION

1.1 Background and Scope of Work

This document provides the results of general biological surveys and focused biological surveys for the approximately 5.91-acre Interstate 215 Interchange Project (the Project) located in the City of Perris, Riverside County, California. This report identifies and evaluates impacts to biological resources associated with the proposed Project in the context of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), the California Environmental Quality Act (CEQA), and State and Federal regulations such as the Endangered Species Act (ESA), Clean Water Act (CWA), and the California Fish and Game Code.

The scope of this report includes a discussion of existing conditions for the approximately 5.91-acre Project site, all methods employed regarding the general biological surveys and focused biological surveys, the documentation of botanical and wildlife resources identified (including special-status species), and an analysis of impacts to biological resources. Methods of the study include a review of relevant literature, field surveys, and a Geographical Information System (GIS)-based analysis of vegetation communities. As appropriate, this report is consistent with accepted scientific and technical standards and survey guideline requirements issued by the U.S. Fish and Wildlife Service (USFWS), the California Department of Fish and Wildlife (CDFW), the California Native Plant Society (CNPS), and other applicable agencies/organizations.

The field study focused on a number of primary objectives that would comply with CEQA and MSHCP requirements, including (1) general biological surveys and vegetation mapping; (2) habitat assessments and focused surveys for special-status plant species (including species with applicable MSHCP survey requirements); (3) habitat assessments and focused surveys for special-status wildlife species (including species with applicable MSHCP survey requirements); (4) assessments for MSHCP riparian/riverine areas and vernal pools; and (5) assessments for areas subject to the jurisdiction of the U.S. Army Corps of Engineers (Corps) jurisdiction pursuant to Section 404 of the Clean Water Act, State Water Quality Control Board pursuant to Section 401 of the Clean Water Act, and CDFW jurisdiction pursuant to Division 2, Chapter 6, Section 1600–1616 of the California Fish and Game Code.

1.2 Project Location

The Project site comprises approximately 5.91 acres in the City of Perris, Riverside County, California [Exhibit 1 – Regional Map] and is located within Sections 9 and 10 of Township 5 South, Range 3 West, of the U.S. Geological Survey (USGS) 7.5" quadrangle map Perris, California (dated 1967 and photorevised in 1979)[Exhibit 2 – Vicinity Map]. The Project site consists of the southbound offramp from Interstate 215 transitioning to State Route (SR) 74 and the southbound onramp from SR 74. Exhibit 3 provides as Aerial Map of the Project site.

1.3 Project Description

The City of Perris has approved three industrial warehouses as part of the project known as the South Perris Industrial Project Site 3 (Tentative Parcel Maps 35877 and 35886) and an

Environmental Impact Report Addendum. To accommodate the increased traffic flow generated by the industrial warehouse development approved in the City of Perris, the purpose of the Interchange Project is to implement the City of Perris Condition of Approval of the South Perris Industrial Project Site 3 Project to make improvements to the Interstate 215 (I-215)/Case Road/SR-74 Interchange southbound ramps as shown on the attached exhibit.

The existing Interstate-215 is a 6-lane highway with three lanes of travel in each direction. The I-215/Case Road/SR-74 Interchange consists of two "diagonal" ramps and two “loop” ramps with the intersections being signalized. Each of the four ramps is a single lane of travel with an 8-foot shoulder on the right side of the travel lane. There are no pedestrian facilities (curb ramps, sidewalks, bicycle lanes) within the project limits. There is an existing drainage culvert structure located beneath the southbound offramp that will not be impacted by the proposed project.
The existing southbound offramp has one through-lane and one free right turn lane with a channelized median. The southbound offramp will be widened up to approximately 16-feet to accommodate two (2) through lanes, a dedicated right turn lane, and an 8-foot shoulder. The channelized median will be removed, which will improve safety for pedestrians and bicyclists.
The existing southbound onramp/SR-74 has one left turn lane and one through lane. The proposed improvements will widen the approach to the intersection approximately seven feet to provide two left-turn lanes, one through lane, and a six-foot bicycle lane.

The existing westbound intersection at Bonnie Drive signalized and is a single left turn lane with a single through lane. The street will be widened to accommodate a dual left turn lane and a single through lane. The channelized median at the intersection will be removed. ADA ramps will also be constructed at both the northwest and southwest returns at the intersection. A signal modification will be required at this Bonnie Drive and SR-74 intersection to accommodate the additional widening and bicycle improvements.

The existing SR-74 between the I-215 southbound and northbound onramps contain two-lanes of travel in the eastbound direction with a single lane of travel in the westbound direction and does not have bicycle lanes. The project proposes to maintain said lanes in both eastbound and westbound directions, with additional widening up to eight feet to accommodate 6-foot bicycle lanes on both sides of the highway.

The improvements are needed to ensure the local roadway network will be improved to facilitate better traffic circulation once traffic is realized from the South Perris Industrial Project Site 3. In addition, it will improve traffic operations, safety for pedestrians, and bicyclists.

Additional improvements include regrading of existing slopes, removal of existing pavement sections, grind and overlay pavement rehabilitation, and relocation of existing signs. The maximum depths of excavation will be up to 15 feet for the traffic signal poles and the road improvements will require approximately two to three feet of excavation.

The proposed improvements are located within existing Caltrans right-of-way.

1.4 Relationship of the Project Site to the MSHCP

1.4.1 MSHCP Background

The Western Riverside County MSHCP is a comprehensive habitat conservation/planning program for Western Riverside County. The intent of the MSHCP is to preserve native vegetation and meet the habitat needs of multiple species, rather than focusing preservation efforts on one species at a time. The MSHCP provides coverage (including take authorization for listed species) for special-status plant and animal species, as well as mitigation for impacts to special-status species and associated native habitats.

Through agreements with the U.S. Fish and Wildlife Service (USFWS) and CDFW, the MSHCP designates 146 special-status animal and plant species as Covered Species, of which the majority have no project-specific survey/conservation requirements. The MSHCP provides mitigation for project-specific impacts to these species for Projects that are compliant/consistent with MSHCP requirements, such that the impacts are reduced to below a level of significance pursuant to CEQA.

The Covered Species that are not yet adequately conserved have additional requirements in order for these species to ultimately be considered "adequately conserved". A number of these species have survey requirements based on a project's occurrence within a designated MSHCP survey area and/or based on the presence of suitable habitat. These include Narrow Endemic Plant Species (MSHCP *Volume I, Section 6.1.3*), as identified by the Narrow Endemic Plant Species Survey Areas (NEPSSA); Criteria Area Plant Species (MSHCP *Volume I, Section 6.3.2*) identified by the Criteria Area Plant Species Survey Areas (CAPSSA); animals species (burrowing owl, mammals, amphibians) identified by survey areas (MSHCP *Volume I, Section 6.3.2*); and species associated with riparian/riverine areas and vernal pool habitats, i.e., least Bell's vireo, southwestern willow flycatcher, western yellow-billed cuckoo, and three species of listed fairy shrimp (MSHCP *Volume I, Section 6.1.2*). An additional 28 species (MSHCP *Volume I*, *Table 9.3*) not yet adequately conserved have species-specific objectives in order for the species to become adequately conserved. However, these species do not have project-specific survey requirements.

The goal of the MSHCP is to have a total Conservation Area in excess of 500,000 acres, including approximately 347,000 acres on existing Public/Quasi-Public (PQP) Lands, and approximately 153,000 acres of Additional Reserve Lands targeted within the MSHCP Criteria Area. The MSHCP is divided into 16 separate Area Plans, each with its own conservation goals and objectives. Within each Area Plan, the Criteria Area is divided into Subunits, and further divided into Criteria Cells and Cell Groups (a group of criteria cells). Each Cell Group and ungrouped, independent Cell has designated "criteria" for the purpose of targeting additional conservation lands for acquisition. Projects located within the Criteria Area are subject to the Habitat Evaluation and Acquisition Negotiation Strategy (HANS) process to determine if lands are targeted for inclusion in the MSHCP Reserve. In addition, all Projects located within the Criteria Area are subject to the Joint Project Review (JPR) process, where the Project is reviewed by the Regional Conservation Authority (RCA) to determine overall compliance/consistency with the biological requirements of the MSHCP.

1.4.2 Relationship of the Project Site to the MSHCP

The Project site is located at the boundary between the Mead Valley Area Plan and the Harvest Valley/Winchester Area Plan, with a portion of the Project footprint occurring in each Area Plan. However, the Project site is not located in the MSHCP Criteria Area [Exhibit 4 – MSHCP Overlay Map], and therefore Joint Project Review (JPR) is not required for the Project. The western edge of the Project footprint is within the MSHCP Burrowing Owl Survey Area but is not within the Narrow Endemic Plant Species Survey Area (NEPSSA), Criteria Area Plant Species Survey Area (CAPSSA), Mammal or Amphibian Survey Areas, or Core and Linkage areas.

Within the Burrowing Owl Survey Area, the MSHCP requires habitat assessments, and focused surveys within areas of suitable habitat. For locations with positive survey results, the MSHCP requires that 90 percent of those portions of the property that provide for long-term conservation value for the identified species shall be avoided until it is demonstrated that conservation goals for the particular species have been met throughout the MSHCP. Findings of equivalency shall be made demonstrating that the 90-percent standard has been met, if applicable. If equivalency findings cannot be demonstrated, then "biologically equivalent or superior preservation" must be provided.

2.0 METHODOLOGY

In order to adequately identify biological resources in accordance with the requirements of CEQA, Glenn Lukos Associates (GLA) assembled biological data consisting of following main components:

- Evaluation of the Project site for aquatic resources subject to the jurisdiction of the U.S. Army Corps of Engineers (Corps), Regional Water Quality Control Board (Regional Board), CDFW, and MSHCP riparian/riverine areas and vernal pools policy;
- Performance of vegetation mapping for the Project site;
- Performance of habitat assessments, and site-specific biological surveys, to evaluate the presence/absence of special-status species in accordance with the requirements of CEQA and the MSHCP.

The focus of the biological surveys was determined through initial site reconnaissance, a review of the CNDDB [CDFW 2021], CNPS 8th edition online inventory (CNPS 2021), Natural Resource Conservation Service soil data (NRCS 2021), MSHCP species and habitat maps and sensitive soil maps (Dudek 2003), other pertinent literature, and knowledge of the region. Site-specific general surveys within the Project site were conducted on foot for each target species. Table 2-1 provides a summary list of survey dates, survey types and personnel.

Table 2-1. Summary of Biological Surveys for the Project Site

Survey Type	2021 Survey Dates	Biologists
General Biological Survey and Habitat Assessments	3/17 3/30	DS JS
Evaluation for Aquatic Resources	3/17	DS
Focused Burrowing Owl Surveys	3/17, 3/24, 4/7, 4/17	DS

DS = David Smith; JS = Jillian Stephens

Individual plants and wildlife species were evaluated in this report based on their "special-status." For this report, plants were considered "special-status" based on one or more of the following criteria:

- Listing through the Federal and/or State Endangered Species Act (ESA); and/or
- CNPS Rare Plant Inventory Rank 1A, 1B, 2A, 2B, 3, or 4).

Wildlife species were considered "special-status" based on one or more of the following criteria:

- Listing through the Federal and/or State ESA; and
- Designation by the State as a Species of Special Concern (SSC) or California Fully Protected (CFP) species.

Vegetation communities and habitats were considered "special-status" based on one or more of the following criteria:

- Global (G) and/or State (S) ranking of category 3 or less based on CDFW (see Section 3.2.2 below for further explanation); and
- Riparian/riverine habitat.

2.1 Botanical Resources

A site-specific survey program was designed to accurately document the botanical resources within the Project site, and consisted of five components: (1) a literature search; (2) preparation of a list of target special-status plant species and sensitive vegetation communities that could occur within the Project site; (3) a general field reconnaissance survey to assess the Project site for vegetation communities; and (4) habitat assessments for special-status plants.

2.1.1 Literature Search

Prior to conducting fieldwork, pertinent literature on the flora of the region was examined. A thorough archival review was conducted using available literature and other historical records. These resources included the following:

- California Native Plant Society, Rare Plant Program. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39) (CNPS 2021); and

- CNDDB for the USGS 7.5' quadrangle(s): Perris and surrounding quadrangles (CDFW).

2.1.2 Vegetation Mapping

The Project site consists of disturbed/developed areas associated with the existing I-215 Interchange and adjacent roadside areas and does not support distinct vegetation communities. As such, vegetation mapping following a specific classification system, such as A Manual of California Vegetation, Second Edition or MCVII, which is the California expression of the National Vegetation Classification, was not applicable to the Project. Exhibit 5 provides a Vegetation Map to acknowledge the developed/disturbed land use. Exhibit 7 provides photographs of the Project site.

2.1.3 Special-Status Plant Species and Habitats Evaluated for the Project Site

A literature search was conducted to obtain a list of special-status plants with the potential to occur within the Project site. The CNDDB was initially consulted to determine well-known occurrences of plants and habitats of special concern in the region. Other sources used to develop a list of target species for the survey program included the CNPS online inventory (2021) and the MSHCP (Dudek 2003).

The Project site is not located within the MSHCP Narrow Endemic Plant Species Survey Area (NEPSSA) or Criteria Area Plant Species Survey Area (CAPSSA). As such, focused plant surveys are not required pursuant to the MSHCP. Furthermore, the GLA biologist Jillian Stephens evaluated the Project site on March 30, 2021 and determined that the Project site does not contain habitat with the potential to support special-status plants due to a number of factors, including the developed/disturbed nature of the property, the lack of suitable soils, and the lack of suitable hydrology (for applicable species). All plant species encountered during the field survey were identified and recorded following the above-referenced guidelines adopted by CNPS (2010) and CDFW by Nelson (1984). Scientific nomenclature and common names used in this report follow Baldwin et al (2012), and Munz (1974).

2.2 Wildlife Resources

Wildlife species were evaluated and detected during the field surveys by sight, call, tracks, and scat. Site reconnaissance was conducted in such a manner as to allow inspection of the entire Project site by direct observation, including the use of binoculars. Observations of physical evidence and direct sightings of wildlife were recorded in field notes during the visits. The methodology (including any applicable survey protocols) utilized to conduct general surveys, habitat assessments, and/or focused surveys for special-status animals are included below.

2.2.1 General Surveys

Birds

During the general biological and reconnaissance survey within the Project site, birds were identified incidentally within each habitat type. Birds were detected by both direct observation and by vocalizations and were recorded in field notes.

Mammals

During general biological and reconnaissance survey within the Project site, mammals were identified incidentally within each habitat type. Mammals were detected both by direct observations and by the presence of diagnostic sign (i.e. tracks, burrows, scat, etc.).

Reptiles and Amphibians

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

2.2.2 Special-Status Animal Species Evaluated for the Project Site

A literature search was conducted to obtain a list of special-status wildlife species with the potential to occur within the Project site. Species were evaluated based on three factors, including: 1) species identified by the CNDDB as occurring (either currently or historically) on or in vicinity of the Project site, (2) species survey areas as identified by the MSHCP for the Project site; and 3) any other special-status animals that are known to occur within the vicinity of the Project site, or for which potentially suitable habitat occurs on the Project site.

2.2.3 Habitat Assessment for Special-Status Animal Species

GLA biologist David Smith conducted habitat assessments for special-status animal species on March 17, 2021 An aerial photograph, soil map and/or topographic map were used to determine the community types and other physical features that may support special-status and uncommon taxa within the Project site.

2.2.4 Focused Burrowing Owl Surveys

The western portion of the Project site is within the MSHCP survey area for the burrowing owl (*Athene cunicularia*). GLA biologist David Smith conducted focused surveys for the burrowing owl for all suitable habitat areas within the Project site. Surveys were conducted in accordance with survey guidelines described in the 2006 MSHCP Burrowing Owl Survey Instructions. The guidelines stipulate that four focused survey visits be conducted on separate dates between March 1 and August 31. Within areas of suitable habitat, the MSHCP first requires a focused

burrow survey to map all potentially suitable burrows. The focused burrow survey was conducted on March 17, 2021. Focused burrowing owl surveys were conducted on March 17 and 24, and April 7 and 17, 2021. The burrowing owl survey visits were conducted during a period from one hour prior to sunrise to two hours after sunrise.

Both the burrow and owl surveys were conducted during weather that was conducive to observing owls outside their burrows and detecting burrowing owl sign and not during rain, high winds (> 20 mph), dense fog, or temperatures over 90 °F. Additionally, all work was performed more than 5 days after a rain event. Surveys were conducted by walking meandering transects along the edge of the Project footprint. Exhibit 8 identifies the survey area, including the 500-foot visual survey area around the Project footprint. All suitable burrows were inspected for diagnostic owl sign (e.g., pellets, prey remains, whitewash, feathers, bones, and/or decoration) in order to identify potentially occupied burrows. Table 2-2 summarizes the burrowing owl survey visits. The results of the burrowing owl surveys are documented in Section 4.0 of this report.

Table 2-2. Summary of Burrowing Owl Surveys

Survey Date	Biologist(s)	Start/End Time	Start/End Temperature (°F)	Start/End Wind Speed (mph)	Cloud Cover (%)
3/17/21	DS	0720/1000	40/48	0-1	Clear
3/24/21	DS	0700/1000	45/56	0-5	Clear
4/7/21	DS	0630/0915	52/64	0-1	Clear
4/17/21	DS	0630/0920	47/53	0-1	Cloudy

DS = David Smith

2.3 Jurisdictional Waters

The Project site was evaluated for the presence of jurisdictional waters, including waters of the U.S. (including wetlands) subject to the jurisdiction of the Corps and Regional Board, and waters of the State (including riparian vegetation) subject to the jurisdiction of CDFW.

2.4 MSHCP Riparian/Riverine Areas and Vernal Pools

Volume I, Section 6.1.2 of the MSHCP describes the process through which protection of riparian/riverine areas and vernal pools would occur within the MSHCP Plan Area. The purpose is to ensure that the biological functions and values of these areas throughout the MSHCP Plan Area are maintained such that habitat values for species inside the MSHCP Conservation Area are maintained. The MSHCP requires that as projects are proposed within the overall Plan Area, the effect of those projects on riparian/riverine areas and vernal pools must be addressed.

The MSHCP defines riparian/riverine areas as *lands which contain Habitat dominated by trees, shrubs, persistent emergent mosses and lichens, which occur close to or which depend upon soils moisture from a nearby fresh water source; or areas with fresh water flow during all or a portion of the year.*

The MSHCP defines vernal pools as *seasonal wetlands that occur in depression areas that have wetlands indicators of all three parameters (soils, vegetation, and hydrology) during the wetter portion of the growing season but normally lack wetland indictors of hydrology and/or vegetation during the drier portion of the growing season.*

With the exception of wetlands created for the purpose of providing wetlands habitat or resulting from human actions to create open waters or from the alteration of natural stream courses, areas demonstrating characteristics as described above which are artificially created are not included in these definitions.

GLA biologist David Smith evaluated the Project site on March 17, 2021 for riparian/riverine areas and vernal pool/seasonal pool habitat, including features with the potential to support fairy shrimp. To assess for vernal/seasonal pools (including fairy shrimp habitat), the biologist evaluated the topography of the site, including whether the site contained depressional features/topography with the potential to become inundated; whether the site contained soils associated with vernal/seasonal pools; and whether the site supported plants that suggested areas of localized ponding.

3.0 REGULATORY SETTING

The proposed Project is subject to state and federal laws and regulations associated with a number of regulatory programs. These programs often overlap and were developed to protect natural resources, including: state- and federally-listed plants and animals; aquatic resources including rivers and creeks, ephemeral streambeds, wetlands, and areas of riparian habitat; special-status species which are not listed as threatened or endangered by the state or federal governments; and special-status vegetation communities.

3.1 Endangered Species Acts

3.1.1 California Endangered Species Act

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

Candidate species may be afforded temporary protection as though they were already listed as threatened or endangered at the discretion of the Fish and Game Commission. Unlike the Federal Endangered Species Act (FESA), CESA does not list invertebrate species.

Article 3, Sections 2080 through 2085, of the CESA addresses the taking of threatened, endangered, or candidate species by stating "No person shall import into this state, export out of this state, or take, possess, purchase, or sell within this state, any species, or any part or product thereof, that the commission determines to be an endangered species or a threatened species, or attempt any of those acts, except as otherwise provided." Under the CESA, "take" is defined as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." Exceptions authorized by the state to allow "take" require permits or memoranda of understanding and can be authorized for endangered species, threatened species, or candidate species for scientific, educational, or management purposes and for take incidental to otherwise lawful activities. Sections 1901 and 1913 of the California Fish and Game Code provide that notification is required prior to disturbance.

3.1.2 Federal Endangered Species Act

The FESA of 1973 defines an endangered species as "any species that is in danger of extinction throughout all or a significant portion of its range." A threatened species is defined as "any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range." Under provisions of Section 9(a)(1)(B) of the FESA it is unlawful to "take" any listed species. "Take" is defined in Section 3(18) of FESA: "...harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Further, the USFWS, through regulation, has interpreted the terms "harm" and "harass" to include certain types of habitat modification that result in injury to, or death of species as forms of "take." These interpretations, however, are generally considered and applied on a case-by-case basis and often vary from species to species. In a case where a property owner seeks permission from a Federal agency for an action that could affect a federally listed plant and animal species, the property owner and agency are required to consult with USFWS. Section 9(a)(2)(b) of the FESA addresses the protections afforded to listed plants.

3.1.3 State and Federal Take Authorizations

Federal or state authorizations of impacts to or incidental take of a listed species by a private individual or other private entity would be granted in one of the following ways:

- Section 7 of the FESA stipulates that any federal action that may affect a species listed as threatened or endangered requires a formal consultation with USFWS to ensure that the action is not likely to jeopardize the continued existence of the listed species or result in destruction or adverse modification of designated critical habitat. 16 U.S.C. 1536(a)(2).
- In 1982, the FESA was amended to give private landowners the ability to develop Habitat Conservation Plans (HCP) pursuant to Section 10(a) of the FESA. Upon development of an HCP, the USFWS can issue incidental take permits for listed species where the HCP specifies at minimum, the following: (1) the level of impact that will result from the taking, (2) steps that will minimize and mitigate the impacts, (3) funding necessary to

implement the plan, (4) alternative actions to the taking considered by the applicant and the reasons why such alternatives were not chosen, and (5) such other measures that the Secretary of the Interior may require as being necessary or appropriate for the plan.

- Sections 2090-2097 of the CESA require that the state lead agency consult with CDFW on projects with potential impacts on state-listed species. These provisions also require CDFW to coordinate consultations with USFWS for actions involving federally listed as well as state-listed species. In certain circumstances, Section 2080.1 of the California Fish and Game Code allows CDFW to adopt the federal incidental take statement or the 10(a) permit as its own based on its findings that the federal permit adequately protects the species under state law.

3.1.4 Take Authorizations Pursuant to the MSHCP

The Western Riverside County MSHCP was adopted on June 17, 2003, and an Implementing Agreement (IA) was executed between the federal and state wildlife agencies and participating entities. The MSHCP is a comprehensive habitat conservation-planning program for western Riverside County. The intent of the MSHCP is to preserve native vegetation and meet the habitat needs of multiple species, rather than focusing preservation efforts on one species at a time. As such, the MSHCP is intended to streamline review of individual projects with respect to the species and habitats addressed in the MSHCP, and to provide for an overall Conservation Area that would be of greater benefit to biological resources than would result from a piecemeal regulatory approach. The MSHCP provides coverage (including take authorization for listed species) for special-status plant and animal species, as well as mitigation for impacts to sensitive species pursuant to Section 10(a) of the FESA.

Through agreements with the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW), the MSHCP designates 146 special-status animal and plant species that receive some level of coverage under the plan. Of the 146 "Covered Species" designated under the MSHCP, the majority of these species have no additional survey/conservation requirements. In addition, through project participation with the MSHCP, the MSHCP provides mitigation for project-specific impacts to Covered Species so that the impacts would be reduced to below a level of significance pursuant to CEQA. As noted above, project-specific survey requirements exist for species designated as "Covered Species not yet adequately conserved". These include Narrow Endemic Plant Species, as identified by the Narrow Endemic Plant Species Survey Areas (NEPSSA); Criteria Area Plant Species identified by the Criteria Area Species Survey Areas (CASSA); animals species as identified by survey area; and plant and animal species associated with riparian/riverine areas and vernal pool habitats (*Volume I, Section 6.1.2* of the MSHCP document).

For projects that have a federal nexus such as through federal Clean Water Act Section 404 permitting, take authorization for federally listed covered species would occur under Section 7 (not Section 10) of FESA and that USFWS would provide a MSHCP consistency review of the proposed project, resulting in a biological opinion. The biological opinion would require no more compensation than what is required to be consistent with the MSHCP.

3.2 California Environmental Quality Act

3.2.1 CEQA Guidelines Section 15380

CEQA requires evaluation of a project's impacts on biological resources and provides guidelines and thresholds for use by lead agencies for evaluating the significance of proposed impacts. Sections 5.1.1 and 5.2.2 below set forth these thresholds and guidelines. Furthermore, pursuant to the CEQA Guidelines Section 15380, CEQA provides protection for non-listed species that could potentially meet the criteria for state listing. For plants, CDFW recognizes that plants on Lists 1A, 1B, or 2 of the CNPS *Inventory of Rare and Endangered Plants in California* may meet the criteria for listing and should be considered under CEQA. CDFW also recommends protection of plants, which are regionally important, such as locally rare species, disjunct populations of more common plants, or plants CNPS Ranked 3 or 4.

3.2.2 Special-Status Plants, Wildlife and Vegetation Communities Evaluated Under CEQA

Federally Designated Special-Status Species

Within recent years, the USFWS instituted changes in the listing status of candidate species. Former C1 (candidate) species are now referred to simply as candidate species and represent the only candidates for listing. Former C2 species (for which the USFWS had insufficient evidence to warrant listing) and C3 species (either extinct, no longer a valid taxon or more abundant than was formerly believed) are no longer considered as candidate species. Therefore, these species are no longer maintained in list form by the USFWS, nor are they formally protected. This term is employed in this document but carries no official protections. All references to federally protected species in this report (whether listed, proposed for listing, or candidate) include the most current published status or candidate category to which each species has been assigned by USFWS.

For this report the following acronyms are used for federal special-status species:

- FE Federally listed as Endangered
- FT Federally listed as Threatened
- FPE Federally proposed for listing as Endangered
- FPT Federally proposed for listing as Threatened
- FC Federal Candidate Species (former C1 species)

State-Designated Special-Status Species

Some mammals and birds are protected by the state as Fully Protected (SFP) Mammals or Fully Protected Birds, as described in the California Fish and Game Code, Sections 4700 and 3511, respectively. California SSC are designated as vulnerable to extinction due to declining population levels, limited ranges, and/or continuing threats. This list is primarily a working document for the CDFW's CNDDB project. Informally listed taxa are not protected but warrant

consideration in the preparation of biotic assessments. For some species, the CNDDB is only concerned with specific portions of the life history, such as roosts, rookeries, or nest sites.

For this report the following acronyms are used for State special-status species:

- SE State-listed as Endangered
- ST State-listed as Threatened
- SR State-listed as Rare
- SCE State Candidate for listing as Endangered
- SCT State Candidate for listing as Threatened
- SFP State Fully Protected
- SP State Protected
- SSC State Species of Special Concern

CNDDB Global/State Rankings

The CNDDB provides global and state rankings for species and communities based on a system developed by The Nature Conservancy to measure rarity of a species. The ranking provides a shorthand formula about how rare a species/community is and is based on the best information available from multiple sources, including state and federal listings, and other groups that recognize species as sensitive (e.g., Bureau of Land Management, Audubon Society, etc.). State and global rankings are used to prioritize conservation and protection efforts so that the rarest species/communities receive immediate attention. In both cases, the lower ranking (i.e., G1 or S1) indicates extreme rarity. Rare species are given a ranking from 1 to 3. Species with a ranking of 4 or 5 is considered to be common. If the exact global/state ranking is undetermined, a range is generally provided. For example, a global ranking of "G1G3" indicates that a species/community global rarity is between G1 and G3. If the animal being considered is a subspecies of a broader species, a "T" ranking is attached to the global ranking. The following are descriptions of global and state rankings:

Global Rankings

- G1 – Critically imperiled globally because of extreme rarity (5 or fewer occurrences), or because of some factor(s) making it especially vulnerable to extinction.
- G2 – Imperiled globally because of rarity (6-20 occurrences), or because of some other factor(s) making it very vulnerable to extinction throughout its range.
- G3 – Either very rare and local throughout its range (21 to 100 occurrences) or found locally (even abundantly at some of its locations) in a restricted range (e.g., a physiographic region), or because of some other factor(s) making it vulnerable to extinction throughout its range.
- G4 – Uncommon but not rare; some cause for long-term concern due to declines or other factors.
- G5 – Common, widespread and abundant.

State Rankings

- S1 – Extremely rare; typically 5 or fewer known occurrences in the state; or only a few remaining individuals; may be especially vulnerable to extirpation.
- S2 – Very rare; typically between 6 and 20 known occurrences; may be susceptible to becoming extirpated.
- S3 – Rare to uncommon; typically 21 to 50 known occurrences; S3 ranked species are not yet susceptible to becoming extirpated in the state but may be if additional populations are destroyed.
- S4 - Uncommon but not rare; some cause for long-term concern due to declines or other factors.
- S5 - Common, widespread, and abundant in the state.

California Native Plant Society

The CNPS is a private plant conservation organization dedicated to the monitoring and protection of sensitive species in California. The CNPS's Eighth Edition of the *California Native Plant Society's Inventory of Rare and Endangered Plants of California* separates plants of interest into five ranks. CNPS has compiled an inventory comprised of the information focusing on geographic distribution and qualitative characterization of Rare, Threatened, or Endangered vascular plant species of California. The list serves as the candidate list for listing as threatened and endangered by CDFW. CNPS has developed five categories of rarity that are summarized in Table 3-1.

Table 3-1. CNPS Ranks 1, 2, 3, & 4, and Threat Code Extensions

CNPS Rank	Comments
Rank 1A – Plants Presumed Extirpated in California and Either Rare or Extinct Elsewhere	Thought to be extinct in California based on a lack of observation or detection for many years.
Rank 1B – Plants Rare, Threatened, or Endangered in California and Elsewhere	Species, which are generally rare throughout their range that are also judged to be vulnerable to other threats such as declining habitat.
Rank 2A – Plants presumed Extirpated in California, But Common Elsewhere	Species that are presumed extinct in California but more common outside of California
Rank 2B – Plants Rare, Threatened or Endangered in California, But More Common Elsewhere	Species that are rare in California but more common outside of California
Rank 3 – Plants About Which More Information Is Needed (A Review List)	Species that are thought to be rare or in decline but CNPS lacks the information needed to assign to the appropriate list. In most instances, the extent of surveys for these species is not sufficient to allow CNPS to accurately assess whether these species should be assigned to a specific rank. In addition, many of the Rank 3 species have associated taxonomic problems such that the validity of their current taxonomy is unclear.
Rank 4 – Plants of Limited Distribution (A Watch List)	Species that are currently thought to be limited in distribution or range whose vulnerability or susceptibility to threat is currently low. In some cases, as noted above for Rank 3 species, CNPS lacks survey data to accurately determine status in California. Many species have been placed on Rank 4 in previous editions of the "Inventory" and have been removed as survey data has indicated that the species are more common than previously thought. CNPS recommends that species currently included on this list should be monitored to ensure that future substantial declines are minimized.
Extension	**Comments**
.1 – Seriously endangered in California	Species with over 80% of occurrences threatened and/or have a high degree and immediacy of threat.
.2 – Fairly endangered in California	Species with 20-80% of occurrences threatened.
.3 – Not very endangered in California	Species with <20% of occurrences threatened or with no current threats known.

3.3 Jurisdictional Waters

3.3.1 Army Corps of Engineers

Pursuant to Section 404 of the Clean Water Act, the Corps regulates the discharge of dredged and/or fill material into waters of the United States. The term "waters of the United States" is defined in Corps regulations at 33 CFR Part 328.3(a), pursuant to the ***Navigable Waters Protection Rule***[1] (NWPR), as:

(a) Jurisdictional waters. For purposes of the Clean Water Act, 33 U.S.C. 1251 ***et seq.*** and its implementing regulations, subject to the exclusions in paragraph (b) of this section, the term ''waters of the United States'' means:

(1) The territorial seas, and waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including waters which are subject to the ebb and flow of the tide;
(2) Tributaries;
(3) Lakes and ponds, and impoundments of jurisdictional waters; and
(4) Adjacent wetlands.

(b) Non-jurisdictional waters. The following are not ''waters of the United States'':

(1) Waters or water features that are
not identified in paragraph (a)(1), (2), (3), or (4) of this section;
(2) Groundwater, including groundwater drained through subsurface drainage systems;
(3) Ephemeral features, including ephemeral streams, swales, gullies, rills, and pools;
(4) Diffuse stormwater run-off and directional sheet flow over upland;
(5) Ditches that are not waters identified in paragraph (a)(1) or (2) of this section, and those portions of ditches constructed in waters identified in paragraph (a)(4) of this section that do not satisfy the conditions of paragraph (c)(1) of this section;
(6) Prior converted cropland;
(7) Artificially irrigated areas, including fields flooded for agricultural production, that would revert to upland should application of irrigation water to that area cease;
(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6) of this section;
(9) Water-filled depressions constructed or excavated in upland or in non-jurisdictional waters incidental to mining or construction activity, and pits excavated in upland or in non-jurisdictional waters for the purpose of obtaining fill, sand, or gravel;
(10) Stormwater control features constructed or excavated in upland or in non-jurisdictional waters to convey, treat, infiltrate, or store stormwater runoff;
(11) Groundwater recharge, water reuse, and wastewater recycling structures, including detention, retention, and infiltration basins and ponds, constructed or excavated in upland or in non-jurisdictional waters; and

[1] U.S. Environmental Protection Agency & Department of Defense. 2020. Federal Register / Vol. 85, No. 77 / Tuesday, April 21, 2020 / Rules and Regulations.

(12) Waste treatment systems.

In the absence of wetlands, the limits of Corps jurisdiction in non-tidal waters, such as intermittent streams, extend to the OHWM which is defined at 33 CFR 328.3(e) as:

> *...that line on the shore established by the fluctuation 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.*

1. Wetland Definition Pursuant to Section 404 of the Clean Water Act

The term "wetlands" (a subset of "waters of the United States") is defined at 33 CFR 328.3(b) as "those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support...a prevalence of vegetation typically adapted for life in saturated soil conditions." In 1987 the Corps published the Wetland Manual to guide its field personnel in determining jurisdictional wetland boundaries. The methodology set forth in the Wetland Manual and the Arid West Supplement generally require that, in order to be considered a wetland, the vegetation, soils, and hydrology of an area exhibit at least minimal hydric characteristics. While the Wetland Manual and Arid West Supplement provide great detail in methodology and allow for varying special conditions, a wetland should normally meet each of the following three criteria:

* More than 50 percent of the dominant plant species at the site must be typical of wetlands (i.e., rated as facultative or wetter in the Arid West 2016 Regional Wetland Plant List[2],[3]);

* Soils must exhibit physical and/or chemical characteristics indicative of permanent or periodic saturation (e.g., a gleyed color, or mottles with a matrix of low chroma indicating a relatively consistent fluctuation between aerobic and anaerobic conditions); and

* Whereas the Wetland Manual requires that hydrologic characteristics indicate that the ground is saturated to within 12 inches of the surface for at least five percent of the growing season during a normal rainfall year, the Arid West Supplement does not include a quantitative criteria with the exception for areas with "problematic hydrophytic vegetation", which require a minimum of 14 days of ponding to be considered a wetland.

[2] Lichvar, R.W., D.L. Banks, W.N. Kirchner, and N.C. Melvin. 2016. Arid West 2016 Regional Wetland Plant List. Phytoneuron 2016-30: 1-17. Published 28 April 2016.

[3] Note the Corps also publishes a National List of Plant Species that Occur in Wetlands (Lichvar, R.W., D.L. Banks, W.N. Kirchner, and N.C. Melvin. 2016. The National Wetland Plant List: 2016 wetland ratings. Phytoneuron 2016-30: 1-17. Published 28 April 2016.); however, the Regional Wetland Plant List should be used for wetland delineations within the Arid West Region.

3.3.2 Regional Water Quality Control Board

The State Water Resource Control Board and each of its nine Regional Boards regulate the discharge of waste (dredged or fill material) into waters of the United States[4] and waters of the State. Waters of the United States are defined above in Section II.A and waters of the State are defined as "any surface water or groundwater, including saline waters, within the boundaries of the state" (California Water Code 13050[e]).

Section 401 of the CWA requires certification for any federal permit or license authorizing impacts to waters of the U.S. (i.e., waters that are within federal jurisdiction), such as Section 404 of the CWA and Section 10 of the Safe Rivers and Harbors Act, to ensure that the impacts do not violate state water quality standards. When a project could impact waters outside of federal jurisdiction, the Regional Board has the authority under the Porter-Cologne Water Quality Control Act to issue Waste Discharge Requirements (WDRs) to ensure that impacts do not violate state water quality standards. Clean Water Act Section 401 Water Quality Certifications, WDRs, and waivers of WDRs are also referred to as orders or permits.

1. State Wetland Definition

The State Board Wetland Definition and Procedures define an area as wetland as follows: ***An area is wetland if, under normal circumstances, (1) the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; (2) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and (3) the area's vegetation is dominated by hydrophytes or the area lacks vegetation.***

The following wetlands are waters of the State:

1. ***Natural wetlands;***
2. ***Wetlands created by modification of a surface water of the state;[5] and***
3. ***Artificial wetlands[6] that meet any of the following criteria:***

[4] Therefore, wetlands that meet the current definition, or any historic definition, of waters of the U.S. are waters of the state. In 2000, the State Water Resources Control Board determined that all waters of the U.S. are also waters of the state by regulation, prior to any regulatory or judicial limitations on the federal definition of waters of the U.S. (California Code or Regulations title 23, section 3831(w)). This regulation has remained in effect despite subsequent changes to the federal definition. Therefore, waters of the state includes features that have been determined by the U.S. Environmental Protection Agency (U.S. EPA) or the U.S. Army Corps of Engineers (Corps) to be "waters of the U.S." in an approved jurisdictional determination; "waters of the U.S." identified in an aquatic resource report verified by the Corps upon which a permitting decision was based; and features that are consistent with any current or historic final judicial interpretation of "waters of the U.S." or any current or historic federal regulation defining "waters of the U.S." under the federal Clean Water Act.

[5] "Created by modification of a surface water of the state" means that the wetland that is being evaluated was created by modifying an area that was a surface water of the state at the time of such modification. It does not include a wetland that is created in a location where a water of the state had existed historically, but had already been completely eliminated at some time prior to the creation of the wetland. The wetland being evaluated does not become a water of the state due solely to a diversion of water from a different water of the state.

[6] Artificial wetlands are wetlands that result from human activity.

a. Approved by an agency as compensatory mitigation for impacts to other waters of the state, except where the approving agency explicitly identifies the mitigation as being of limited duration;
b. Specifically identified in a water quality control plan as a wetland or other water of the state;
c. Resulted from historic human activity, is not subject to ongoing operation and maintenance, and has become a relatively permanent part of the natural landscape; or
d. Greater than or equal to one acre in size, unless the artificial wetland was constructed, and is currently used and maintained, primarily for one or more of the following purposes (i.e., the following artificial wetlands are not waters of the state unless they also satisfy the criteria set forth in 2, 3a, or 3b):

i. Industrial or municipal wastewater treatment or disposal,
ii. Settling of sediment,
iii. Detention, retention, infiltration, or treatment of stormwater runoff and other pollutants or runoff subject to regulation under a municipal, construction, or industrial stormwater permitting program,
iv. Treatment of surface waters,
v. Agricultural crop irrigation or stock watering,
vi. Fire suppression,
vii. Industrial processing or cooling,
viii. Active surface mining – even if the site is managed for interim wetlands functions and values,
ix. Log storage,
x. Treatment, storage, or distribution of recycled water, or
xi. Maximizing groundwater recharge (this does not include wetlands that have incidental groundwater recharge benefits); or
xii. Fields flooded for rice growing.[7]

All artificial wetlands that are less than an acre in size and do not satisfy the criteria set forth in 2, 3.a, 3.b, or 3.c are not waters of the state. If an aquatic feature meets the wetland definition, the burden is on the applicant to demonstrate that the wetland is not a water of the state.

[7] Fields used for the cultivation of rice (including wild rice) that have not been abandoned due to five consecutive years of non-use for the cultivation of rice (including wild rice) that are determined to be a water of the state in accordance with these Procedures shall not have beneficial use designations applied to them through the Water Quality Control Plan for the Sacramento and San Joaquin River Basins, except as otherwise required by federal law for fields that are considered to be waters of the United States. Further, agricultural inputs legally applied to fields used for the cultivation of rice (including wild rice) shall not constitute a discharge of waste to a water of the state. Agricultural inputs that migrate to a surface water or groundwater may be considered a discharge of waste and are subject to waste discharge requirements or waivers of such requirements pursuant to the Water Board's authority to issue or waive waste discharge requirements or take other actions as applicable.

3.3.3 California Department of Fish and Wildlife

Pursuant to Division 2, Chapter 6, Sections 1600-1603 of the California Fish and Game Code, the 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." CDFW's definition of "lake" includes "natural lakes or man-made reservoirs." CDFW also defines a stream as "a body of water that flows, or has flowed, over a given course during the historic hydrologic regime, and where the width of its course can reasonably be identified by physical or biological indicators."

It is important to note that the Fish and Game Code defines fish and wildlife to include: all wild animals, birds, plants, fish, amphibians, invertebrates, reptiles, and related ecological communities including the habitat upon which they depend for continued viability (FGC Division 5, Chapter 1, section 45 and Division 2, Chapter 1 section 711.2(a) respectively). Furthermore, Division 2, Chapter 5, Article 6, Section 1600 et seq. of the California Fish and Game Code does not limit jurisdiction to areas defined by specific flow events, seasonal changes in water flow, or presence/absence of vegetation types or communities.

4.0 RESULTS

This section provides the results of general biological surveys; vegetation mapping; habitat assessments and focused surveys for special-status plants and animals; and an assessment for MSHCP riparian/riverine areas and vernal pools, and for Waters of the United States (including wetlands) subject to the jurisdiction of the Corps and Regional Board, and streams (including riparian vegetation) and lakes subject to the jurisdiction of CDFW.

4.1 Existing Conditions

The Project site consists of the existing I-215 southbound offramp to Bonnie Drive and SR 74, southbound onramp to I-215 from SR-74 and Bonnie, and adjacent areas that will be permanently and temporarily impacted to facilitate the proposed improvements. The Project footprint is either developed or disturbed due to maintenance and does not support any native vegetation communities. Vegetation consist of non-native, upland grasses and forbs.

4.2 Vegetation Mapping

The Project site consists of existing developed roadways and disturbed roadside/maintenance areas and does not contain any native vegetation communities. Exhibit 5 provides a vegetation map for the Project site.

4.3 Special-Status Vegetation Communities

The CNDDB identifies the following special-status vegetation communities for the Perris and surrounding quadrangle maps: southern coast live oak riparian forest, southern cottonwood willow riparian forest, and southern sycamore alder riparian woodland. The Project site does not contain any special-status vegetation types, including those identified by the CNDDB.

4.4 Special-Status Plants

No special-status plants were detected at the Project site, and none are expected to occur due to a lack of suitable habitat. Table 4-1 provides a list of special-status plants evaluated for the Project site through general biological surveys and habitat assessments. Species were evaluated based on the following factors: 1) species identified by the CNDDB and CNPS as occurring (either currently or historically) on or in the vicinity of the Project site, and 2) any other special-status plants that are known to occur within the vicinity of the Project site, or for which potentially suitable habitat occurs within the site.

Table 4-1. Special-Status Plants Evaluated for the Project Site

Species Name	Status	Habitat Requirements	Potential for Occurrence
California Orcutt grass *Orcuttia californica*	Federal: FE State: SE CNPS: Rank 1B.1	Vernal pools	Does not occur due to a lack of suitable habitat.
California screw moss *Tortula californica*	Federal: None State: None CNPS: Rank 1B.2	Sandy soil in chenopod scrub, and valley and foothill grassland.	Does not occur due to a lack of suitable habitat.
Chaparral ragwort *Senecio aphanactis*	Federal: None State: None CNPS: Rank 2B.2	Chaparral, cismontane woodland, coastal scrub. Sometimes associated with alkaline soils.	Does not occur due to a lack of suitable habitat.
Chaparral sand-verbena *Abronia villosa* var. *aurita*	Federal: None State: None CNPS: Rank 1B.1	Sandy soils in chaparral, coastal sage scrub.	Does not occur due to a lack of suitable habitat.
Coulter's goldfields *Lasthenia glabrata* ssp. *coulteri*	Federal: None State: None CNPS: Rank 1B.1	Playas, vernal pools, marshes and swamps (coastal salt).	Does not occur due to a lack of suitable habitat.
Davidson's saltscale *Atriplex serenana* var. *davidsonii*	Federal: None State: None CNPS: Rank 1B.2	Alkaline soils in coastal sage scrub, coastal bluff scrub.	Does not occur due to a lack of suitable habitat.
Intermediate mariposa-lily *Calochortus weedii* var. *intermedius*	Federal: None State: None CNPS: Rank 1B.2	Rocky soils in chaparral, coastal sage scrub, valley and foothill grassland.	Does not occur due to a lack of suitable habitat.
Jaeger's (bush) milk-vetch *Astragalus pachypus* var. *jaegeri*	Federal: None State: None CNPS: Rank 1B.1	Sandy or rocky soils in chaparral, cismontane woodland, coastal scrub, and valley and foothill grassland.	Does not occur due to a lack of suitable habitat.
Little mousetail *Myosurus minimus* ssp. *apus*	Federal: None State: None CNPS: Rank 3.1	Valley and foothill grassland, vernal pools (alkaline soils).	Does not occur due to a lack of suitable habitat.
Long-spined spineflower *Chorizanthe polygonoides* var. *longispina*	Federal: None State: None CNPS: Rank 1B.2	Clay soils in chaparral, coastal sage scrub, meadows and seeps, and valley and foothill grasslands	Does not occur due to a lack of suitable habitat.

Species Name	Status	Habitat Requirements	Potential for Occurrence
Many-stemmed dudleya *Dudleya multicaulis*	Federal: None State: None CNPS: Rank 1B.2	Chaparral, coastal sage scrub, valley and foothill grassland. Often occurring in clay soils.	Does not occur due to a lack of suitable habitat.
Marsh sandwort *Arenaria paludicola*	Federal: FE State: SE CNPS: Rank 1B.1	Bogs and fens, freshwater marshes and swamps.	Does not occur due to a lack of suitable habitat.
Mud nama *Nama stenocarpum*	Federal: None State: None CNPS: Rank 2B.2	Marshes and swamps	Does not occur due to a lack of suitable habitat.
Munz's onion *Allium munzii*	Federal: FE State: ST CNPS: Rank 1B.1	Clay soils in chaparral, coastal sage scrub, and valley and foothill grasslands	Does not occur due to a lack of suitable habitat.
Nevin's barberry *Berberis nevinii*	Federal: FE State: SE CNPS: Rank 1B.1	Sandy or gravelly soils in chaparral, cismontane woodland, coastal scrub, and riparian scrub.	Does not occur due to a lack of suitable habitat.
Palmer's grapplinghook *Harpagonella palmeri*	Federal: None State: None CNPS: Rank 4.2	Chaparral, coastal sage scrub, valley and foothill grassland. Occurring in clay soils.	Does not occur due to a lack of suitable habitat.
Parish's brittlescale *Atriplex parishii*	Federal: None State: None CNPS: Rank 1B.1	Chenopod scrub, playas, vernal pools.	Does not occur due to a lack of suitable habitat.
Payson's jewelflower *Caulanthus simulans*	Federal: None State: None CNPS: Rank 4.2	Sandy or granitic soils in chaparral and coastal scrub.	Does not occur due to a lack of suitable habitat.
Plummer's mariposa lily *Calochortus plummerae*	Federal: None State: None CNPS: Rank 4.2	Granitic, rock soils within chaparral, cismontane woodland, coastal sage scrub, lower montane coniferous forest, valley and foothill grassland.	Does not occur due to a lack of suitable habitat.
Robinson's pepper grass *Lepidium virginicum* var. *robinsonii*	Federal: None State: None CNPS: Rank 4.3	Chaparral, coastal sage scrub	Does not occur due to a lack of suitable habitat.
Salt marsh bird's-beak *Chloropyron maritimum* ssp. *maritimum*	Federal: FE State: SE CNPS: Rank 1B.2	Coastal dune, coastal salt marshes and swamps.	Does not occur due to a lack of suitable habitat.
Salt Spring checkerbloom *Sidalcea neomexicana*	Federal: None State: None CNPS: Rank 2B.2	Mesic, alkaline soils in chaparral, coastal sage scrub, lower montane coniferous forest, Mojavean desert scrub, and playas.	Does not occur due to a lack of suitable habitat.
San Bernardino aster *Symphyotrichum defoliatum*	Federal: None State: None CNPS: Rank 1B.2	Cismontane woodland, coastal scrub, lower montane coniferous forest, meadows and seeps, marshes and swamps, valley and foothill grassland (vernally mesic).	Does not occur due to a lack of suitable habitat.
San Diego ambrosia *Ambrosia pumila*	Federal: FE State: None CNPS: Rank 1B.1	Chaparral, coastal sage scrub, valley and foothill grassland, vernal pools. Often in disturbed habitats.	Does not occur due to a lack of suitable habitat.
San Jacinto Valley crownscale *Atriplex coronata* var. *notatior*	Federal: FE State: None CNPS: Rank 1B.1	Alkaline soils in chenopod scrub, valley and foothill grassland, vernal pools.	Does not occur due to a lack of suitable habitat.
Slender-horned spineflower *Dodecahema leptoceras*	Federal: FE State: SE CNPS: Rank 1B.1	Sandy soils in alluvial scrub, chaparral, cismontane woodland.	Does not occur due to a lack of suitable habitat.

Species Name	Status	Habitat Requirements	Potential for Occurrence
Smooth tarplant *Centromadia pungens* ssp. *laevis*	Federal: None State: None CNPS: Rank 1B.1	Alkaline soils in chenopod scrub, meadows and seeps, playas, riparian woodland, valley and foothill grasslands, disturbed habitats.	Does not occur due to a lack of suitable habitat.
Spreading navarretia *Navarretia fossalis*	Federal: FT State: None CNPS: Rank 1B.1	Vernal pools, playas, chenopod scrub, marshes and swamps (assorted shallow freshwater).	Does not occur due to a lack of suitable habitat.
Thread-leaved brodiaea *Brodiaea filifolia*	Federal: FT State: SE CNPS: Rank 1B.1	Clay soils in chaparral (openings), cismontane woodland, coastal sage scrub, playas, valley and foothill grassland, vernal pools.	Does not occur due to a lack of suitable habitat.
Woven-spored lichen *Texosporium sancti-jacobi*	Federal: None State: None CNPS: Rank 3	On soil, small mammal pellets, dead twigs, and on *Selaginella* spp. Chaparral (openings).	Does not occur due to a lack of suitable habitat.
Wright's trichocoronis *Trichocoronis wrightii* var. *wrightii*	Federal: None State: None CNPS: Rank 2B.1	Alkaline soils in meadows and seeps, marshes and swamps, riparian scrub, vernal pools.	Does not occur due to a lack of suitable habitat.
Yucaipa onion *Allium marvinii*	Federal: None State: None CNPS: Rank 1B.2	Chaparral (clay, openings).	Does not occur due to a lack of suitable habitat.

STATUS

Federal
FE – Federally Endangered
FT – Federally Threatened
FC – Federal Candidate

State
SE – State Endangered
ST – State Threatened

CNPS
Rank 1A – Plants presumed extirpated in California and either rare or extinct elsewhere.
Rank 1B – Plants rare, threatened, or endangered in California and elsewhere.
Rank 2A – Plants presumed extirpated in California, but common elsewhere.
Rank 2B – Plants rare, threatened, or endangered in California, but more common elsewhere.
Rank 3 – Plants about which more information is needed (a review list).
Rank 4 – Plants of limited distribution (a watch list).

Threat Code extension
.1 – Seriously endangered in California (over 80% occurrences threatened)
.2 – Fairly endangered in California (20-80% occurrences threatened)
.3 – Not very endangered in California (<20% of occurrences threatened or no current threats known)

OCCURRENCE

- Does not occur – The site does not contain habitat for the species and/or the site does not occur within the geographic range of the species.
- Confirmed absent – The site contains suitable habitat for the species, but the species has been confirmed absent through focused surveys.
- Not expected to occur – The species is not expected to occur onsite due to low habitat quality, however absence cannot be ruled out.
- Potential to occur – The species has a potential to occur based on suitable habitat, however its presence/absence has not been confirmed.
- Confirmed present – The species was detected onsite incidentally or through focused surveys

4.5 Special-Status Animals

No special-status animals were detected at the Project site, and generally none are expected to occur due to a lack of suitable habitat. Table 4-2 provides a list of special-status animals evaluated for the Project site through general biological surveys, habitat assessments, and focused surveys. Species were evaluated based on the following factors, including: 1) species identified by the CNDDB as occurring (either currently or historically) on or in the vicinity of the Project site, 2) applicable MSHCP survey areas, and 3) any other special-status animals that are known to occur within the vicinity of the Project site, for which potentially suitable habitat occurs on the site.

Table 4-2. Special-Status Animals Evaluated for the Project Site

Species Name	Status	Habitat Requirements	Potential for Occurrence
Invertebrates			
Crotch bumble bee *Bombus crotchii*	Federal: None State: CE (candidate endangered)	Relatively warm and dry sites, including the inner Coast Range of California and margins of the Mojave Desert.	Does not occur due to a lack of suitable habitat.
Quino checkerspot butterfly *Euphydryas editha quino*	Federal: FE State: None	Larval and adult phases each have distinct habitat requirements tied to host plant species and topography. Larval host plants include *Plantago erecta* and *Castilleja exserta*. Adults occur on sparsely vegetated rounded hilltops and ridgelines, and are known to disperse through disturbed habitats to reach suitable nectar plants.	Does not occur due to a lack of suitable habitat.
Riverside fairy shrimp *Streptocephalus woottoni*	Federal: FE State: None	Restricted to deep seasonal vernal pools, vernal pool-like ephemeral ponds, and stock ponds.	Does not occur due to a lack of suitable habitat.
Vernal pool fairy shrimp *Branchinecta lynchi*	Federal: FT State: None	Seasonal vernal pools	Does not occur due to a lack of suitable habitat.
Amphibians			
Western spadefoot *Spea hammondii*	Federal: None State: SSC	Seasonal pools in coastal sage scrub, chaparral, and grassland habitats.	Does not occur due to a lack of suitable habitat.
Reptiles			
California glossy snake *Arizona elegans occidentalis*	Federal: None State: SSC	Inhabits arid scrub, rocky washes, grasslands, chaparral.	Does not occur due to a lack of suitable habitat.

Species Name	Status	Habitat Requirements	Potential for Occurrence
California legless lizard *Anniella sp. 1*	Federal: None State: SSC	Common in the Coast Ranges from the vicinity of Antioch, Contra Costa Co. south to the Mexican border. Range includes the floor of the San Joaquin Valley from San Joaquin Co. south, the west slope of the southern Sierra, the Tehachapi Mountains west of the desert, and the mountains of southern California. Common in several habitats but especially in coastal dune, valley-foothill, chaparral, and coastal scrub types.	Does not occur due to a lack of suitable habitat.
Coast horned lizard *Phrynosoma blainvillii*	Federal: None State: SSC	Occurs in a variety of vegetation types including coastal sage scrub, chaparral, annual grassland, oak woodland, and riparian woodlands.	Does not occur due to a lack of suitable habitat.
Coast patch-nosed snake *Salvadora hexalepis virgultea*	Federal: None State: SSC	Occurs in coastal chaparral, desert scrub, washes, sandy flats, and rocky areas.	Does not occur due to a lack of suitable habitat.
Coastal whiptail *Aspidoscelis tigris stejnegeri (multiscutatus)*	Federal: None State: SSC	Open, often rocky areas with little vegetation, or sunny microhabitats within shrub or grassland associations.	Does not occur due to a lack of suitable habitat.
Orangethroat whiptail *Aspidoscelis hyperythra*	Federal: None State: WL	Coastal sage scrub, chaparral, non-native grassland, oak woodland, and juniper woodland.	Does not occur due to a lack of suitable habitat.
Red-diamond rattlesnake *Crotalus ruber*	Federal: None State: SSC	Habitats with heavy brush and rock outcrops, including coastal sage scrub and chaparral.	Does not occur due to a lack of suitable habitat.
San Bernardino ringneck snake *Diadophis punctatus modestus*	Federal: None State: None	Moist habitats including woodlands, forest, grasslands, chaparral, farms, and gardens.	Does not occur due to a lack of suitable habitat.
San Diego banded gecko *Coleonyx variegatus abbotti*	Federal: None State: SSC	Primarily a desert species, but also occurs in cismontane chaparral, desert scrub, and open sand dunes.	Does not occur due to a lack of suitable habitat.
Western pond turtle *Emys marmorata*	Federal: None State: SSC	Slow-moving permanent or intermittent streams, small ponds and lakes, reservoirs, abandoned gravel pits, permanent and ephemeral shallow wetlands, stock ponds, and treatment lagoons. Abundant basking sites and cover necessary, including logs, rocks, submerged vegetation, and undercut banks.	Does not occur due to a lack of suitable habitat.
Birds			
Bald eagle (nesting & wintering) *Haliaeetus leucocephalus*	Federal: Delisted State: SE, FP	Primarily in or near seacoasts, rivers, swamps, and large lakes. Perching sites consist of large trees or snags with heavy limbs or broken tops.	Does not occur due to a lack of suitable habitat.

Species Name	Status	Habitat Requirements	Potential for Occurrence
Burrowing owl (burrow sites & some wintering sites) *Athene cunicularia*	Federal: BCC State: SSC	Shortgrass prairies, grasslands, lowland scrub, agricultural lands (particularly rangelands), coastal dunes, desert floors, and some artificial, open areas as a year-long resident. Occupies abandoned ground squirrel burrows as well as artificial structures such as culverts and underpasses.	Not expected to occur due to a lack of suitable burrows. Confirmed absent through focused surveys.
Coastal cactus wren (San Diego & Orange County only) *Campylorhynchus brunneicapillus sandiegensis*	Federal: BCC State: SSC	Occurs almost exclusively in cactus (cholla and prickly pear) dominated coastal sage scrub.	Does not occur due to a lack of suitable habitat.
Coastal California gnatcatcher *Polioptila californica californica*	Federal: FT State: SSC	Low elevation coastal sage scrub and coastal bluff scrub.	Does not occur due to a lack of suitable habitat.
Ferruginous hawk (wintering) *Buteo regalis*	Federal: BCC State: WL	Open, dry country, perching on trees, posts, and mounds. In California, wintering habitat consists of open terrain and grasslands of the plains and foothills.	Does not occur due to a lack of suitable habitat.
Golden eagle (nesting & wintering) *Aquila chrysaetos*	Federal: BCC State: WL, FP	In southern California, occupies grasslands, brushlands, deserts, oak savannas, open coniferous forests, and montane valleys. Nests on rock outcrops and ledges.	Does not occur due to a lack of suitable habitat.
Least Bell's vireo (nesting) *Vireo bellii pusillus*	Federal: FE State: SE	Dense riparian habitats with a stratified canopy, including southern willow scrub, mule fat scrub, and riparian forest.	Does not occur due to a lack of suitable habitat.
Loggerhead shrike (nesting) *Lanius ludovicianus*	Federal: BCC State: SSC	Forages over open ground within areas of short vegetation, pastures with fence rows, old orchards, mowed roadsides, cemeteries, golf courses, riparian areas, open woodland, agricultural fields, desert washes, desert scrub, grassland, broken chaparral and beach with scattered shrubs.	Does not occur due to a lack of suitable habitat.
Long-eared owl (nesting) *Asio otus*	Federal: None State: SSC	Riparian habitats are required by the long-eared owl, but it also uses live-oak thickets and other dense stands of trees.	Does not occur due to a lack of suitable habitat.
Northern harrier (nesting) *Circus hudsonius*	Federal: None State: SSC	A variety of habitats, including open wetlands, grasslands, wet pasture, old fields, dry uplands, and croplands.	Does not occur due to a lack of suitable habitat.
Southwestern willow flycatcher (nesting) *Empidonax traillii extimus*	Federal: FE State: SE	Riparian woodlands along streams and rivers with mature dense thickets of trees and shrubs.	Does not occur due to a lack of suitable habitat.
Tricolored blackbird (nesting colony) *Agelaius tricolor*	Federal: BCC State: CE, SSC	Breeding colonies require nearby water, a suitable nesting substrate, and open-range foraging habitat of natural grassland, woodland, or agricultural cropland.	Does not occur due to a lack of suitable habitat.

Species Name	Status	Habitat Requirements	Potential for Occurrence
Western yellow-billed cuckoo (nesting) *Coccyzus americanus occidentalis*	Federal: FT, BCC State: SE	Dense, wide riparian woodlands with well-developed understories.	Does not occur due to a lack of suitable habitat.
White-tailed kite (nesting) *Elanus leucurus*	Federal: None State: FP	Low elevation open grasslands, savannah-like habitats, agricultural areas, wetlands, and oak woodlands. Dense canopies used for nesting and cover.	Does not occur due to a lack of suitable habitat.
Yellow warbler (nesting) *Setophaga petechia*	Federal: BCC State: SSC	Breed in lowland and foothill riparian woodlands dominated by cottonwoods, alders, or willows and other small trees and shrubs typical of low, open-canopy riparian woodland. During migration, forages in woodland, forest, and shrub habitats.	Does not occur due to a lack of suitable habitat.
Yellow-breasted chat (nesting) *Icteria virens*	Federal: None State: SSC	Dense, relatively wide riparian woodlands and thickets of willows, vine tangles, and dense brush with well-developed understories.	Does not occur due to a lack of suitable habitat.
Yellow-headed blackbird (nesting) *Xanthocephalus xanthocephalus*	Federal: None State: SSC	Breed and roost in freshwater wetlands with dense, emergent vegetation such as cattails. Often forage in fields, typically wintering in large, open agricultural areas.	Does not occur due to a lack of suitable habitat.
Mammals			
American badger *Taxidea taxus*	Federal: None State: SSC	Most abundant in drier open stages of most scrub, forest, and herbaceous habitats, with friable soils.	Does not occur due to a lack of suitable habitat.
Dulzura pocket mouse *Chaetodipus californicus femoralis*	Federal: None State: SSC	Coastal scrub, grassland, and chaparral, especially at grass-chaparral edges	Does not occur due to a lack of suitable habitat.
Los Angeles pocket mouse *Perognathus longimembris brevinasus*	Federal: None State: SSC	Fine, sandy soils in coastal sage scrub and grasslands.	Does not occur due to a lack of suitable habitat.
Northwestern San Diego pocket mouse *Chaetodipus fallax fallax*	Federal: None State: SSC	Coastal sage scrub, sage scrub/grassland ecotones, and chaparral.	Does not occur due to a lack of suitable habitat.
Pocketed free-tailed bat *Nyctinomops femorosaccus*	Federal: None State: SSC WBWG: M	Rocky areas with high cliffs in pine-juniper woodlands, desert scrub, palm oasis, desert wash, and desert riparian.	Does not occur due to a lack of suitable habitat.
San Bernardino kangaroo rat *Dipodomys merriami parvus*	Federal: FE State: SC (state candidate)	Typically found in Riversidean alluvial fan sage scrub and sandy loam soils, alluvial fans and floodplains, and along washes with nearby sage scrub.	Does not occur due to a lack of suitable habitat.
San Diego black-tailed jackrabbit *Lepus californicus bennettii*	Federal: None State: SSC	Occupies a variety of habitats, but is most common among shortgrass habitats. Also occurs in sage scrub, but needs open habitats.	Does not occur due to a lack of suitable habitat.

Species Name	Status	Habitat Requirements	Potential for Occurrence
San Diego desert woodrat *Neotoma lepida intermedia*	Federal: None State: SSC	Occurs in a variety of shrub and desert habitats, primarily associated with rock outcrops, boulders, cacti, or areas of dense undergrowth.	Does not occur due to a lack of suitable habitat.
Southern grasshopper mouse *Onychomys torridus ramona*	Federal: None State: SSC	Desert areas, especially scrub habitats with friable soils for digging. Prefers low to moderate shrub cover.	Does not occur due to a lack of suitable habitat.
Stephens' kangaroo rat *Dipodomys stephensi*	Federal: FE State: ST	Open grasslands or sparse shrublands with less than 50% vegetation cover during the summer.	Does not occur due to a lack of suitable habitat.
Western mastiff bat *Eumops perotis californicus*	Federal: None State: SSC WBWG: H	Occurs in many open, semi-arid to arid habitats, including conifer and deciduous woodlands, coastal scrub, grasslands, and chaparral. Roosts in crevices in cliff faces, high buildings, trees, and tunnels.	Does not occur due to a lack of suitable habitat.
Western yellow bat *Lasiurus xanthinus*	Federal: None State: SSC WBWG: H	Found in valley foothill riparian, desert riparian, desert wash, and palm oasis habitats. Roosts in trees, particularly palms. Forages over water and among trees.	Does not occur due to a lack of suitable habitat.

STATUS

Federal
FE – Federally Endangered
FT – Federally Threatened
FPT – Federally Proposed Threatened
FC – Federal Candidate
BGEPA– Bald and Golden Eagle Protection Act

State
SE – State Endangered
ST – State Threatened
SC– State Candidate
CFP – California Fully-Protected Species
SSC – Species of Special Concern

Western Bat Working Group (WBWG)
H – High Priority
LM – Low-Medium Priority
M – Medium Priority
MH – Medium-High Priority

OCCURRENCE

- Does not occur – The site does not contain habitat for the species and/or the site does not occur within the geographic range of the species.
- Confirmed absent – The site contains suitable habitat for the species, but the species has been confirmed absent through focused surveys.
- Not expected to occur – The species is not expected to occur onsite due to low habitat quality, however absence cannot be ruled out.
- Potential to occur – The species has a potential to occur based on suitable habitat, however its presence/absence has not been confirmed.
- Confirmed present – The species was detected onsite incidentally or through focused surveys

4.6 Nesting Birds

The Project site has limited potential to support nesting birds due to the general lack of trees and shrubs but does contains a few ornamental shrubs a groundcover providing some opportunity for nesting. Mortality of native birds (including eggs) is prohibited under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code.[8]

4.7 Wildlife Linkages/Corridors and Nursery Sites

Habitat linkages are areas which provide a communication between two or more other habitat areas which are often larger or superior in quality to the linkage. Such linkage sites can be quite small or constricted, but may can be vital to the long-term health of connected habitats. Linkage values are often addressed in terms of "gene flow" between populations, with movement taking potentially many generations. Corridors are similar to linkages but provide specific opportunities for individual animals to disperse or migrate between areas, generally extensive but otherwise partially or wholly separated regions. Adequate cover and tolerably low levels of disturbance are common requirements for corridors. Habitat in corridors may be quite different than that in the connected areas, but if used by the wildlife species of interest, the corridor will still function as desired. The Project site is not located within a habitat linkage or wildlife corridor.

Wildlife nurseries are sites where wildlife concentrate for hatching and/or raising young, such as rookeries, spawning areas, and bat colonies. Nurseries can be important to both special-status species as well as commonly occurring species. The Project site does not represent a native wildlife nursery.

4.8 Critical Habitat

The Project site is not within USFWS-mapped Critical Habitat areas.

4.9 Jurisdictional Waters

The Project site does not contain waters of the U.S. subject to the jurisdictions of the Corps or Regional Board and does not contain lakes or streams subject to the jurisdiction of CDFW.

4.10 MSHCP Riparian/Riverine Areas and Vernal Pools

The Project site does not contain MSHCP riparian/riverine areas or vernal pools.

[8] The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed in 50 C.F.R. Part 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 C.F.R.21). In addition, Sections 3505, 3503.5, and 3800 of the California Department of Fish and Game Code prohibit the take, possession, or destruction of birds, their nests or eggs.

5.0 IMPACT ANALYSIS

The following discussion examines the potential impacts to plant and wildlife resources that would occur as a result of the proposed project. Impacts (or effects) can occur in two forms, direct and indirect. Direct impacts are considered to be those that involve the loss, modification or disturbance of plant communities, which in turn, directly affect the flora and fauna of those habitats. Direct impacts also include the destruction of individual plants or animals, which may also directly affect regional population numbers of a species or result in the physical isolation of populations thereby reducing genetic diversity and population stability.

Indirect impacts pertain to those impacts that result in a change to the physical environment, but which is not immediately related to a project. Indirect (or secondary) impacts are those that are reasonably foreseeable and caused by a project but occur at a different time or place. Indirect impacts can occur at the urban/wildland interface of projects, to biological resources located downstream from projects, and other offsite areas where the effects of the project may be experienced by plants and wildlife. Examples of indirect impacts include the effects of increases in ambient levels of noise or light; predation by domestic pets; competition with exotic plants and animals; introduction of toxics, including pesticides; and other human disturbances such as hiking, off-road vehicle use, unauthorized dumping, etc. Indirect impacts are often attributed to the subsequent day-to-day activities associated with project build-out, such as increased noise, the use of artificial light sources, and invasive ornamental plantings that may encroach into native areas. Indirect effects may be both short-term and long-term in their duration. These impacts are commonly referred to as "edge effects" and may result in a slow replacement of native plants by non-native invasive species, as well as changes in the behavioral patterns of wildlife and reduced wildlife diversity and abundance in habitats adjacent to project sites.

Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. A cumulative impact can occur from multiple individual effects from the same project, or from several projects. The cumulative impact from several projects is the change in the environment resulting from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

5.1 California Environmental Quality Act (CEQA)

5.1.1 Thresholds of Significance

Environmental impacts to biological resources are assessed using impact significance threshold criteria, which reflect the policy statement contained in CEQA, Section 21001(c) of the California Public Resources Code. Accordingly, the State Legislature has established it to be the policy of the State of California:

> *"Prevent the elimination of fish or wildlife species due to man's activities, ensure that fish and wildlife populations do not drop below self-perpetuating levels, and*

preserve for future generations representations of all plant and animal communities..."

Determining whether a project may have a significant effect, or impact, plays a critical role in the CEQA process. According to CEQA, Section 15064.7 (Thresholds of Significance), each public agency is encouraged to develop and adopt (by ordinance, resolution, rule, or regulation) thresholds of significance that the agency uses in the determination of the significance of environmental effects. A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant. In the development of thresholds of significance for impacts to biological resources CEQA provides guidance primarily in Section 15065, Mandatory Findings of Significance, and the CEQA Guidelines, Appendix G, Environmental Checklist Form. Section 15065(a) states that a project may have a significant effect where:

"The project has the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or wildlife community, reduce the number or restrict the range of an endangered, rare, or threatened species, ..."

Therefore, for the purpose of this analysis, impacts to biological resources are considered potentially significant (before considering offsetting mitigation measures) if one or more of the following criteria discussed below would result from implementation of the proposed project.

5.1.2 Criteria for Determining Significance Pursuant to CEQA

Appendix G of the 2018 State CEQA guidelines indicate that a project may be deemed to have a significant effect on the environment if the project is likely to:

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

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

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

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

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

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

5.2 Special-Status Species

Appendix G(a) of the CEQA guidelines asks if a project is likely to "have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service."

5.2.1 Special-Status Plants

The Project site does not support special-status plants, and therefore the Project will not impact special-status plants.

5.2.2 Special-Status Animals

The Project site does not support special-status animals, and therefore the Project will not impact special-status animals. Although burrowing owls were not detected during focused surveys, there is a limited opportunity for owls to occur at least periodically in the adjacent roadside areas. As such, a pre-construction burrowing owl survey is recommended below as a Project avoidance measure in compliance with the MSHCP.

5.3 Sensitive Vegetation Communities

Appendix G(a) of the CEQA guidelines asks if a project is likely to "have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service."

The Project site does not contain native vegetation communities, including sensitive communities. Therefore, the Project will not impact sensitive vegetation communities.

5.4 Wetlands

Appendix G(c) of the State CEQA guidelines asks if a project is likely to "have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh,

vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means."

The Project site does not contain state or federally protected wetlands. Therefore, the Project will not impact wetlands.

5.5 Wildlife Movement and Native Wildlife Nursery Sites

Appendix G(d) of the State CEQA guidelines asks if a project is likely to "interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites."

The Project will not impact wildlife movement, including established migratory wildlife corridors and will not impact native wildlife nursery sites.

5.6 Local Policies or Ordinances

Appendix G(e) of the State CEQA guidelines asks if a project is likely to "conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance." The Project will not conflict with any local policies or ordinances protecting biological resources.

5.7 Habitat Conservation Plans

Appendix G(f) of the State CEQA guidelines asks if a project is likely to "conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan." As discussed throughout this report, the Project is within the Western Riverside County MSHCP. Section 7.0 of this report analyzes compliance of the Project with the Reserve Assembly and species/habitat requirements of the MSHCP. Through compliance with the applicable requirements, the Project will not conflict with the provisions of the MSHCP.

5.8 Jurisdictional Waters

The Project will not impact jurisdictional waters, including waters of the U.S. subject to the jurisdictions of the Corps or Regional Board and does not contain lakes or streams subject to the jurisdiction of CDFW. As such, the Project will not require permits from the regulatory agencies.

5.9 Indirect Impacts to Biological Resources

In the context of biological resources, indirect effects are those effects associated with developing areas adjacent to adjacent native open space. *Volume I, Section 6.1.4* of the MSHCP establishes the MSHCP Urban/Wildlands Interface Guidelines, which are intended to address indirect effects associated with locating projects (particularly development) in proximity to the

MSHCP Conservation Area. The Project site is not in proximity to the MSHCP Conservation Area, and therefore the Urban/Wildland Interface Guidelines do not apply to the Project.

5.10 Cumulative Impacts to Biological Resources

Cumulative impacts are defined as the direct and indirect effects of a proposed project which, when considered alone, would not be deemed a substantial impact, but when considered in addition to the impacts of related projects in the area, would be considered potentially significant. "Related projects" refers to past, present, and reasonably foreseeable probable future projects, which would have similar impacts to the proposed project. The Project will not impact sensitive resources, and therefore will not have any cumulatively significant effects.

6.0 MITIGATION/AVOIDANCE MEASURES

The following discussion provides project-specific mitigation/avoidance measures for actual or potential impacts to special-status resources.

6.1 Burrowing Owl

The Project site contains suitable habitat for burrowing owls; however, burrowing owls were not detected onsite during focused surveys. MSHCP Objective 6 for burrowing owls requires that pre-construction surveys prior to site grading. As such, the following measure is recommended to avoid direct impacts to burrowing owls and to ensure consistency with the MSHCP.

- **Pre-Construction Survey.** A 30-day pre-construction survey for burrowing owls is required prior to future ground-disturbing activities (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging, etc.) to ensure that no owls have colonized the site in the days or weeks preceding the ground-disturbing activities. If burrowing owls have colonized the project site prior to the initiation of ground-disturbing activities, the project proponent will immediately inform the Regional Conservation Authority (RCA) and the Wildlife Agencies and will need to coordinate in the future with the RCA and the Wildlife Agencies, including the possibility of preparing a Burrowing Owl Protection and Relocation Plan, prior to initiating ground disturbance. If ground-disturbing activities occur, but the site is left undisturbed for more than 30 days, a pre-construction survey will again be necessary to ensure that burrowing owl have not colonized the site since it was last disturbed. If burrowing owls are found, the same coordination described above will be necessary.

6.2 Nesting Birds

The Project site contains vegetation with the potential to support native nesting birds. As discussed above, the California Fish and Game Code prohibits mortality of native birds, including eggs. The following measure is recommended to avoid mortality to nesting birds. Potential impacts to native birds was not considered a biologically significant impact under CEQA; however to comply with state law, the following is recommended:

- As feasible, vegetation clearing should be conducted outside of the nesting season, which is generally identified as February 1 through September 15. If avoidance of the nesting season is not feasible, then a qualified biologist shall conduct a nesting bird survey within three days prior to any disturbance of the site, including disking, demolition activities, and grading. If active nests are identified, the biologist shall establish suitable buffers around the nests, and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.

7.0 MSHCP CONSISTENCY ANALYSIS

The purpose of this section is to provide an analysis of the proposed Project with respect to compliance with biological aspects of the Western Riverside County MSHCP. Specifically, this analysis evaluates the proposed Project with respect to the Project's consistency with MSHCP Reserve assembly requirements, *Section 6.1.2* (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools), *Section 6.1.3* (Protection of Narrow Endemic Plant Species), *Section 6.1.4* (Guidelines Pertaining to the Urban/Wildlands Interface), and *Section 6.3.2* (Additional Survey Needs and Procedures).

7.1 Project Relationship to Reserve Assembly

The Project site is not located within the MSHCP Criteria Area, and therefore the Project would not conflict with Reserve Assembly. The proposed Project is not subject to the Habitat Evaluation and Acquisition Negotiation Strategy (HANS) process or Joint Project Review (JPR) by the RCA.

7.2 Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools

Volume I, Section 6.1.2 of the MSHCP describes the process through which protection of riparian/riverine areas and vernal pools would occur within the MSHCP Plan Area. The purpose is to ensure that the biological functions and values of these areas throughout the MSHCP Plan Area are maintained such that habitat values for species inside the MSHCP Conservation Area are maintained. The MSHCP requires that as projects are proposed within the overall Plan Area, the effect of those projects on riparian/riverine areas and vernal pools must be addressed.

The MSHCP defines riparian/riverine areas as *lands which contain Habitat dominated by trees, shrubs, persistent emergent mosses and lichens, which occur close to or which depend upon soils moisture from a nearby fresh water source; or areas with fresh water flow during all or a portion of the year.*

The MSHCP defines vernal pools as *seasonal wetlands that occur in depression areas that have wetlands indicators of all three parameters (soils, vegetation, and hydrology) during the wetter portion of the growing season but normally lack wetland indictors of hydrology and/or vegetation during the drier portion of the growing season.*

With the exception of wetlands created for the purpose of providing wetlands habitat or resulting from human actions to create open waters or from the alteration of natural stream courses, areas demonstrating characteristics as described above which are artificially created are not included in these definitions.

The Project will not impact MSHCP riparian/riverine areas or vernal pools and will not impact listed fairy shrimp. Therefore, a DBESP will not be required.

7.3 Protection of Narrow Endemic Plants

Volume I, Section 6.1.3 of the MSHCP requires that within identified Narrow Endemic Plant Species Survey Areas (NEPSSA), site-specific focused surveys for Narrow Endemic Plants Species will be required for all public and private projects where appropriate soils and habitat are present.

The Project site is not within the NEPSSA and will not impact NEPSSA target species. Therefore, a DBESP will not be required.

7.4 Guidelines Pertaining to the Urban/Wildland Interface

The MSHCP Urban/Wildland Interface Guidelines are intended to address indirect effects associated with locating development in proximity to the MSHCP Conservation Area. The Project site is not in proximity to the MSHCP Conservation Area, and therefore the Urban/Wildland Interface Guidelines do not apply to the Project.

7.5 Additional Survey Needs and Procedures

A portion of the Project site is within the MSHCP Burrowing Owl Survey Area, but is not within the CAPSSA, mammal, or amphibian survey area. Burrowing owls were not detected during focused surveys, but as noted above in Section 6.1, a pre-construction burrowing owl survey is recommended to ensure consistency with the MSHCP.

7.6 Conclusion of MSHCP Consistency

As outlined above, the proposed Project will be consistent with the biological requirements of the MSHCP; specifically pertaining to the Project's relationship to reserve assembly, *Section 6.1.2* (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools), *Section 6.1.3* (Protection of Narrow Endemic Plant Species), *Section 6.1.4* (Guidelines Pertaining to the Urban/Wildlands Interface), and *Section 6.3.2* (Additional Survey Needs and Procedures).

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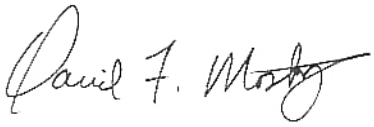
9.0 CERTIFICATION

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



Signed:_____ Date: 6/9/2021

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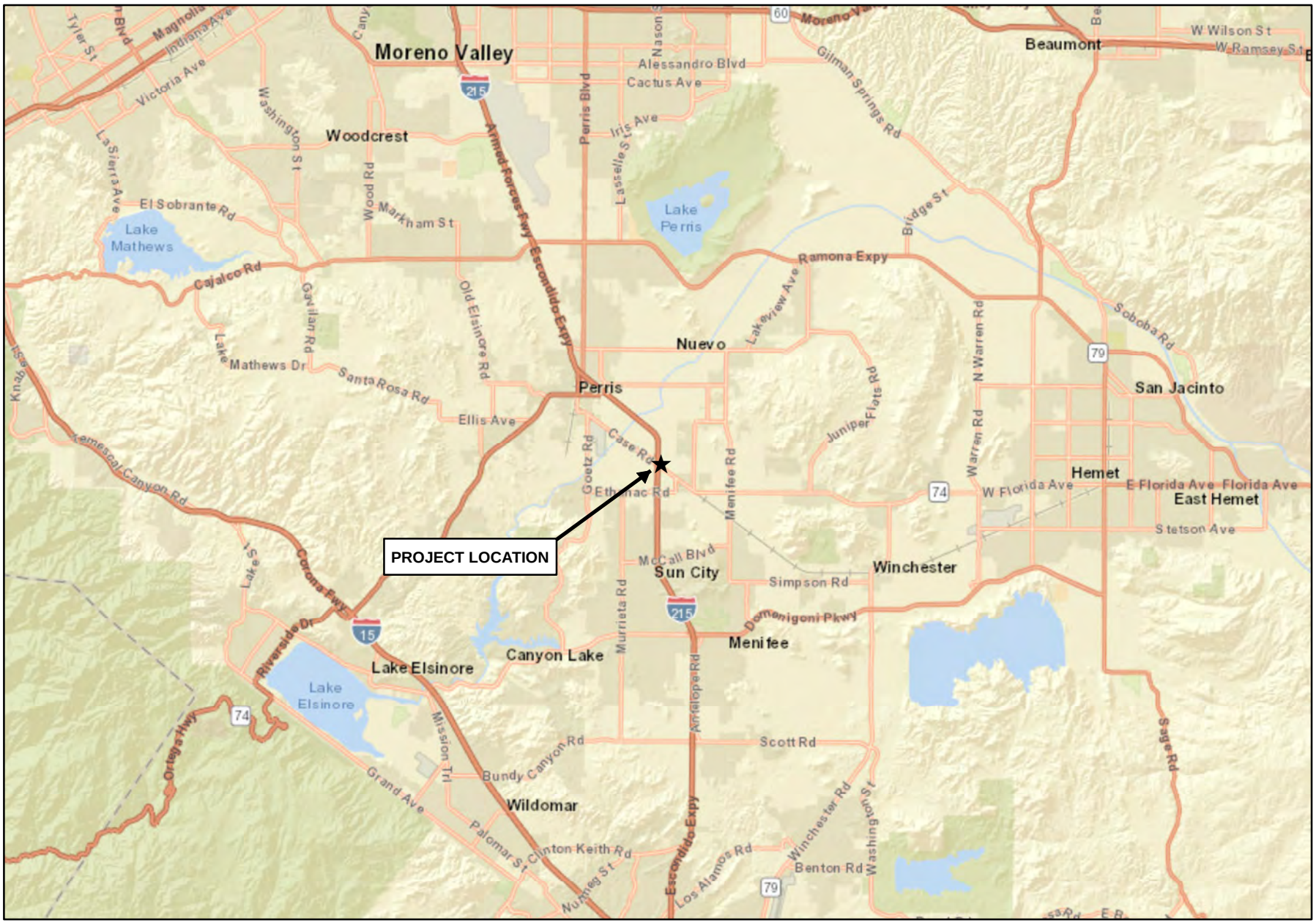


Source: ESRI World Street Map

N

0 2 4 8 Miles

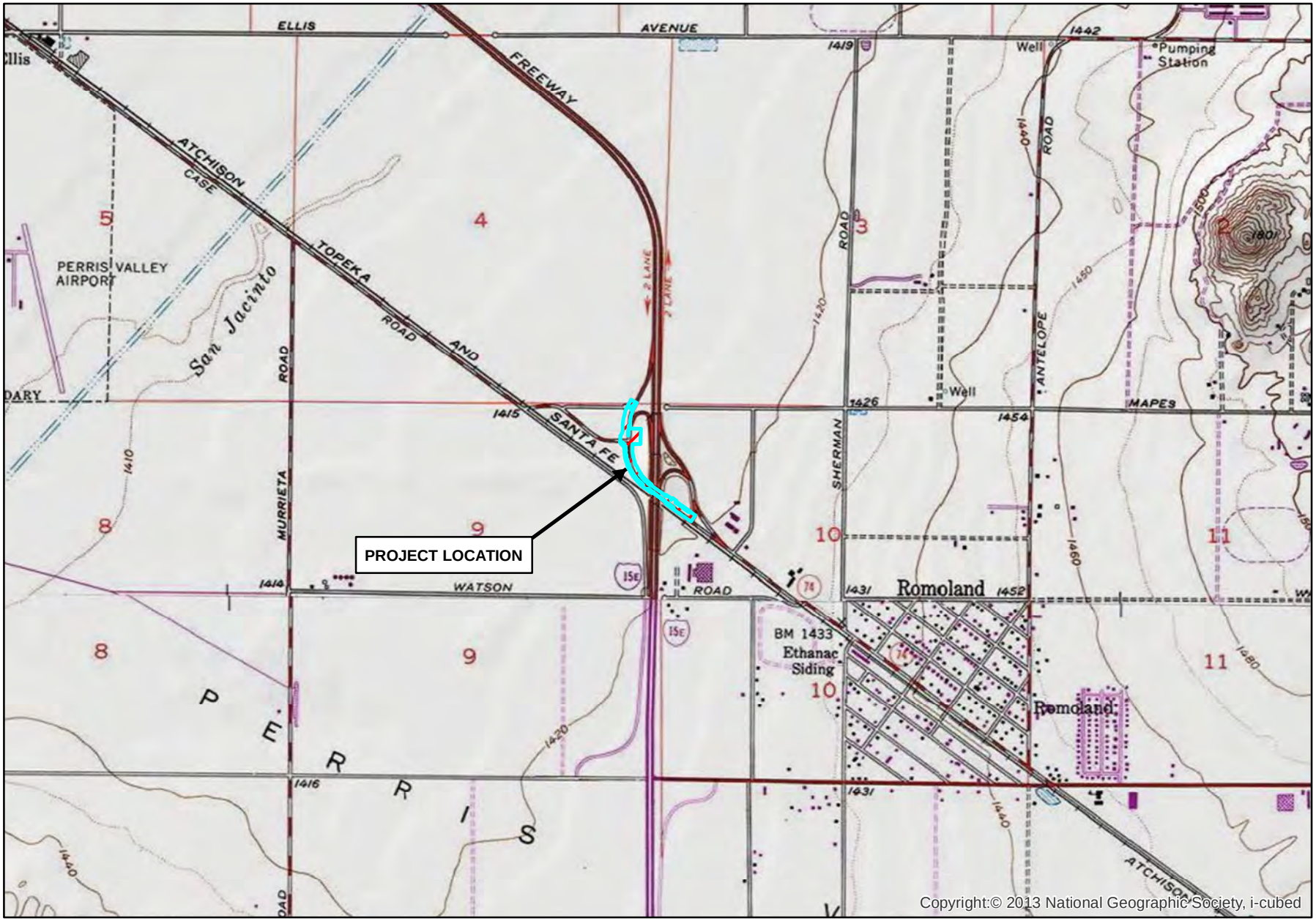
INTERSTATE 215
INTERCHANGE PROJECT

Regional Map

GLENN LUKOS ASSOCIATES

Exhibit 1

Adapted from USGS Perris, CA quadrangle



N

0 1,000 2,000 4,000 Feet

INTERSTATE 215
INTERCHANGE PROJECT

Vicinity Map

GLENN LUKOS ASSOCIATES

Exhibit 2

I-215 Interchange Project Site

N

0 100 200 400
Feet

1 inch = 200 feet

Coordinate System: State Plane 6 NAD 83
Projection: Lambert Conformal Conic
Datum: NAD83
Map Prepared by: K. Kartunen, GLA
Date Prepared: June 3, 2021

INTERSTATE 215
INTERCHANGE PROJECT

Aerial Map

GLENN LUKOS ASSOCIATES

Exhibit 3

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I-215 Interchange Project Site

Burrowing Owl Survey Area

N

0 100 200 400

Feet

1 inch = 200 feet

Coordinate System: State Plane 6 NAD 83
Projection: Lambert Conformal Conic
Datum: NAD83
Map Prepared by: K. Kartunen, GLA
Date Prepared: June 3, 2021

INTERSTATE 215 INTERCHANGE PROJECT

MSHCP Overlay Map

GLENN LUKOS ASSOCIATES

Exhibit 4

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I-215 Interchange Project Site

Disturbed/Developed

N

0 100 200 400

Feet

1 inch = 200 feet

Coordinate System: State Plane 6 NAD 83
Projection: Lambert Conformal Conic
Datum: NAD83
Map Prepared by: K. Kartunen, GLA
Date Prepared: June 3, 2021

INTERSTATE 215 INTERCHANGE PROJECT

Vegetation Map

GLENN LUKOS ASSOCIATES

Exhibit 5

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I-215 Interchange Project Site

EnA - Exeter sandy loam, 0 to 2 percent slopes

MaA - Madera fine sandy loam, 0 to 2 percent slopes

N

0 100 200 400

Feet

1 inch = 200 feet

Coordinate System: State Plane 6 NAD 83
Projection: Lambert Conformal Conic
Datum: NAD83
Map Prepared by: K. Kartunen, GLA
Date Prepared: June 3, 2021

INTERSTATE 215 INTERCHANGE PROJECT

Soils Map

GLENN LUKOS ASSOCIATES

Exhibit 8

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Photograph 1: View of project area looking west.

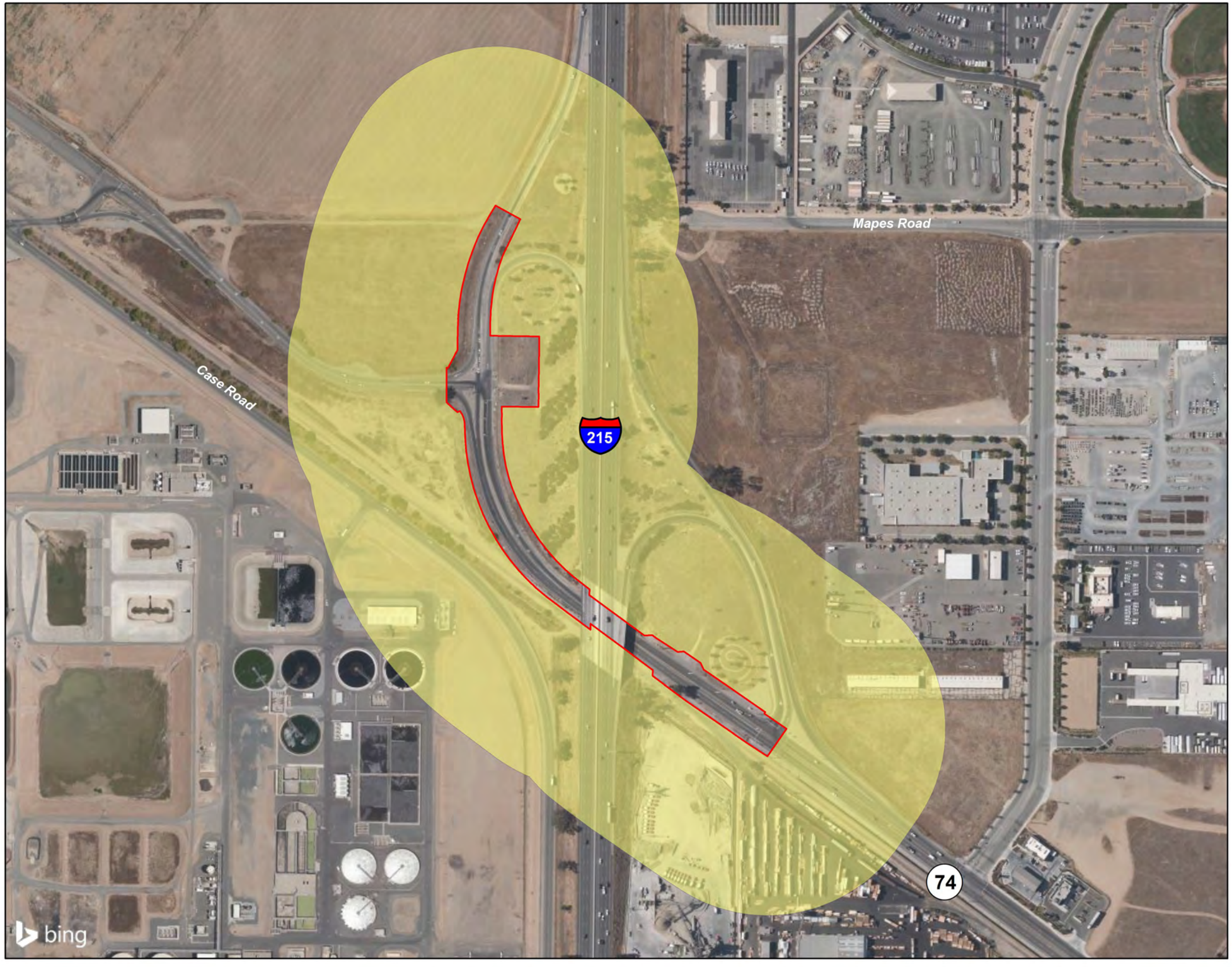
Photograph 2: View of project area looking north.

GLENN LUKOS ASSOCIATES

Exhibit 7

INTERSTATE 215
INTERCHANGE PROJECT

Site Photographs



I-215 Interchange Project Site

500-foot Visual Survey Buffer

N

0 150 300 600

Feet

1 inch = 300 feet

Coordinate System: State Plane 6 NAD 83
Projection: Lambert Conformal Conic
Datum: NAD83
Map Prepared by: K. Kartunen, GLA
Date Prepared: June 3, 2021

INTERSTATE 215 INTERCHANGE PROJECT

Burrowing Owl Survey Results Map

GLENN LUKOS ASSOCIATES

Exhibit 8

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