June 9, 2021

MCO DEVELOPMENT
Contact: *Jessica Thelwell*
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SUBJECT: **Biological Due Diligence Investigation for the Proposed Project Located on the Southwest Corner of the Intersection of Foothill Boulevard and Banana Avenue in Unincorporated San Bernardino County, California**

Introduction

This report contains the findings of ELMT Consulting's (ELMT) biological due diligence investigation for the proposed project located on the southwest corner of the intersection of Foothill Boulevard and Banana Avenue (project site or site) in unincorporated San Bernardino County, California. The biological due diligence investigation was conducted by ELMT biologist Travis J. McGill on June 3, 2021 to document baseline conditions and to determine the potential for special-status plant and wildlife species to occur on the project site that could pose a constraint to implementation of the proposed project.

Project Location

The project site is generally located east of Interstate 15, south of State Route 210, north of Interstate 10, and west of Interstate 215 in unincorporated San Bernardino County immediately adjacent to the City of Fontana. The project site is depicted on the Fontana quadrangle of the United States Geological Survey's (USGS) 7.5-minute topographic map series within section 10 of Township 1 South, Range 6 West. Specifically, the project site is located with Assessor Parcel Numbers (APNs) 0230-03-10, 11, 12, 13, 19, 20, 21. Refer to Exhibits 1 and 2 in Attachment A.

Methodology

Literature Review

Prior to conducting the habitat assessment/field investigation, a literature review and records search was conducted for special-status biological resources potentially occurring on or within the vicinity of the project site. Previously recorded occurrences of special-status plant and wildlife species and their proximity to the project site were determined through a query of the California Departments (CDFW's) QuickView Tool in the Biogeographic Information and Observation System (BIOS), California Natural Diversity Database (CNDDB) Rarefind 5, and the California Native Plant Society's (CNPS) Electronic Inventory of Rare and Endangered Vascular Plants of California.

All literature detailing the biological resources previously observed on or within the vicinity of the project site were reviewed to understand existing site conditions and note the extent of any disturbances that have

occurred on the project site that would otherwise limit the distribution of special-status biological resources, as well as the following resources:

- Google Earth Pro historic aerial imagery (1985-2020);
- United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS), Soil Survey[1];
- United States Fish and Wildlife Service (USFWS) Critical Habitat designations for Threatened and Endangered Species; and
- USFWS National Wetlands Inventory.

Habitat Assessment/Field Investigation

Following the literature review, biologist Travis J. McGill inventoried and evaluated the condition of the habitat within the project site on June 3, 2021. Plant communities and land cover types identified on aerial photographs during the literature review were verified by walking meandering transects throughout the project site. In addition, site characteristics such as soil condition, topography, hydrology, anthropogenic disturbances, indicator species, condition of on-site plant communities and land cover types, and presence of potential jurisdictional drainage and/or wetland features were noted.

Existing Site Conditions

Elevation on the project site ranges from 1,200 to 1,215 feet above mean sea level, is generally flat with no areas of significant topographic relief, and slopes gently from north to south. Based on the NRCS USDA Web Soil Survey, the project site is underlain by Tujunga gravelly loamy sand (0 to 5 percent slopes), and Tujunga gravelly loamy sand (0 to 9 percent slopes). Soils on-site have been mechanically disturbed and heavily compacted from previous anthropogenic disturbances (i.e., grading, storage activities, spoils stockpiling, and on-site and surrounding development).

Due to existing and historical land uses, no native plant communities or natural communities of special concern were observe on-site. The project site consists of vacant, undeveloped land that has been subject to a variety of anthropogenic disturbances and existing development. The project site supports two (2) land cover types that would be classified as disturbed and developed. Refer to Attachment C, *Site Photographs*, for representative photographs of the project site. No native plant communities will be impacted from implementation of the proposed project.

The majority of the project site supports disturbed areas that are composed primarily of non-native early successional/ruderal plant species. The disturbed areas onsite have been subject to routine anthropogenic disturbance associated with the rural residential developments onsite. Plant species found within the disturbed areas on-site include red brome (*Bromus rubens*), ripgut (*Bromus diandrus*), red-stemmed filaree (*Erodium cicutarum*), telegraph weed (*Heterotheca grandifolia*), Mediterranean mustard (*Hirschfeldia incana*), Russian thistle (*Salsola tragus*), cheeseweed (*Malva parviflora*), Spanish lotus (*Acmispon americanus*), prostrate knotweed (*Polygonum aviculare*), sow thistle (*Sonchus oleraceus*), and ornamental tree species. Additionally, developed areas, primarily on the southeastern portion and northwest corner of

1 A soil series is defined as a group of soils with similar profiles developed from similar parent materials under comparable climatic and vegetation conditions. These profiles include major horizons with similar thickness, arrangement, and other important characteristics, which may promote favorable conditions for certain biological resources.

the project site support existing rural residential homes/structures.

Avian species observed during the field investigation include northern mockingbird (*Mimus polyglottos*), Anna's hummingbird (*Calypte anna*), Cassin's kingbird (*Tyrannus vociferans*), bushtit (*Pstaltriparus minimus*), house finch (*Haemorhous mexicanus*), and lesser goldfinch (*Spinus psaltria*). The only reptilian species observed during the field investigation was western side-blotched lizard (*Uta stansburiana elegans*). The only mammalian species observed during the field investigation was pocket gopher (*Thomomys* sp.). No fish or amphibian were observed during the field investigation. The project site a provides minimal foraging and cover habitat for wildlife species adapted to a high degree of anthropogenic disturbance.

Nesting Birds

No active nests or birds displaying nesting behavior were observed during the field survey, which was conducted during the breeding season. Although heavily disturbed, the project has the potential to provide minimal foraging and nesting habitat for year-round and seasonal avian residents, as well as migrating songbirds that could occur in the area that area adapted to disturbed areas and urban environments. Additionally, the site has potential to support ground-nesting birds such as killdeer (*Charadrius vociferus*).

Nesting birds are protected pursuant to the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (Sections 3503, 3503.5, 3511, and 3513 prohibit the take, possession, or destruction of birds, their nests or eggs). If construction occurs between February 1st and August 31st, a pre-construction clearance survey for nesting birds should be conducted prior to the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction.

Migratory Corridors and Linkages

The proposed project will be confined to existing disturbed and developed land, which has removed natural plant communities from the project site. Further, the project site is surrounded by existing developments which have eliminated connection to nearby wildlife movement corridors. As a result, implementation of the proposed project will not disrupt or have any adverse effects on any migratory corridors or linkages in the surrounding area.

Jurisdictional Areas

No discernible drainage courses, inundated areas, or wetland features/obligate plant species that would be considered jurisdictional by the United States Army Corps of Engineers (Corps), Regional Water Quality Control Board (Regional Board), or CDFW were observed within the proposed project site. Based on the proposed site plan, project activities will not result in impacts to Corps, Regional Board, or CDFW jurisdictional areas and regulatory approvals will not be required.

Special-Status Biological Resources

The CNDDB Rarefind 5 and the CNPS Electronic Inventory of Rare and Endangered Vascular Plants of California were queried for reported locations of special-status plant and wildlife species as well as special-status natural plant communities in the Fontana and Guasti USGS 7.5-minute quadrangles. The habitat assessment evaluated the conditions of the habitat(s) within the boundaries of the project site to determine if the existing plant communities, at the time of the survey, have the potential to provide suitable habitat(s)

for special-status plant and wildlife species.

The literature search identified twenty-two (22) special-status plant species, fifty-seven (57) special-status wildlife species, and one (1) special-status plant communities as having potential to occur within the Fontana and Guasti USGS 7.5-minute quadrangles. Special-status plant and wildlife species were evaluated for their potential to occur within the project site based on habitat requirements, availability and quality of suitable habitat, and known distributions. Species determined to have the potential to occur within the general vicinity of the project site are presented in Attachment D, *Potentially Occurring Special-Status Biological Resources*.

Special-Status Plants

No special-status plant species were observed onsite during the habitat assessment. The proposed project site consists of existing disturbed and developed areas that have been subject to a high level of anthropogenic disturbances. These disturbances have eliminated the natural plant communities that once occurred on-site resulting in a majority of the project site consisting of non-native, ruderal/weedy plant species. These disturbances have eliminated, the suitability of the habitat onsite to support special-status plant species known to occur in the general vicinity of the project site. Based on habitat requirements for specific special-status plant species and the availability and quality of habitats needed by each species, it was determined that the project site does not provide suitable habitat for any of the special-status plant species known to occur in the area and are presumed to be absent from the project site. No focused surveys are recommended.

Special-Status Wildlife

No special-status wildlife species were observed onsite during the habitat assessment. The majority of the project site has been subject to anthropogenic disturbances from historic agricultural and weed abatement activities, and surrounding development. These disturbances have greatly reduced, if not eliminated, the suitability of the habitat onsite to support special-status wildlife species. Based on habitat requirements for specific species and the availability and quality of on-site habitat, it was determined that no special-status plant or wildlife species are expected to occur on the proposed project site.

Based on regional significance, the potential occurrence of burrowing owl within the project site is described in further detail below.

Burrowing Owl

The burrowing owl is currently listed as a California Species of Special Concern. It is a grassland specialist distributed throughout western North America where it occupies open areas with short vegetation and bare ground within shrub, desert, and grassland environments. Burrowing owls use a wide variety of arid and semi-arid environments with well-drained, level to gently-sloping areas characterized by sparse vegetation and bare ground (Haug and Didiuk 1993; Dechant et al. 1999). Burrowing owls are dependent upon the presence of burrowing mammals (such as ground squirrels) whose burrows are used for roosting and nesting (Haug and Didiuk 1993). The presence or absence of colonial mammal burrows is often a major factor that limits the presence or absence of burrowing owls. Where mammal burrows are scarce, burrowing owls have been found occupying man-made cavities, such as buried and non-functioning drain pipes, stand-pipes, and dry culverts. Burrowing mammals may burrow beneath rocks and debris or large, heavy objects such as

abandoned cars, concrete blocks, or concrete pads. They also require open vegetation allowing line-of-sight observation of the surrounding habitat to forage as well as watch for predators.

No burrowing owls or recent sign (i.e., pellets, feathers, castings, or whitewash) were observed during the field investigation. The project site is unvegetated and/or vegetated with a variety of low-growing plant species that allow for line-of-sight observation favored by burrowing owls. However, the project site lacks suitable burrows (>4 inches in diameter) capable of providing roosting and nesting opportunities. Further, existing buildings, electrical poles bordering the site further decrease the likelihood that burrowing owls would occur on the project site as these features provide perching opportunities for larger raptor species (i.e., red-tailed hawk [*Buteo jamaicensis*]) that prey on burrowing owls. Based on the results of the field investigation, it was determined that the project site does not provide suitable habitat for burrowing owls and are presumed absent. Focused surveys are not recommended.

Special-Status Plant Communities

No special-status plant communities were observed on-site during the field investigation.

Critical Habitat

The project site is not located with federally designated Critical Habitat. The nearest designated Critical Habitat is located approximately 2.2 miles northeast of the project site for San Bernardino kangaroo rat (*Dipodomys merriami parvus*). Therefore, the loss or adverse modification of Critical Habitat from site development will not occur and consultation with the USFWS for impacts to Critical Habitat will not be required for implementation of the proposed project.

Conclusion

The project site has been routinely disturbed by human activity for several decades and has been partially developed. Based on the proposed project footprint and existing site conditions discussed in this report, none of the special-status plant or wildlife species known to occur in the general vicinity of the project site are expected to be directly or indirectly impacted from implementation of the project. Therefore, it was determined that implementation of the project will have "no effect" on federally or State listed species known to occur in the general vicinity of the project site, or sensitive plant community. Additionally, the project will not impact any jurisdictional drainage features, sensitive habits, designated Critical Habitats or regional wildlife movement corridors/linkages.

Please do not hesitate to contact Tom McGill at (951) 285-6014 or tmcgill@elmtconsulting.com or Travis McGill at (909) 816-1646 or travismcgill@elmtconsulting.com should you have any questions.

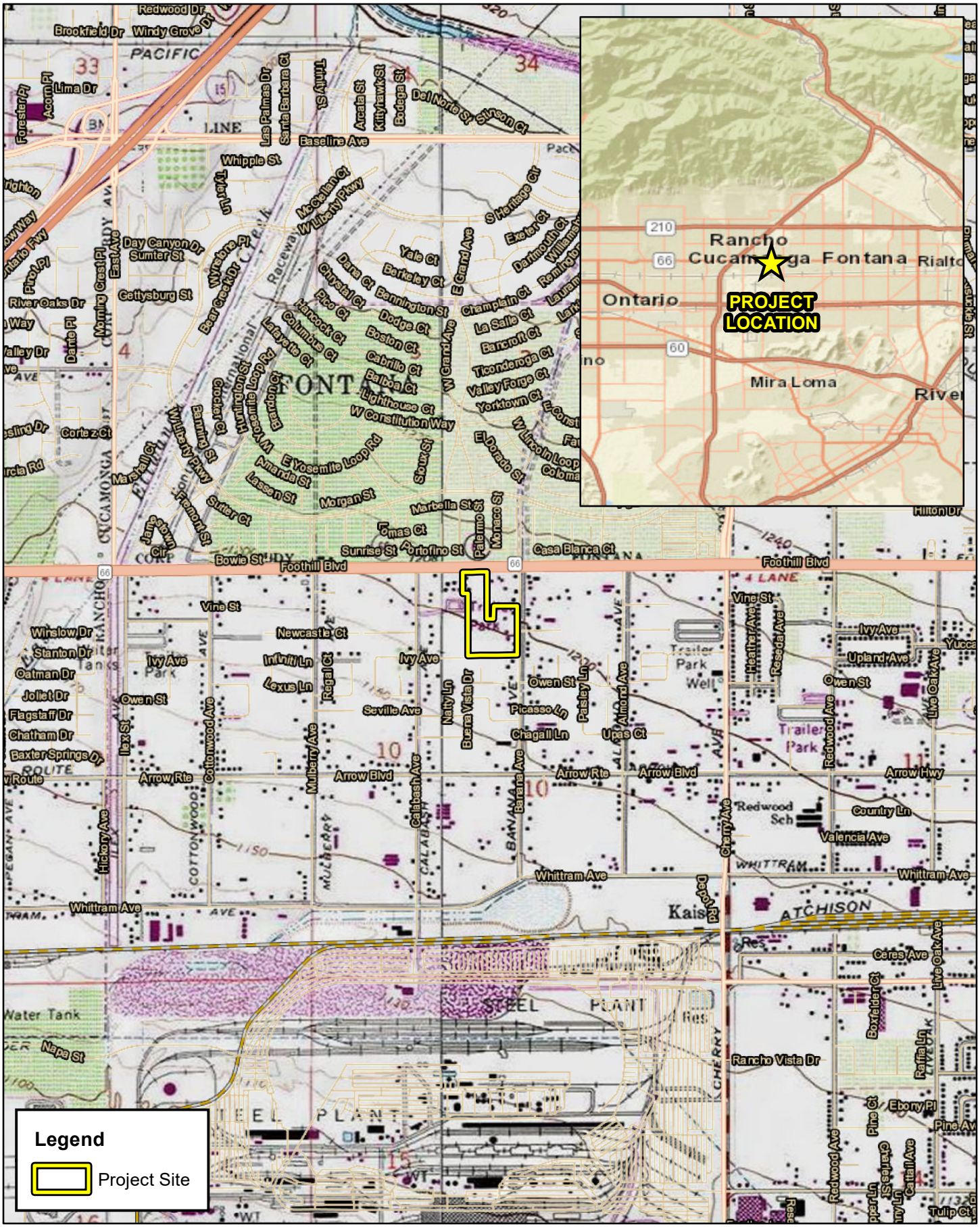
Sincerely,

Thomas J. McGill, Ph.D.
Managing Director

Travis J. McGill
Director

Attachments:

A. *Project Exhibits*
B. *Site Plans*
C. *Site Photographs*
D. *Potentially Occurring Special-Status Biological Resources*



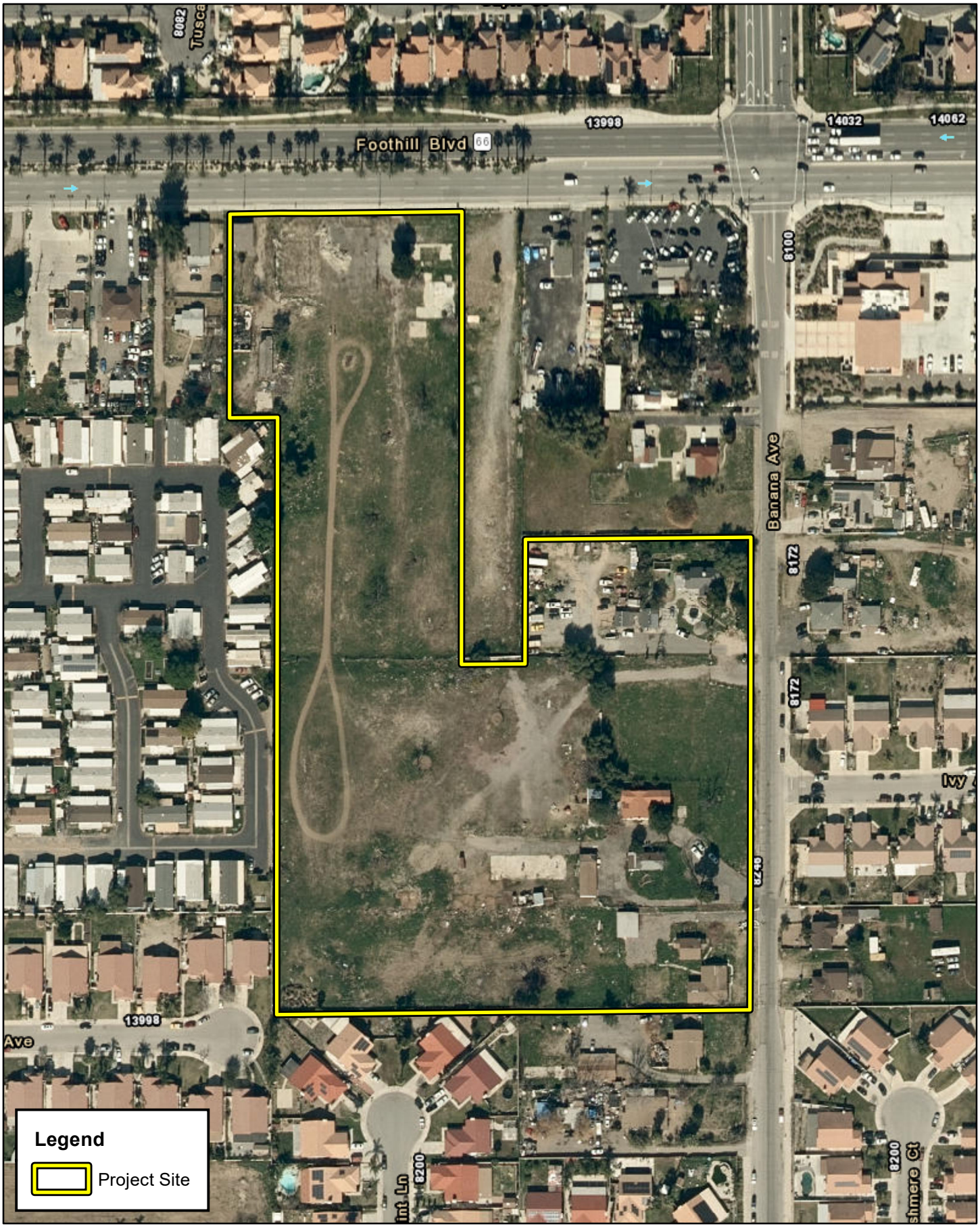
FOOTHILL AND BANANA
BIOLOGICAL DUE DILIGENCE

Regional Vicinity

Exhibit 1

ELMT CONSULTING

Source: USA Topographic Map, San Bernardino County



FOOTHILL AND BANANA
BIOLOGICAL DUE DILIGENCE

Project Site

ELMT CONSULTING

0 125 250 500 Feet

Source: ESRI Aerial Imagery, San Bernardino County

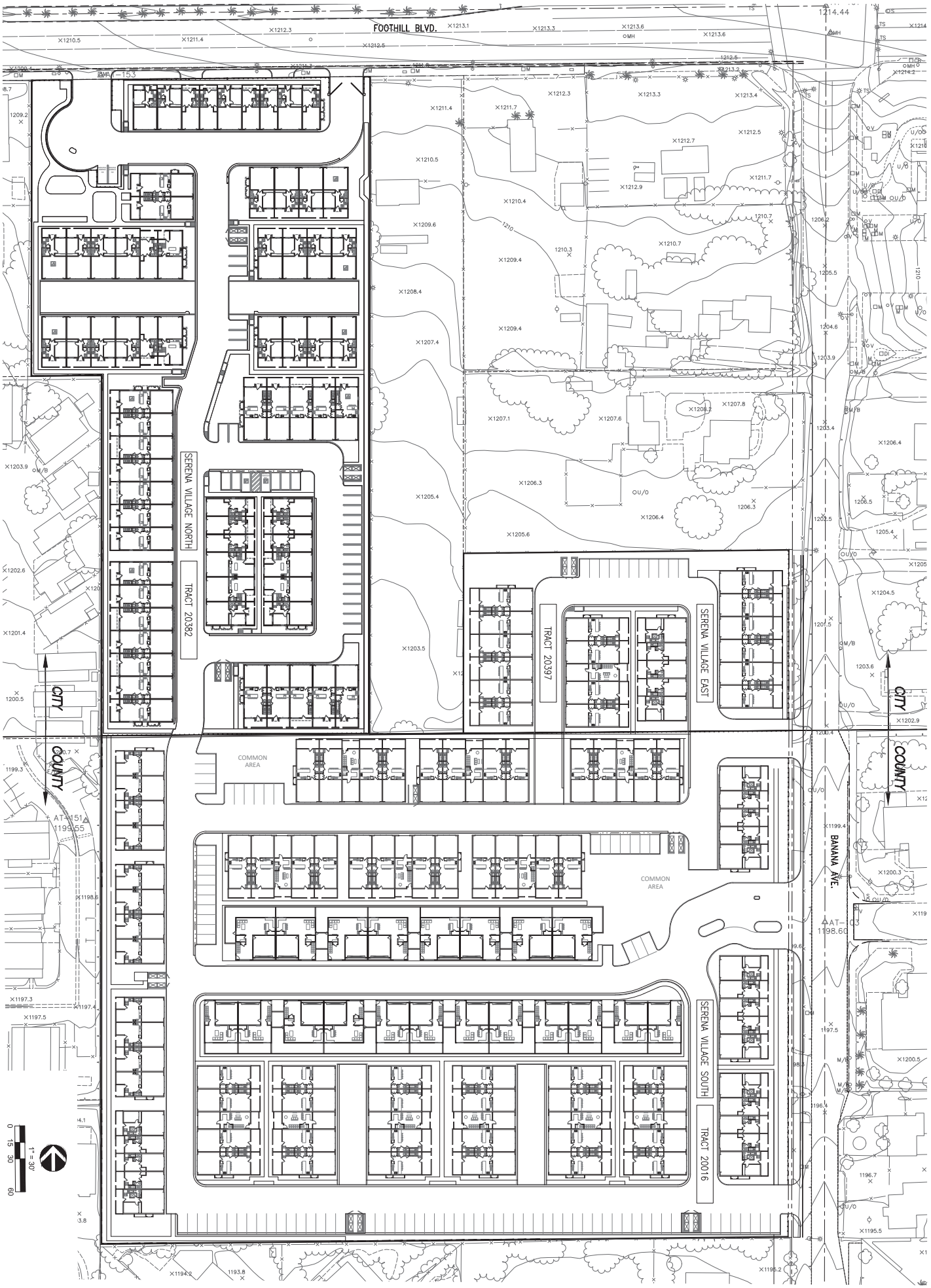
Exhibit 2

Attachment A

Project Exhibits

Attachment B

Site Plans



SHEET	DRAWN BY:	DATE DRAWN:	PROJECT REF.:
C-2.3	AM	3/10/21	SERENA VILLAGE

OWNER/DEVELOPER
INLAND SENIOR DEVELOPMENT, LLC
ONE VENTURE, SUITE 130
IRVINE, CA 92618
(714) 585-0090

SERENA VILLAGE NORTH
13995 FOOTHILL BLVD. FONTANA, CA 92335
TENTATIVE TRACT MAP 20382

OVERALL SITEPLAN

PREPARED BY
MKessler
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MFKESSLER.COM

NO.	REVISIONS	DATE	NO.	REVISIONS	DATE

Attachment C

Site Photographs

Photograph 1: Existing residential structure on the northwest corner of the site.

Photograph 2: From the northwest corner of the site looking east along the northern boundary.

Photograph 3: From the northwest portion of the site looking south along the western boundary.

Photograph 4: From the middle of the western boundary of the site looking northeast.

Photograph 5: From the southwest corner of the site looking east along the southern boundary.

Photograph 6: From the southwest corner of the site looking north along the western boundary.

Photograph 7: View of the existing residential structures on the southeast portion of the site.

Photograph 8: From the middle of the eastern boundary of the site looking northwest.

Attachment D

Potentially Occurring Special-Status Biological Resources

Scientific Name	Common Name	Federal Status	State Status	CDFW Listing	CNPS Rare Plant Rank	Potential to Occur
Special-Status Wildlife Species						
Accipiter cooperii	Cooper's hawk	None	None	WL	-	Presumed Absent
Accipiter striatus	sharp-shinned hawk	None	None	WL	-	Presumed Absent
Agelaius tricolor	tricolored blackbird	None	Threatened	SSC	-	Presumed Absent
Aimophila ruficeps canescens	southern California rufous-crowned sparrow	None	None	WL	-	Presumed Absent
Anniella stebbinsi	Southern California legless lizard	None	None	SSC	-	Presumed Absent
Aquila chrysaetos	golden eagle	None	None	FP ; WL	-	Presumed Absent
Ardea alba	great egret	None	None	-	-	Presumed Absent
Ardea herodias	great blue heron	None	None	-	-	Presumed Absent
Arizona elegans occidentalis	California glossy snake	None	None	SSC	-	Presumed Absent
Artemisiospiza belli belli	Bell's sage sparrow	None	None	WL	-	Presumed Absent
Aspidoscelis hyperythra	orange-throated whiptail	None	None	WL	-	Presumed Absent
Aspidoscelis tigris stejnegeri	coastal whiptail	None	None	SSC	-	Presumed Absent
Athene cunicularia	burrowing owl	None	None	SSC	-	Presumed Absent
Bombus crotchii	Crotch bumble bee	None	Candidate Endangered	-	-	Presumed Absent
Buteo swainsoni	Swainson's hawk	None	Threatened	-	-	Presumed Absent
Calypte costae	Costa's hummingbird	None	None	-	-	Presumed Absent
Catostomus santaanae	Santa Ana sucker	Threatened	None	-	-	Presumed Absent
Chaetodipus fallax fallax	northwestern San Diego pocket mouse	None	None	SSC	-	Presumed Absent
Cicindela tranquebarica viridissima	greenest tiger beetle	None	None	-	-	Presumed Absent
Circus hudsonius	northern harrier	None	None	SSC	-	Presumed Absent
Coleonyx variegatus abbotti	San Diego banded gecko	None	None	SSC	-	Presumed Absent
Contopus cooperi	olive-sided flycatcher	None	None	SSC	-	Presumed Absent
Crotalus ruber	red-diamond rattlesnake	None	None	SSC	-	Presumed Absent
Diadophis punctatus modestus	San Bernardino ringneck snake	None	None	-	-	Presumed Absent
Dipodomys merriami parvus	San Bernardino kangaroo rat	Endangered	Candidate Endangered	SSC	-	Presumed Absent
Dipodomys nitratoides brevinasus	short-nosed kangaroo rat	None	None	SSC	-	Presumed Absent
Dipodomys simulans	Dulzura kangaroo rat	None	None	-	-	Presumed Absent
Dipodomys stephensi	Stephens' kangaroo rat	Endangered	Threatened	-	-	Presumed Absent
Egretta thula	snowy egret	None	None	-	-	Presumed Absent
Elanus leucurus	white-tailed kite	None	None	FP	-	Presumed Absent
Empidonax traillii	willow flycatcher	None	Endangered	-	-	Presumed Absent
Eremophila alpestris actia	California horned lark	None	None	WL	-	Presumed Absent
Eumops perotis californicus	western mastiff bat	None	None	SSC	-	Presumed Absent
Falco columbarius	merlin	None	None	WL	-	Presumed Absent
Gila orcuttii	arroyo chub	None	None	SSC	-	Presumed Absent
Icteria virens	yellow-breasted chat	None	None	SSC	-	Presumed Absent
Lanius ludovicianus	loggerhead shrike	None	None	SSC	-	Presumed Absent
Larus californicus	California gull	None	None	WL	-	Presumed Absent
Lasiurus xanthinus	western yellow bat	None	None	SSC	-	Presumed Absent
Laterallus jamaicensis coturniculus	California black rail	None	Threatened	FP	-	Presumed Absent
Lepus californicus bennettii	San Diego black-tailed jackrabbit	None	None	SSC	-	Presumed Absent
Neolarra alba	white cuckoo bee	None	None	-	-	Presumed Absent
Neotoma lepida intermedia	San Diego desert woodrat	None	None	SSC	-	Presumed Absent

Nycticorax nycticorax	black-crowned night heron	None	None	-	-	Presumed Absent
Nyctinomops femorosaccus	pocketed free-tailed bat	None	None	SSC	-	Presumed Absent
Oncorhynchus mykiss irideus pop. 10	steelhead - southern California DPS	Endangered	None	-	-	Presumed Absent
Pandion haliaetus	osprey	None	None	WL	-	Presumed Absent
Perognathus longimembris brevinasus	Los Angeles pocket mouse	None	None	SSC	-	Presumed Absent
Phrynosoma blainvillii	coast horned lizard	None	None	SSC	-	Presumed Absent
Polioptila californica californica	coastal California gnatcatcher	Threatened	None	SSC	-	Presumed Absent
Pyrocephalus rubinus	vermilion flycatcher	None	None	SSC	-	Presumed Absent
Rhaphiomidas terminatus abdominalis	Delhi Sands flower-loving fly	Endangered	None	-	-	Presumed Absent
Setophaga petechia	yellow warbler	None	None	SSC	-	Presumed Absent
Spinus lawrencei	Lawrence's goldfinch	None	None	-	-	Presumed Absent
Spizella breweri	Brewer's sparrow	None	None	-	-	Presumed Absent
Taxidea taxus	American badger	None	None	SSC	-	Presumed Absent
Vireo bellii pusillus	least Bell's vireo	Endangered	Endangered	-	-	Presumed Absent
Special-Status Plant Species						
Arenaria paludicola	marsh sandwort	Endangered	Endangered	-	1B.1	Presumed Absent
Calochortus catalinae	Catalina mariposa-lily	None	None	-	4.2	Presumed Absent
Calochortus plummerae	Plummer's mariposa-lily	None	None	-	4.2	Presumed Absent
Chloropyron maritimum ssp. maritimum	salt marsh bird's-beak	Endangered	Endangered	-	1B.2	Presumed Absent
Chorizanthe parryi var. parryi	Parry's spineflower	None	None	-	1B.1	Presumed Absent
Cladium californicum	California saw-grass	None	None	-	2B.2	Presumed Absent
Deinandra paniculata	paniculate tarplant	None	None	-	4.2	Presumed Absent
Eriastrum densifolium ssp. sanctorum	Santa Ana River woollystar	Endangered	Endangered	-	1B.1	Presumed Absent
Horkelia cuneata var. puberula	mesa horkelia	None	None	-	1B.1	Presumed Absent
Juglans californica	southern California black walnut	None	None	-	4.2	Presumed Absent
Lepidium virginicum var. robinsonii	Robinson's pepper-grass	None	None	-	4.3	Presumed Absent
Lycium parishii	Parish's desert-thorn	None	None	-	2B.3	Presumed Absent
Malacothamnus parishii	Parish's bush-mallow	None	None	-	1A	Presumed Absent
Monardella pringlei	Pringle's monardella	None	None	-	1A	Presumed Absent
Muhlenbergia californica	California muhly	None	None	-	4.3	Presumed Absent
Muhlenbergia utilis	aparejo grass	None	None	-	2B.2	Presumed Absent
Navarretia prostrata	prostrate vernal pool navarretia	None	None	-	1B.2	Presumed Absent
Phacelia stellaris	Brand's star phacelia	None	None	-	1B.1	Presumed Absent
Pseudognaphalium leucocephalum	white rabbit-tobacco	None	None	-	2B.2	Presumed Absent
Senecio aphanactis	chaparral ragwort	None	None	-	2B.2	Presumed Absent
Sphenopholis obtusata	prairie wedge grass	None	None	-	2B.2	Presumed Absent
Symphyotrichum defoliatum	San Bernardino aster	None	None	-	1B.2	Presumed Absent
Special-Status Plant Communities						
Riversidian Alluvial Fan Sage Scrub		None	None	-	-	Absent

U.S. Fish and Wildlife Service (Fed) - Federal

California Department of Fish and Wildlife (CA) - California

California Native Plant Society (CNPS)
California Rare Plant Rank

CNPS Threat Ranks

END- Federal Endangered
THR- Federal Threatened
DL- Delisted

END- California Endangered
THR- California Threatened
Candidate- Candidate for listing under the California Endangered Species Act
FP- California Fully Protected
SSC- Species of Special Concern
WL- Watch List

1B Plants Rare, Threatened, or Endangered in California and Elsewhere
2B Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere
3 Plants About Which More Information is Needed – A Review List

0.1- Seriously threatened in California
0.2- Moderately threatened in California
0.3- Not very threatened in California