MSHCP Consistency Analysis and Burrowing Owl Habitat Assessment and Focused Survey for the Eucalyptus Industrial Development (PA07-0083)

City of Moreno Valley, County of Riverside, California

Total Area Surveyed: 121.33 Acres. Sunnymead USGS 7.5-minute Topographic Map, Township 3 South, Range 3 West, Section 2. Survey Dates: July 1, 11, 12, 13, 14, 2011.

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Acronyms and Abbreviations

CBOC	California Burrowing Owl Consortium
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
FESA	federal Endangered Species Act
GIS	geographic information systems
GPS	Global Positioning System
MBTA	Migratory Bird Treaty Act
MSHCP	Multiple Species Habitat Conservation Plan
USACE	U.S. Army Corps of Engineers
USGS	U.S. Geological Survey

Chapter 1
Introduction

This report contains the results of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) consistency analysis and the burrowing owl (*Athene cunicularia hypugaea*) habitat assessment and focused survey that took place on a 121.33-acre property located in the city of Moreno Valley, Riverside County, California. The property, hereinafter referred to as project site, is within the Reche Canyon/Badlands Area Plan of the MSHCP; however, it does not fall within any criteria cells.

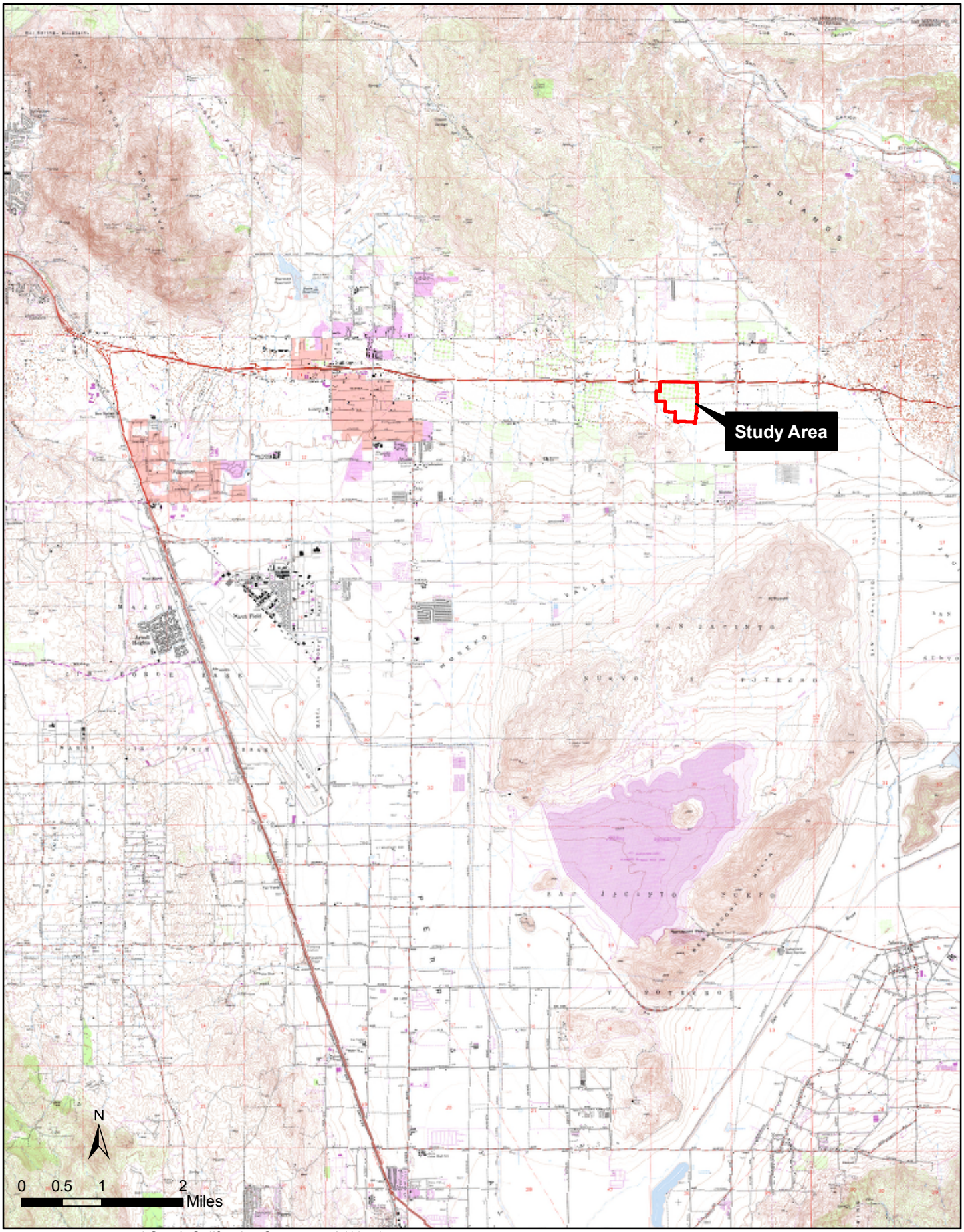
1.1 Project Location

The project site consists of approximately 121.33 acres which are identified as Assessor's Parcel Numbers (APNs) 488-330-011, -012, -013, -017, -018, -019, -022, -023, and -024. Pettit Street forms part of the western boundary of the project site, Fir Avenue forms part of the southern boundary, the Moreno Valley Freeway (SR 60) forms the northern boundary, and an unnamed drainage borders the eastern boundary. The project site is located in Township 3 South, Range 3 West, Section 2 of the Sunnymead U.S. Geological Survey (USGS) 7.5-minute topographic map (1980) (refer to Figure 1 and Figure 2).

1.2 Project Site Description

The ProLogis Park facility proposes 2,244,638 square feet of industrial uses. The proposed project site consists of approximately 121.29 acres and is located directly south of SR 60 between Pettit Street and Quincy Street (refer to Figure 3). Development in the northern portion of the project site, south of SR 60 and north of Eucalyptus Avenue, would provide approximately 1,030,377 square feet of industrial space within two buildings. Development in the southern portion of the site, south of Eucalyptus Avenue, would provide approximately 1,214,261 square feet of industrial space within four buildings.

Stormwater runoff would be routed and treated through and by a combination of detention basins, vegetated swales, and sand filters. These detention basins, swales, and sand filters would also be used to detain the incremental increase in flows as well as handle Water Quality Management Plan (WQMP) treatment requirements per the City of Moreno Valley. Landscape improvements would be installed throughout the parking area and would utilize a varied selection of low-water-demand plants and include a water-efficient irrigation system. As part of the proposed project, water quality basins would be developed along the southern portions of Building 1, Building 2, Building 4, Building 5, and Building 6. A bridge would also be built across Quincy Channel to connect the existing Eucalyptus Avenue to the adjacent parcel (Figure 3). Appendix C contains photographs of the project site.



SOURCE: USGS 7.5' Quad, California : Sunnymead (1977)

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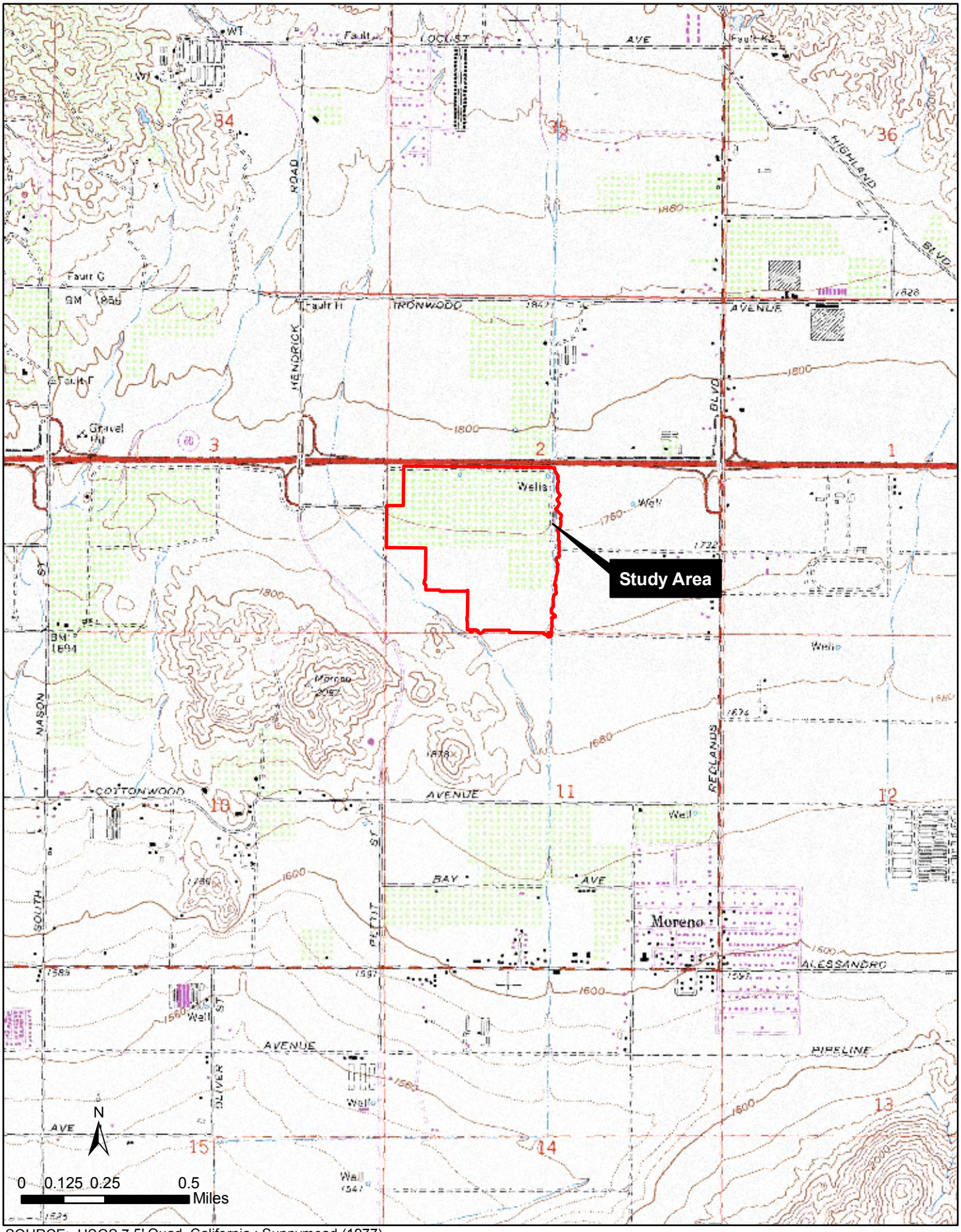
Figure 1
Regional Vicinity Map
ProLogis Eucalyptus Project



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SOURCE: USGS 7.5' Quad, California : Sunnymead (1977)

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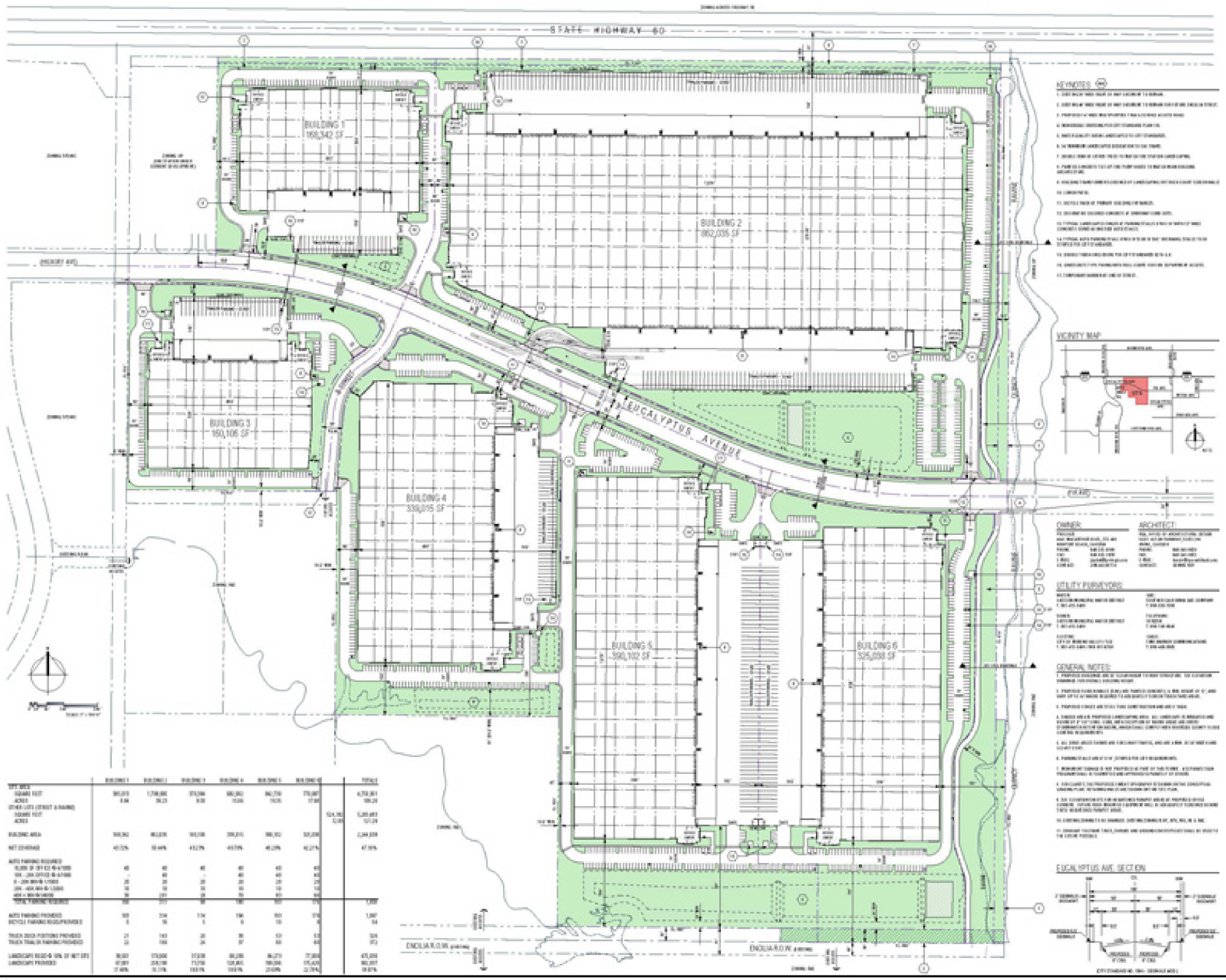
Figure 2
USGS Map
ProLogis Eucalyptus Project



SOURCE: RGA

Figure 3
Site Map
ProLogis Eucalyptus Project

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Chapter 2
Methodology

2.1 Habitat Assessment

2.1.1 Literature Review

Prior to the field visit, a literature review was conducted to evaluate environmental conditions on the project site. The literature reviewed included the U.S. Department of Agriculture Soil Survey (1971). In addition, the Riverside County Integrated Project Conservation Summary Report (Riverside County Land Information System 2011) was reviewed to assess the habitat and determine survey requirements for the site (Appendix A). To ensure consistency with the requirements set forth in the Western Riverside County MSHCP (Riverside County 2003), including survey requirements for inadequately covered species, the project site was assessed, and geographic information systems (GIS) software was used to map the site in relation to MSHCP areas, including criteria cells, conservation areas, and wildlife movement corridors and linkages; survey areas for plant, bird, mammal, and amphibian species; and the narrow endemic plant survey area.

The MSHCP requires an assessment to determine the potentially significant effects of a project on riparian/riverine areas and vernal pools. According to the MSHCP, documentation for the assessment should include mapping and a description of the functions and values of the mapped areas with respect to the species listed in MSHCP Section 6.1.2, Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools. To that end, the California Natural Diversity Database (California Department of Fish and Game 2011a) and the California Native Plant Society's (CNPS) Electronic Inventory (CNPS 2011a) were consulted for the project site and a 5-mile radius. CNPS species descriptions were also reviewed (CNPS 2011b). The MSHCP was also reviewed to determine habitat assessment requirements as well as the habitat suitability elements for sensitive wildlife species, narrow endemic plant species, and criteria area plant species. The primary objective of the review was to determine the potential for suitable habitat for sensitive plant and wildlife species to be present and the applicability of other MSHCP and California Environmental Quality Act (CEQA) biological resource requirements.

2.1.2 Jurisdictional Areas

A formal assessment and delineation of jurisdictional waters and wetlands was conducted and a report was prepared, which is provided under separate cover (ICF International [ICF] 2011). Methodologies practiced during the delineation of jurisdictional waters and wetlands are detailed in the report.

2.1.3 General Biological Resources Field Investigation

Mikael Romich, biologist for ICF, performed a habitat assessment of the project site on July 1, 2011, between the hours of 6:00 a.m. and 9:00 a.m. Weather conditions were favorable, with clear skies, no appreciable wind, and a temperature of 52 degrees Fahrenheit. The physical parameters assessed included vegetation composition, soil substrate conditions, slope, aspect, hydrology, and disturbance to the land. Special attention was directed toward determining the plant communities that occur on

and in the immediate vicinity of the project site in an effort to qualify its suitability for the sensitive plant and wildlife species that are known to occur in the region.

ICF conducted a riparian/riverine habitat assessment of the project site concurrent with the jurisdictional field delineation (June 30, 2011). The riparian/riverine habitat assessment focused on all drainage features on the project site. Special attention was directed toward features that meet the minimum criteria to be considered riparian/riverine habitat per the definition provided within the MSHCP. All targeted drainage features were carefully inspected to verify the presence of riparian habitat characteristics and evaluate their ability to support associated species (e.g., dominant hydrophytic vegetation, suitable topography and hydrology, and suitable soil substrate). Hydrophytic vegetation in riparian habitats typically consists of trees, shrubs, persistent emergents, or emergent mosses and lichens that occur within or near permanent watersheds or occupy areas with moist soils that occur nearby a freshwater source, as defined in Section 6.1.2 of the MSHCP (page 6-21). The assessment was based on an analysis of the functions and values of these features, including hydrologic regime, flood storage and flood flow modification, nutrient retention and transformation, sediment trapping and transport, toxicant trapping, public use, wildlife habitat, and aquatic habitat.

Plant communities within the project site were mapped using 7.5-minute USGS topographic base maps and aerial photography. The plant communities within the project site were classified according to descriptions provided in Holland's *Preliminary Descriptions of the Terrestrial Natural Communities of California* (1986 and 1992 update).

Common plant species observed during the field survey were identified by visual characteristics and morphology and recorded in a field notebook. Unusual and less familiar plants were identified in the office using taxonomical guides. A comprehensive list of all plant species observed on the project site was compiled from the survey data and is provided in Appendix B of this report.

Wildlife species detected during field surveys by sight, calls, tracks, scat, or other sign were recorded in a field notebook. Field guides were used to assist with identification of species during surveys. Although common names of wildlife species are fairly well standardized, scientific names are used in this report and are provided in Appendix B.

Representative photographs of the study area are provided in Appendix C.

Taxonomy and nomenclature used in this report follow Hickman (1993) for plants, Collins and Taggart (2009) for native herpetiles (amphibians, reptiles, and relatives), American Ornithologists' Union (1998) and 2010 supplement for birds, and Wilson and Reeder (2005) for mammals. . In this report, scientific names are provided immediately following common names of plant species for the first reference only.

2.1.4 Burrowing Owl Habitat Assessment and Focused Survey

2.1.4.1 Habitat Assessment and Burrow Mapping

Mikael Romich, biologist for ICF, performed a habitat assessment and burrow mapping for burrowing owl on the project site on July 1, 2011, between the hours of 6:00 a.m. and 9:00 a.m. Weather conditions were favorable, with clear skies, no appreciable wind, and a temperature of 52 degrees Fahrenheit.

Habitat assessment and burrow mapping used a systematic approach to survey burrows. This involved walking through potentially suitable habitat within the survey area (i.e., the project site and a 500-foot buffer, where accessible) to have 100 percent visual coverage of the ground surface. The distance between transect center lines was no more than 30 meters (approximately 100 feet), which was reduced to account for differences in terrain, vegetation density, and ground surface visibility. The locations of all suitable burrowing owl habitat, potential owl burrows, burrowing owl sign, and any owls observed were recorded and mapped, including Global Positioning System (GPS) coordinates. Natural or man-made structures and debris piles that could support burrowing owls were also noted and mapped. Soil conditions, topography, vegetative communities, and habitat quality were also documented. All encountered burrows were checked for the presence of feathers, scat, pellets, tracks, or other indications of use by burrowing owls.

2.1.4.2 Focused Survey

Instructions for burrowing owl surveys from the Western Riverside MSHCP (March 29, 2006) were followed. Four site visits occurred during the nesting season (March through August). Surveys were conducted from 2 hours before sunset to 1 hour after or from 1 hour before sunrise to 2 hours after and during weather that was conducive to observing owls outside their burrows and detecting burrowing owl sign. Surveys are not conducted during rain, high winds (> 20 mph), dense fog, or temperatures above 90 degrees Fahrenheit. All areas within the project site and a 500-foot buffer where suitable habitat and mapped burrows occur were included in the focused survey. Table 1 summarizes the focused burrowing owl surveys.

Table 1. Date, Time, and Conditions for Burrowing Owl Focused Surveys

Date	Time	Biologist	Conditions
7/1/2011	0740 to 1050	Mikael Romich	Temperature 72°F to 85°F, high fog, calm, visibility very good, no dew
7/11/2011	0550 to 0735	Mikael Romich	Temperature 60°F, high fog, calm, visibility good, no dew, sunrise at 0546
7/12/2011	0550 to 0800	Mikael Romich	Temperature 61°F, high fog, calm, visibility good, no dew, sunrise at 0547
7/13/2011	0545 to 0750	Lisa Franklin	Temperature 62°F, high fog, calm, visibility good, no dew, sunrise at 0547
7/14/2011	0540 to 0740	Lisa Franklin	Temperature 60°F, high fog, calm, visibility good, no dew, sunrise at 0548

Chapter 3
Existing Conditions

3.1 Topography and Soils

The project site is located within the Moreno Valley, south of the Badlands. Overall, it is relatively flat, with a slight southward grade. The elevation range is approximately 1,724 to 1,788 feet above mean sea level. The dominant vegetation on the site consists of agricultural (citrus) and ruderal species. Two unnamed blue-line streams occur on and near the project site, on both the western and eastern boundaries.

The site is mapped as containing six separate soil-mapping units belonging to three separate soil series (Figure 4). A soil series is a group of soils with similar profiles. These profiles include major horizons with similar thicknesses, arrangements, and other important characteristics. The site is mapped as being dominated by San Emigdio loam. The site is also mapped as containing Hanford coarse sandy loam and Metz loamy fine sand (U.S. Department of Agriculture 1971). No other mapped soil series is present on site. The observed surface soils on the project site contain evidence of heavy disturbance from agriculturally related activities.

The San Emigdio series consists of very deep, well-drained soils that formed in predominantly sedimentary alluvium. San Emigdio soils are on fans and floodplains and have slopes of 0 to 15 percent. The Hanford series consists of very deep, well-drained soils that formed in moderately coarse textured alluvium, predominantly from granite. Hanford soils are on stream bottoms, floodplains, and alluvial fans and have slopes of 0 to 15 percent. The Metz series consists of very deep, somewhat excessively drained soils that formed in alluvial material from mixed but predominantly sedimentary rocks. Metz soils are on floodplains and alluvial fans and have slopes of 0 to 15 percent.

None of the soils present are considered sensitive by the MSHCP.

3.2 Plant Communities

Figure 5 shows that the project site consists of four plant communities: agriculture, ruderal, non-native grassland, and mule fat scrub. See Appendix B for a complete list of plant species identified in the study area, including nonnative and invasive species.

3.2.1 Agriculture

The northern and eastern 55.67 acres of the project site contains citrus trees (orange and grapefruit). They are currently leafy and green.

3.2.2 Ruderal

The 48.15-acre ruderal plant community on the project site is dominated by weedy vegetation, which is typically associated with past disturbance. Disturbances that create ruderal areas are commonly a result of anthropogenic impacts or, as is the case in this situation, attributed to past

agricultural activities and regular disking (the site was partially disked between July 1 and 11). The ruderal plant community on the project site is dominated by several mustard species (*Brassica* spp.), annual bur ragweed (*Ambrosia acanthicarpa*), Russian thistle (*Salsola tragus*), cheeseweed (*Malva parviflora*), and non-native grass species.

3.2.3 Non-Native Grassland

Non-native grassland, a prevalent community throughout California, is generally characterized by a dense-to-sparse cover of non-native annual grasses and often associated with numerous weedy species as well as some native annual forbs, such as wildflowers that emerge, especially in years of plentiful rain. Seed germination occurs with the onset of winter rains. Some plant growth occurs in winter, but most growth and flowering occurs in the spring. Plants then die in the summer but persist as seeds in the uppermost layers of the soil until the next rainy season. Dominant plant species typically found within non-native grassland include bromes (*Bromus* spp.), wild oats (*Avena* spp.), fescues (*Vulpia* spp.), and barleys (*Hordeum* spp.).

Non-native grassland occurs on 18.45 acres in the southern portion of the project site. Because of the presence of wild oat species, this may have been part of an agricultural crop in the past.

3.2.4 Disturbed Mule Fat Scrub

A degraded drainage channel occurs along the eastern boundary of the project site. It appears to be severely eroded, perhaps a result of nearby agricultural activities. The area is heavily disturbed and contains a number of non-native species, including Peruvian pepper (*Schinus molle*), tree tobacco (*Nicotiana glauca*), castor bean (*Ricinus communis*), eucalyptus (*Eucalyptus* spp.), and tree of heaven (*Ailanthus altissima*). However, patches of mule fat (*Baccharis salicifolia*), one Goodding's black willow tree (*Salix gooddingii*), and several California black walnuts (*Jugulans californica*) also occur within the drainage. In addition, large amounts of trash are found within and adjacent to the drainage. In total, approximately 4.59 acres of disturbed mule fat vegetation overlaps the project site.

3.2.5 Non-Native Woodland

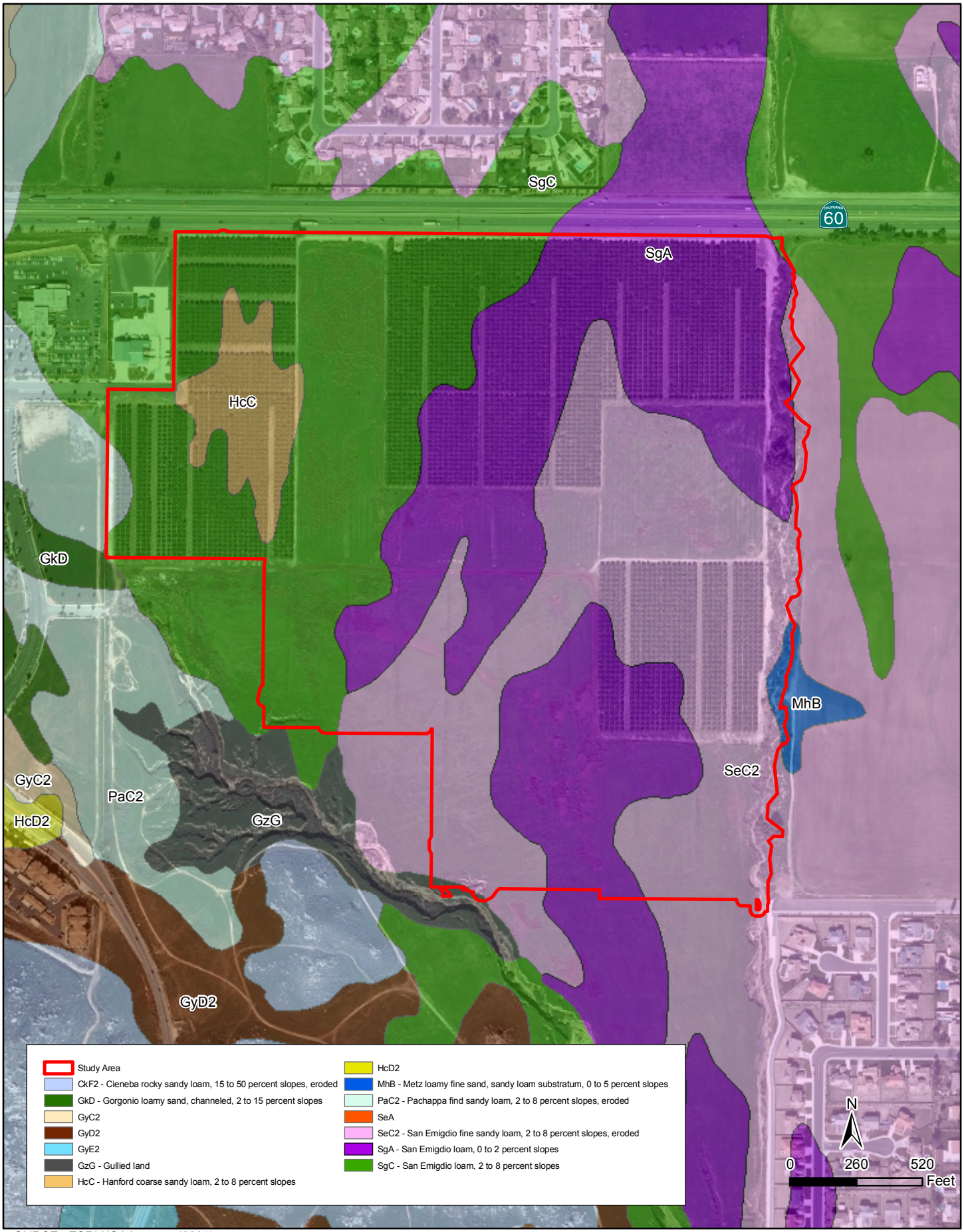
Several patches of non-native woodland occur within and adjacent to the degraded drainage channel. These consist of eucalyptus trees and Peruvian pepper. Non-native woodland occurs on approximately 0.06 acre of the project site.

3.2.6 Unvegetated Streambed

Several patches of sands with little to very sparse vegetation occur within the drainage channel that occurs along the eastern boundary of the project site. For the purposes of this report these have been classified as unvegetated streambed. Unvegetated streambed occurs on approximately 0.08 acre of the project site.

3.2.7 Channel-Upland Vegetation

There are several eroded channels that occur within the project site on the western boundary. These are somewhat steep sided and are dominated by upland species, predominantly non-native grassland, that are interspersed with open unvegetated areas. For the purposes of this report these



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SOURCE: ESRI USA Imagery (2007)

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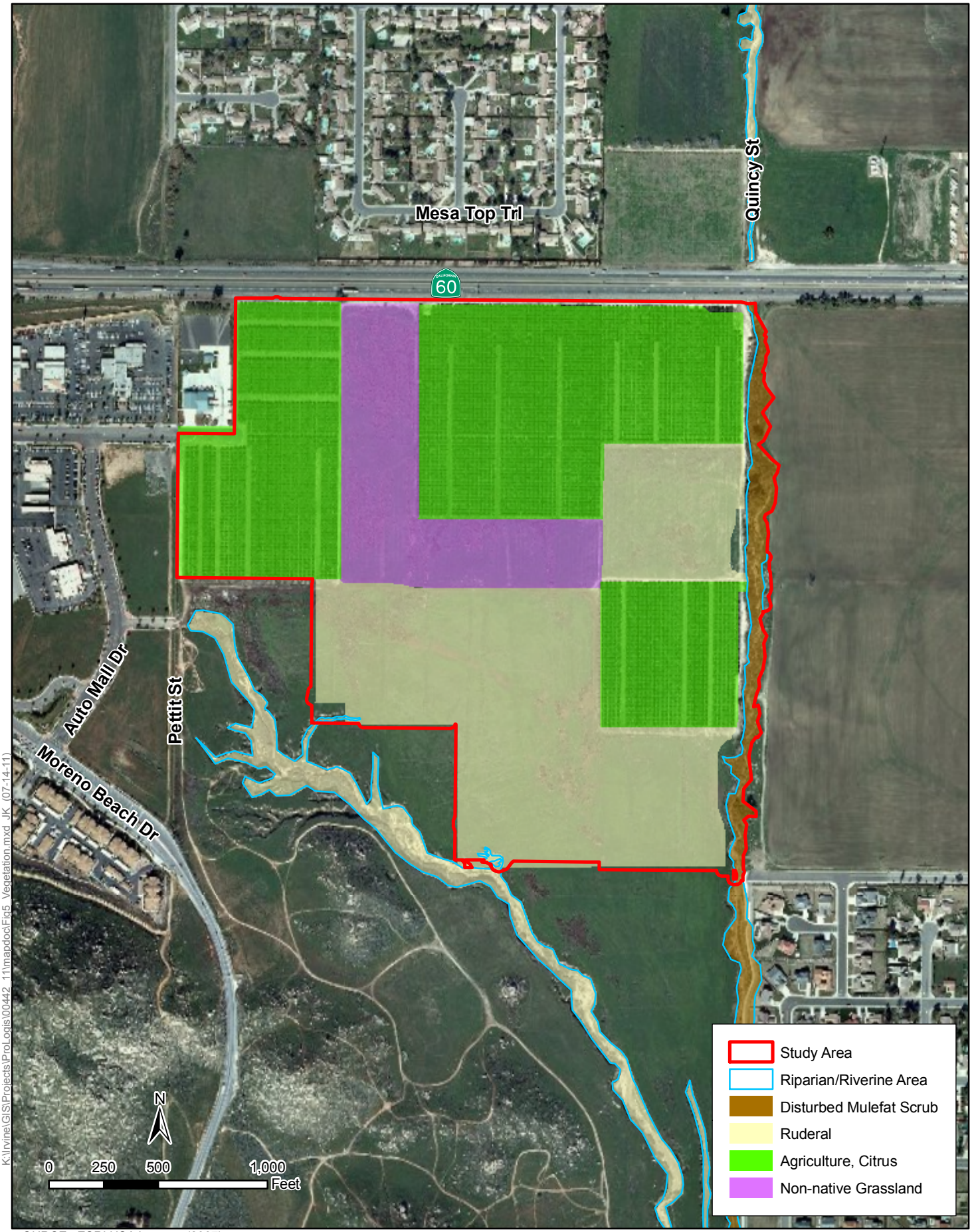
Figure 4
Soil Map
ProLogis Eucalyptus Project



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SOURCE: ESRI USA Imagery (2007)

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Figure 5
Riparian/Riverine Area Vegetation Map
ProLogis Eucalyptus Project

have been classified as channel-upland vegetation. Channel-upland vegetation occurs on approximately 0.14 acre of the project site.

3.3 Jurisdictional Waters

Two ephemeral drainages that occur on the project site show evidence of a bed and bank and may be considered jurisdictional by regulatory agencies. One occurs along the eastern boundary, also known as Quincy Channel and one along the western boundary. The eroded channel that occurs within the project site on the western boundary is dominated by upland species. Quincy Channel has some disturbed mule fat scrub habitat. These drainages meet south of the project site and appear to drain to the San Jacinto River. Because of the presence of these potential jurisdictional features, a formal jurisdictional delineation was recommended and prepared by ICF (2011).

3.4 Nesting Birds

Avian nesting habitat occurs throughout the project site. Bird species that nest on the project site, which were seen and heard, include Bullock's oriole (*Icterus bullockii*), song sparrow (*Melospiza melodia*), blue grosbeak (*Guiraca caerulea*), California towhee (*Pipilo crissalis*), and Bewick's wren (*Thryomanes bewickii*). A red-tailed hawk (*Buteo jamaicensis*) nest exists within one of the eucalyptus trees on the eastern boundary of the site. Potential impacts on nests of these species are not covered by the MSHCP and must be analyzed separately in the CEQA document.

Chapter 4

Western Riverside County MSHCP Consistency Analysis

4.1 MSHCP Requirements

The project site is located in the Reche Canyon/Badlands Area Plan of the MSHCP; however it does not overlap a MSHCP criteria cell (Riparian/Riverine Map - Figure 6). The nearest MSHCP criteria cell is 841 (of cell group T), located approximately 1 mile to the northeast.

The MSHCP establishes habitat assessment requirements for certain plant, bird, mammal, and amphibian species. The project site overlaps only the habitat assessment area for burrowing owl. Therefore, all other species requiring a habitat assessment, as well as fully covered MSHCP species, are not discussed further in this report, although a small number of species that are not covered by the MSHCP are discussed in Section 4.2.5, below. The MSHCP has no survey area map for species associated with riparian/riverine areas. Potential survey areas for these species will be derived from project-specific riparian/riverine area mapping.

No riparian habitat occurs on the project site that would be suitable for MSHCP riparian species (see Appendix D for the required MSHCP forms).

4.1.1 Urban/Wildlands Interface Guidelines

According to the Section 6.1.4 of the MSHCP, the Urban/Wildlands Interface Guidelines are intended to address indirect effects associated with locating development in proximity to MSHCP conservation areas (Riverside County 2003). The project site is not adjacent to any MSHCP conservation areas. Consequently, the Urban/Wildlife Interface Guidelines would not need to be incorporated into the project.

4.2 Habitat Assessment

4.2.1 Burrowing Owl

The entire project site is included in the MSHCP habitat assessment area for burrowing owl. Because of its decline in the state of California over the past 30 years, burrowing owl is a state species of concern. It occurs in grasslands, lowland scrub, agricultural lands (particularly rangelands), and some artificial open areas as a year-long resident. Burrowing owl may also use golf courses, cemeteries, rights-of-way for roads within cities, airports, vacant lots in residential areas and university campuses, fairgrounds, abandoned buildings, and irrigation ditches. As a critical need with respect to habitat features, burrowing owl requires rodent or other fossorial burrows for roosting and nesting cover, with the preferred burrow being that of the California ground squirrel (*Spermophilus beecheyi*). Burrowing owl may also use pipes, culverts, and nest boxes where burrows are scarce. One burrow is typically selected for use as the nest; however, satellite burrows are usually found within the defended territory (Haug et al. 1993).

The nearest burrowing owl record occurs approximately 5 miles southwest of the project site (California Department of Fish and Game 2011b). The project site is highly suitable for burrowing owl because of the presence of eroded channel banks, burrows, and abundant foraging habitat. However, no burrowing owls were observed during the habitat assessment. Although an approximately 54-acre citrus orchard exists on the project site, this area is not considered suitable for foraging or burrowing by burrowing owl. Most of the non-native grassland and ruderal plant communities are also not suitable because of the height and density of the non-native vegetation. However, along the western drainage channel, numerous suitable burrows and debris piles with surrounding vegetation were found. This vegetation is lower in height. There are also several burrows and debris piles along the eastern drainage channel, although it is less suitable because of taller vegetation. Finally, several scattered burrows, which could be suitable for burrowing owl, were found along existing dirt roads. Figure 7 shows the suitable burrowing owl features that were identified. Because of the presence of suitable burrowing owl habitat, a focused burrowing owl survey was conducted in July 2011 to determine if the species is present (see Section 4.3, below).

4.2.2 Riparian/Riverine Habitat

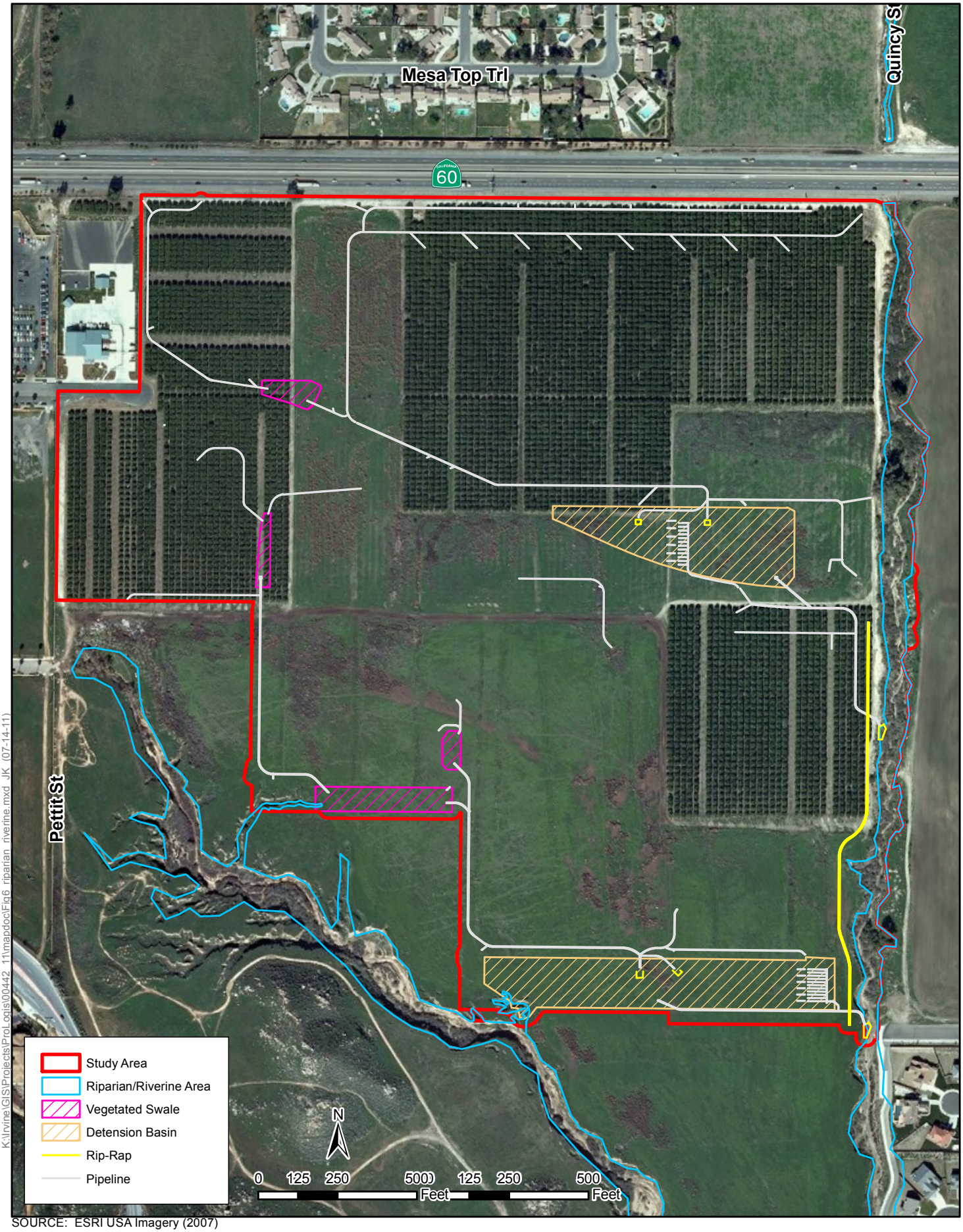
Section 6.1.2 of the Western Riverside County MSHCP describes the process to protect species associated with riparian/riverine areas and vernal pools. As defined in the MSHCP, riparian/riverine areas are lands that contain habitat dominated by trees, shrubs, persistent emergents, or emergent mosses and lichens that occur close to or depend on a nearby freshwater source or areas that contain a freshwater flow during all or a portion of the year. These habitats may support one or more of the species listed in Section 6.1.2 of the MSHCP.

An unnamed drainage feature traverses the western boundary of the site. The unnamed drainage feature originates in the northwest quadrant of the site, runs from northwest to southeast, then eventually exits the site along the southern boundary. The feature, which is deeply incised and heavily eroded, is vegetated by upland plant species. No riparian vegetation exists within this feature on the project site.

Quincy Channel traverses the eastern boundary of the site. It originates in the northeast quadrant of the site, runs from north to south, then eventually exits the site along the southern boundary. The feature contains heavily disturbed riparian habitat (i.e., 0.6-acre of a mule fat scrub community). Because Quincy Channel, including the mule fat scrub community, will be affected by the proposed project, a determination of a biologically equivalent or superior preservation (DBESP) analysis has been prepared (ICF 2011).

4.2.3 Riparian/Riverine Species

The riparian/riverine habitat that occurs on the project site is very small in area and heavily disturbed, perhaps due to the proximity of agriculture (Figure 5). Mule fat, as well as a number of non-native species and a large amount of trash, occurs in a channel that supports riparian vegetation. However, because of the lack of vertical complexity, the existing riparian habitat does not provide suitable habitat for any of the bird species listed in Section 6.1.2 of the MSHCP. No additional focused surveys will be necessary.



SOURCE: ESRI USA Imagery (2007)

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Figure 6
Riparian/Riverine Area Impact Map
ProLogis Eucalyptus Project

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SOURCE: ESRI USA Imagery (2007)

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Figure 7
Biological Resource Map
ProLogis Eucalyptus Project

4.2.4 Vernal Pools/Fairy Shrimp Habitat

Vernal pools are seasonal wetlands that occur in depression areas and have wetland indicators that represent all three parameters (i.e., soils, vegetation, and hydrology) during the wetter portion of the growing season but normally lack wetland indicators associated with vegetation and/or hydrology during the drier portion of the growing season. No area of ponding or evidence of standing water was observed during the site assessment. The site consists of sandy loam and loamy sand substrates, which are well drained and thus would not support vernal pools or vernal pool species. In addition, no areas that support hydrophytic vegetation were observed on site, except within the eastern channel where a small amount of mule fat scrub was present. No vernal pool or fairy shrimp habitat occurs on the project site, and no further actions related to vernal pools are required pursuant to the MSHCP.

4.2.5 Species Not Covered under the MSHCP

The project site supports grasshopper sparrow (*Ammodramus savannarum*), which was observed during the focused burrowing owl surveys. Grasshopper sparrow is a California species of special concern. It is not considered adequately conserved under the MSHCP. Removal of habitat with a low-density grasshopper sparrow population would be considered a less-than-significant impact under CEQA. The MSHCP, in Table 9-3, states that for this species to become a "covered species, adequately conserved," the following conservation must be demonstrated:

- Include within the MSHCP conservation area at least 8,000 acres in seven core areas.

The project site provides potentially suitable habitat for American badger (*Taxidea taxus*), a California species of special concern. During the habitat assessment and focused surveys for burrowing owl, badger den sites were not observed on the project site. Although badger could use the site periodically during movement, because of the proximity of urban development, city streets, and SR 60, the likelihood of finding the species on site would be low. The removal of habitat with a low potential to support movement habitat for American badger would be considered a less-than-significant impact under CEQA.

No special-status bat species are covered under the MSHCP. Habitat on the project site may be used occasionally by foraging bat species; however, because no potential roosting habitat is present within the development footprint, impacts on bat species would be limited to potential foraging habitat. The removal of potential bat foraging habitat would be considered a less-than-significant impact under CEQA.

The project site does not provide suitable habitat for any other species that is not covered under the MSHCP.

4.3 Burrowing Owl Focused Survey

Although no burrowing owls or burrowing owl sign was detected during the focused surveys, the study area does support suitable features, such as California ground squirrel burrows and debris piles (see Figure 7).

Because no burrowing owls were observed using any of the suitable burrows during the focused breeding survey, it was concluded that they are absent from the project site and the 500-foot buffer. To confirm the continued absence of burrowing owls at the project site, a MSHCP 30-day

preconstruction protocol survey is recommended and is included as mitigation measure MM-2, described below.

Chapter 5
Mitigation Measures

5.1 Western Riverside County MSHCP

The project site falls within the MSHCP fee area and the Stephens' kangaroo rat (*Dipodomys stephensi*) fee area. Payment of these development mitigation fees, as well as compliance with the requirements of Section 6.0 of the MSHCP, is intended to provide full mitigation under CEQA, the National Environmental Policy Act, the California Endangered Species Act (CESA), and the federal Endangered Species Act (FESA) for impacts on species and habitats covered by the MSHCP, pursuant to agreements with the U.S. Fish and Wildlife Service and the California Department of Fish and Game (CDFG), as set forth in the implementing agreement for the MSHCP.

The following measures, which are standard conditions required under the MSHCP, would reduce project-related impacts on species covered under the MSHCP to less than significant:

MM-1 The project applicant will pay the development mitigation fees associated with the MSHCP (MSHCP fee and Stephens' kangaroo rat fee), which will be based on the number of acres affected. The fee will be paid to the city of Moreno Valley during the processing of the proposed project. Payment of SKR impact fees is made before issuance of a grading permit, while MSHCP fees are paid before issuance of building permits.

MM-2 A preconstruction survey is required for burrowing owl to confirm the continued absence of this species from the site. The survey will be conducted by a qualified biologist 30 days prior to ground disturbance in accordance with MSHCP survey requirements to avoid direct take of burrowing owls. If burrowing owls are determined to occupy the project site or the immediate vicinity, the city of Moreno Valley Planning Department will be notified, and avoidance measures will be implemented. Implementation of avoidance measures will be executed pursuant to the MSHCP, California Fish and Game Code, the Migratory Bird Treaty Act (MBTA), and the Burrowing Owl Survey and Mitigation Guidelines prepared by the California Burrowing Owl Consortium (CBOC) (CBOC 1993) and reviewed by CDFG.

A burrow is considered occupied when there is confirmed use by burrowing owl. If a burrow is found to be occupied by burrowing owl during the preconstruction survey, consultation with the city and/or the county would be required.

The following measures are recommended in the CBOC guidelines to avoid an occupied burrow (CBOC 1993):

- No disturbance within approximately 160 feet of an occupied burrow during the non-breeding season (September 1 to January 31), or
- No disturbance within approximately 250 feet of an occupied burrow during the breeding season (February 1 to August 31).

For unavoidable impacts, passive or active relocation of burrowing owls would be implemented. Passive relocation would be conducted by a qualified biologist in accordance with procedures set forth by the MSHCP and the CBOC. Passive relocation of occupied burrows would be conducted outside the breeding season, pursuant to the California Fish and Game Code and the MBTA.

MM-3 If impacts are to occur on MSHCP-defined riparian/riverine areas, which are found within the eastern drainage, a DBESP must be prepared. The DBESP will detail the level of disturbance/removal of riparian/riverine habitat; the consequential impacts, if any, on riparian/riverine species; and mitigation measures to reduce impacts to a negligible level. The DBESP must also document in detail why full avoidance of this resource cannot be accomplished.

5.2 Jurisdictional Waters

MM-4 Two drainage features occur within the project site, and impacts resulting from the proposed project may require permits from the U.S. Army Corps of Engineers (USACE), CDFG, and the Regional Water Quality Control Board. If it is determined that impacts on jurisdictional features will occur, the following permits will be required and submitted to the city of Moreno Valley:

- A permit from USACE pursuant to Section 404 of the Clean Water Act,
- Water quality certification pursuant to Section 401 of the Clean Water Act, and
- A Streambed Alteration Agreement from CDFG.

5.3 Nesting Birds

Under CEQA, the proposed project may result in significant impacts on nesting bird species that are protected under the California Fish and Game Code and the MBTA. Therefore, ICF recommends that clearing and grubbing activities avoid the general avian nesting season (i.e., from February 1 to August 31). If clearing and grubbing must take place during the nesting season, the following preconstruction survey will be implemented to ensure that no significant impacts on nesting birds occur as a result of the proposed project:

MM-5 If clearing and grubbing occurs during the nesting season (February to August), a nesting bird survey will be conducted approximately 7 days prior to any vegetation disturbance activities. If bird nests are found or there is evidence of nesting behavior inside the impact area, an exclusion buffer, as determined by the wildlife biologist, will be set in place around the nest, and no vegetation disturbance will be permitted. For raptor species, such as hawks and owls, this buffer can be as large as 500 feet. A qualified biologist will closely monitor nests until it is determined that they are no longer active, at which time construction activity can continue.

Chapter 6
Conclusions

A Western Riverside County MSHCP consistency analysis and a burrowing owl habitat assessment and focused survey took place on a 121.3-acre property located in the city of Moreno Valley, Riverside County, California. With payment of development mitigation fees and implementation of the proposed mitigation measures for potential project-related impacts on burrowing owl, riparian/riverine habitat, jurisdictional waters, and nesting birds, the project will fulfill the requirements related to biological resources pursuant to CEQA, FESA, CESA, and the MSHCP.

Chapter 7
Certification

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

7/27/11

Mikael Romich

Date

Senior Biologist

Chapter 8
References

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Appendix A

Conservation Summary Report

Riverside County Transporation and Land Management Agency - TLMA

Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)

APN	Cell	Cell Group	Acres	Area Plan	Sub Unit
488330011	Not A Part	Independent	9.27	Reche Canyon / Badlands	Not a Part
488330012	Not A Part	Independent	9.38	Reche Canyon / Badlands	Not a Part
488330013	Not A Part	Independent	8.91	Reche Canyon / Badlands	Not a Part
488330017	Not A Part	Independent	9.35	Reche Canyon / Badlands	Not a Part
488330018	Not A Part	Independent	8.9	Reche Canyon / Badlands	Not a Part
488330019	Not A Part	Independent	33.04	Reche Canyon / Badlands	Not a Part
488330022	Not A Part	Independent	17.91	Reche Canyon / Badlands	Not a Part
488330023	Not A Part	Independent	9.58	Reche Canyon / Badlands	Not a Part
488330024	Not A Part	Independent	8.93	Reche Canyon / Badlands	Not a Part

HABITAT ASSESSMENTS

Habitat assessment shall be required and should address at a minimum potential habitat for the following species:

APN	Amphibia Species	Burrowing Owl	Criteria Area Species	Mammalian Species	Narrow Endemic Plant Species	Special Linkage Area
488330011	NO	**YES**	NO	NO	NO	NO
488330012	NO	**YES**	NO	NO	NO	NO
488330013	NO	**YES**	NO	NO	NO	NO
488330017	NO	**YES**	NO	NO	NO	NO
488330018	NO	**YES**	NO	NO	NO	NO
488330019	NO	**YES**	NO	NO	NO	NO
488330022	NO	**YES**	NO	NO	NO	NO
488330023	NO	**YES**	NO	NO	NO	NO
488330024	NO	**YES**	NO	NO	NO	NO

Burrowing Owl

Burrowing owl.

If potential habitat for these species is determined to be located on the property, focused surveys may be required during the appropriate season.

Background

The final MSHCP was approved by the County Board of Supervisors on June 17, 2003. The federal and state permits were issued on June 22, 2004 and implementation of the MSHCP began on June 23, 2004.

For more information concerning the MSHCP, contact your local city or the County of Riverside for the unincorporated areas. Additionally, the Western Riverside County Regional Conservation Authority (RCA), which oversees all the cities and County

implementation of the MSHCP, can be reached at:

Western Riverside County Regional Conservation Authority
3403 10th Street, Suite 320
Riverside, CA 92501

Phone: 951-955-9700
Fax: 951-955-8873

www.wrc-rca.org

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GIS Home Page

TLMA Home Page

Appendix B

Floral and Faunal Compendium

KINGDOM PLANTAE – PLANTS

PHYLUM ANTHOPHYTA – ANGIOSPERMS

CLASS MAGNOLIOPSIDA – DICOTYLEDONS

Adoxaceae – Elderberry Family
Sambucus Mexicana
Mexican elderberry

Anacardiaceae - Sumac Family
** *Schinus molle*
Peruvian Pepper-tree

Asteraceae - Sunflower Family
Ambrosia acanthicarpa
Annual Bur-sage
Baccharis salicifolia
Mule Fat
Deinandra kelloggii
Kellogg's tarplant
Encelia californica
California Bush Sunflower
Ericameria palmeri
Grassland Goldenbush
Lactuca serriola
Wild Lettuce

Boraginaceae - Borage Family
Amsinckia menziesii
Menzies' Fiddleneck

Brassicaceae - Mustard Family
** *Brassica geniculata*
Short-podded Mustard

** *Brassica nigra*
Black Mustard
** *Raphanus sativus*
Radish

Cactaceae - Cactus Family
* *Opuntia ficus-indica*
Indian-fig Cactus

Capparaceae - Caper Family
(*) *Isomeris arboria*
Bladderpod

Chenopodiaceae - Goosefoot Family
* *Salsola tragus*
Prickly Russian-thistle

Euphorbiaceae - Spurge Family
** *Ricinus communis*
Castor-bean

Juglandaceae - Walnut Family
Juglans californica
Southern California Black Walnut

Lamiaceae - Mint Family
** *Marrubium vulgare*
White Horehound

Rutaceae - Rue Family
Citrus sinensis
orange tree
Citrus paradise
grapefruit tree

Simaroubaceae - Quassia Family
** *Ailanthus altissima*
Tree-of-heaven

Solanaceae - Nightshade Family
** *Nicotiana glauca*
Tree Tobacco

CLASS LILIOPSIDA - MONOCOTYLEDONS

Poaceae - Grass Family
** *Bromus madritensis*
Foxtail Chess

KINGDOM ANIMALIA – ANIMALS

PHYLUM CHORDATA – CHORDATES

CLASS AVES – BIRDS

Accipitridae - Hawk Family
Accipiter cooperii
Cooper's hawk
Buteo jamaicensis
Red-tailed Hawk

Columbidae - Pigeon and Dove Family
Zenaida macroura
Mourning Dove

Picidae – Woodpeckers
Picoides nuttallii
Nutall's Woodpecker

Tyrannidae - Tyrant Flycatcher Family
Sayornis nigricans
Black Phoebe
Sayornis saya
Say's Phoebe
Myiarchus cinerascens
Ash-throated Flycatcher
Tyrannus verticalis
Western Kingbird

Corvidae - Jay and Crow Family
Corvus brachyrhynchos
American Crow
Corvus corax
Common Raven

Hirundinidae - Swallow Family
Hirundo rustica
Barn Sallow
Petrochelidon pyrrhonota
Cliff Swallow
Stelgidopteryx serripennis
Northern Rough-winged Swallow

Troglodytidae - Wren Family
Salpinctes obsoletus
Rock Wren
Thryomanes bewickii
Bewick's Wren

Trochilidae – Hummingbirds
Calypte anna
Anna's Hummingbird

Cuculidae - Cuckoos
Geococcyx californianus
Greater Roadrunner

Emberizidae - Sparrow Family
Pipilo crissalis
California Towhee
Pipilo maculates
Spotted Towhee
Melospiza melodia
Song Sparrow

Grosbeak and Bunting Family
Passerina caerulea
Blue Grosbeak

Icteridae - Blackbird, Cowbird and Oriole Family
Icterus cucullatus
Hooded Oriole
Icterus bullockii
Bullock's Oriole

Fringillidae - Finch Family
Carpodacus mexicanus
House Finch
Carduelis psaltria
Lesser Goldfinch
Carduelis tristis
American Goldfinch

CLASS MAMMALIA – MAMMALS

Canidea-Wolves and Foxes
Canis latrans
Coyote

Leporidae - Rabbits and Hares
Sylvilagus audubonii
Desert Cottontail

Sciuridae-Squirrels
Otospermophilus beecheyi
California ground squirrel

Appendix C

Site Photographs

Ruderal vegetation present in the south central portion of the project site.

Eroded channel on the western portion of the project site.

Appendix C
Site Photographs

Southern portion of the eastern drainage channel.

Central portion of the eastern drainage channel.

Appendix C
Site Photographs

Eucalyptus tree with raptor nest present along the eastern drainage.

Central portion of the project site with agriculture (citrus) and ruderal vegetation.

Appendix C
Site Photographs

Appendix D

Riverside County Attachments E-3 and E-4

Attachment D

NOTIFICATION TO COUNTY OF RIVERSIDE OF CONSULTANT TO PREPARE ARCHAEOLOGICAL OR BIOLOGICAL REPORT

Notification to the County of Riverside is hereby made that ProLogis, (project sponsor), has entered into a contract with ICF (consulting firm) for the preparation of an X (•) biological, ____(•) archaeological report to be submitted to the County of Riverside in satisfaction of a request made by the County for additional environmental information prior to completion of an environmental assessment for the property and development proposal, described below:

Assessor's Parcel Number(s) (APN) **[*Required]**: 488-330-011:-013, 488-330-017:-019, -022:-024

Development Proposal Case Number(s) **[*Required]**: **PA07-0083**

In accordance with the notice of additional environmental information provided by the County, the scope of work for the report will be as follows:

For Archaeological Reports (Standardized - Check those that apply):
_____ Phase 1 _____Phase 2 _____Phase 3 _____Phase 4

For Biological Reports (check all that apply):

- ☒ General Biological Assessment
- ☒ Jurisdictional Waters/Wetlands Delineation
- ☒ Habitat Assessment for species burrowing owl
- ❑ Rare plant survey for species _____
- ☒ Focused survey for species burrowing owl
- ❑ Other: Describe _____

Both the Consultant and the project sponsor acknowledge that the consultant may not submit reports to the County for use in completing initial environmental assessments or EIRs for development proposals unless the consultant has been previously qualified by the County to submit such reports and unless the consultant has entered into a Memorandum of Understanding (MOU) with the County governing the preparation and handling of such reports. The project sponsor hereby acknowledges that they have been furnished a copy of the MOU, have read it, and understand the responsibilities of both the County and the consultant as set forth therein.

Project sponsor acknowledges that the report for which notification is hereby made is the:

_____1st, X 2nd or _____ (specify number) archaeological, or biological report for which contractual arrangements have been made under the direction of the project sponsor for the property described above.

PROJECT SPONSOR AND CONSULTANT are to execute the following:
I hereby affirm that all information provided above, is, to the best of my knowledge, true, correct, and complete.

Project sponsor: ProLogis Dated: August 10, 2011

Consultant: ICF Dated: July 12, 2011

Note: **Send Attachment D at the time contract is entered <u>and</u> with the final Biological or Archaeological Report.** A Riverside County Planning Department "Date Received" stamp hereon shall acknowledge receipt of this Notice by the County. * <u>Required for project processing</u>. If case number not known, contact County Planning Dept. If no development case has yet been filed with County, write "No Case". An additional County fee may be assessed to project if no case number is provided on this form.

Last Revised January 2001

BIOLOGICAL REPORT SUMMARY SHEET
(Must be attached to biological report)

Applicant Name: ProLogis
Assessor's Parcel Number(s) (APN): 488-330-011:-013, 488-330-017:-019, -022:-024
APN cont. : _____
Site Location: Section: 2 **Township:** 3 South **Range:** 3 West
Site Address: SR 60 and Petit St., Moreno Valley, CA
Related Case Number(s): **PA07-0083** **PDB Number:** _____

Check ITEM(S) Habitat Assessment	*Check ITEM(S)* * Focused Survey	SPECIES or HABITAT OF CONCERN	(Circle whether a potential for significant impact to species or resource exists **)	
		Arroyo Southwestern Toad	Yes	No
◯		Drainages/Waters of U.S.	(Yes)	No
		Coachella Valley Fringed-Toed Lizard	Yes	No
		Coastal California Gnatcatcher	Yes	No
◯		Coastal Sage Scrub	Yes	(No)
		Delhi Sands Flower-Loving Fly	Yes	No
		Desert Pupfish	Yes	No
		Desert Slender Salamander	Yes	No
		Desert Tortoise	Yes	No
		Flat-Tailed Horned Lizard	Yes	No
◯		Least Bell's Vireo	Yes	(No)
◯		Oak Woodlands	Yes	(No)
		Quino Checkerspot Butterfly	Yes	No
◯		Riverside Fairy Shrimp	Yes	(No)
		Santa Ana River Woolystar	Yes	No
		San Bernardino Kangaroo Rat	Yes	No
		Slender Horned Spineflower	Yes	No
		Stephens' Kangaroo Rat	Yes	No
◯		Vernal Pools	Yes	(No)

Check ITEM(S) **Habitat Assessment**	*Check ITEM(S)* *** Focused Survey**	**SPECIES or HABITAT OF CONCERN**	**(Circle whether a potential for significant impact to species or resource exists **)**	
◯		Wetlands	Yes	No
◯		Riparian Habitat	Yes	No
◯	◯	Burrowing Owl	Yes	No
		Bighorn Sheep	Yes	No
		Red-legged Frog	Yes	No
		Other	Yes	No
		Other	Yes	No
		Other	Yes	No
		Other	Yes	No
		Other	Yes	No

* Focused Survey: a) Survey on a listed species performed per USFWS or CDFG protocol by licensed individual (i.e., CaGn, SKR, QCB), OR b) For non-listed spp., survey performed per protocol recognized by USFWS or CDFG, or other applicable agency (i.e., Burrowing Owl), OR c) For jurisdictional waters, wetlands, & riparian areas, following protocol of U.S.Army Corp of Engineers.

** Species of concern are any unique, rare, endangered, or threatened species; species used to delineate wetlands and riparian corridors; and any hosts, perching, or food plants used by any animals listed as rare, endangered, threatened or candidate species by either State or Federal regulations, or those tracked by the California Department of Fish and Game Natural Diversity Data Base (NDDB).

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

Senior Biologist 7/12/11

Signature and Title Date Report Prepared

10(a) Permit Number (if applicable) 10(a) Permit Expiration Date

Attachment E-3 Page 2 of 2

County Use Only

Received by:_____ **Date:**_____

PD-B#_____ **Related Case #:**_____

LEVEL OF SIGNIFICANCE CHECKLIST FOR BIOLOGICAL RESOURCES

(Must be attached to report)

488-330-011:-013, 488-330-017:-019, -022:-024

APN *: _____Riverside County Case No.*: PA07-0083 EA Number:_____

Wildlife & Vegetation

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact

(*Check the level of impact that applies to the following questions*)

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

• ⊙ • •

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

• • • ⊙

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

• • ⊙ •

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

• • ⊙ •

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

• ⊙ • •

f) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act or Section 1600 of the California Fish and Game Code (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

• • • ⊙

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

• • • ⊙

h) Create any impact which is individually limited, but cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects as defined in Section 15130 (14 Calif. Code of Regs).

• • ⊙ •

* Required

LEVEL OF SIGNIFICANCE CHECKLIST
FOR BIOLOGICAL RESOURCES

Findings of Fact:

Burrowing owls were not observed during a focused survey. Eastern drainage has some riparian/riverine habitat as defined by the MSHCP, but is highly disturbed by non-native vegetation and trash.

Proposed Mitigation:

30-day pre-construction survey for burrowing owl
Nesting bird survey if clearing and grubbing occurs Feb 1 to August 31

Monitoring Recommended:

None

Prepared By: Mikael Romich Date: July 12, 2011

County Use Only

Received by:_____**Date:**_____

PD-B#_____ **Related Case #:**