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April 12, 2021

Lilburn Corporation  
Attn: Cheryl Tubbs  
1905 Business Center Drive  
San Bernardino, CA 92408

RE: BURROWING OWL HABITAT ASSESSMENT FOR THE OLD DOMINION DEVELOPMENT IN  
FONTANA, SAN BERNARDINO COUNTY, CALIFORNIA.

Dear Ms. Tubbs,

Jennings Environmental, LLC (Jennings) is pleased to provide you this burrowing owl (*Athene cunicularia*, [BUOW]) habitat assessment letter report for the proposed Old Dominion Development Project (Project) in Fontana, California.

#### **PROJECT DESCRIPTION AND LOCATION**

The proposed Project consists of the development of parcel 0232-051-29 with a Freight Forwarding and Dispatch Facility. This Project develops all 8.53 acres of the Project location. The Project is specifically located on the northwest corner of the intersection of Arrow Route and Lime Ave. in unincorporated San Bernardino County. The Site is depicted in the northwest corner of the *Fontana* U.S. Geological Survey's (USGS) 7.5-minute quadrangle and Section 12 of Township 1 South, Range 6 West (Figure 1 and 2).

#### **SITE CHARACTERISTICS**

The Project site consists of an old railroad freight facility. The majority of the site was paved and there are concrete foundations present on site. The site is mostly surrounded by commercial facilities with one residential property to the northeast. Surrounding land uses include an auto parts yard to the east, a lumber mill to the north, a pallet yard to the west, and an auto repair shop and office complex to the south.

The elevation of the Project area is approximately 1,237 feet above mean sea level (ASML). The soils in the project area were historically classified as Tujunga gravelly loamy sand (TvC), 0 to 9 percent slope. Soils in this series are somewhat excessively drained with a high to very high capacity to transmit water. These soils are composed of alluvium derived from granite and are not prime farmland.

There are small patches of ruderal vegetation on site including; foxtail brome (*Bromus madritensis*), Mediterranean mustard (*Hirschfeldia incana*), common fiddleneck (*Amsinckia intermedia*), Russian thistle (*Salsola australis*), Redstem stork's bill (*Erodium cicutarium*), and one white mulberry tree (*Morus alba*).

The Fontana area is subject to both seasonal and annual variations in temperature and precipitation. Average annual maximum temperatures typically peak at 94 degrees Fahrenheit (°F) in August and fall to an annual minimum temperature of 41°F in December. Average annual precipitation is greatest from November through April and reaches a peak in February (4.6 inches). Precipitation is lowest in the month of August (0.01 inches). Annual precipitation averages 18 inches. Hydrologically, the Project area is located within the Chino (Split) Hydrologic Sub-Area (HSA 801.21) which comprises a 190,515-acre drainage area within the larger Middle Santa Ana River Watershed (HUC 180702030804). The Santa Ana River is the major hydrogeomorphic feature within the Middle Santa Ana River Watershed.

### **SPECIES INFORMATION**

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

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

Throughout its range, the BUOW is vulnerable to habitat loss, predation, vehicular collisions, and destruction of burrow sites, and the poisoning of ground squirrels (Grinnell and Miller 1944, Zarn 1974, Remsen 1978). BUOW has disappeared from significant portions of their range in the last 15 years and, overall, nearly 60% of the breeding groups of owls known to have existed in California during the 1980s had disappeared by the early 1990s (Burrowing Owl Consortium 1993). The BUOW is not listed under the state or federal Endangered Species Act but is considered both a federal and state Species of Special Concern. The BUOW is a migratory bird protected by the international treaty under the Migratory Bird Treaty Act of 1918 and by State law under the California Fish and Game Code (CDFG Code #3513 & #3503.5).

## **METHODS**

Data regarding biological resources on the project site were obtained through literature review and field investigations. Before performing the surveys, available databases and documentation relevant to the project site were reviewed for documented occurrences of sensitive species in the area. The USFWS threatened and endangered species occurrence data overlay, as well as the most recent version of the California Natural Diversity Database (CNDDDB) BIOS, were searched for sensitive species data in the Fontana USGS 7.5-minute series quadrangle. These databases contain records of reported occurrences of State- and federally-listed species or otherwise sensitive species and habitats that may occur within the vicinity of the subject parcel.

On April 10, 2021, Jennings biologist Gene Jennings performed a pedestrian survey of the entire footprint of the Project site, as well as an approximately 500-foot buffer area where feasible. The BUOW habitat assessment was conducted following the *“Burrowing Owl Survey Protocol and Mitigation Guidelines”* prepared by the California Burrowing Owl Consortium and the March 7, 2012 *“California Department of Fish and Game Staff Report on Burrowing Owl Mitigation.”*

The assessment survey was structured to detect BUOW. The survey consisted of walking transects spaced to provide 100% visual coverage of the project site. Adjacent areas that were not accessible on foot were surveyed with binoculars. During the site walk, Mr. Jennings looked for signs of BUOW including, burrows, molted feathers, cast pellets, prey remains, owl whitewash, and suitable surrogate burrows. The area was also assessed for soil type and level of friability as well as habitat type and habitat structure. Temperatures during the survey ranged from 62 degrees Fahrenheit (°F) to 67°F. Wind during the survey was light ranging from 0 – 5 mph, with no cloud cover and no precipitation.

## **RESULTS**

Per the literature review, the nearest documented BUOW occurrences are approximately 3.5 miles southeast (2004) of the subject parcel. There are no BUOW occurrences documented on the subject parcel.

The site was previously developed as an old railroad freight facility. Therefore, none of the historically mapped soils are present on site. The majority of the site was paved and has been abandoned for several years. This has allowed sand and dirt to accumulate in small amounts and cover the asphalt.

The result of the survey was that no evidence of BUOW including pellets, feathers, or whitewash was found within the Project area or buffer. No suitably sized burrows or burrow surrogates were observed on the subject parcel and no-host burrowers were observed during the survey.

Per the definition provided in the 2012 CDFG Staff Report on Burrowing Owl Mitigation, “Burrowing owl habitat generally includes, but is not limited to, short or sparse vegetation (at least at some time of year), presence of burrows, burrow surrogates or presence of fossorial mammal dens, well-drained soils, and abundant and available prey.” Although the project site does contain patches of short or sparse vegetation, the project site would not be considered suitable for BUOW for the following reasons:

- *The site is currently paved with asphalt and does not contain native friable soils.*
- *No appropriately sized mammal burrows or burrow surrogates were observed within the project site during the survey; and*
- *No BUOW host burrowers were observed within the project site during the survey.*

Therefore, the project site is currently not suitable to support BUOW, and this species is considered absent from the project site. Additionally, no limitations significantly affected the results and conclusions given herein. Surveys were conducted during the appropriate season to observe the target species, in good weather conditions, by qualified biologists who followed all pertinent protocols.

### **CONCLUSIONS AND RECOMMENDATIONS**

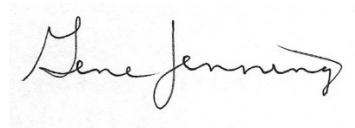
BUOW is considered absent from the Project site. No BUOW individuals or signs including pellets, feathers, or whitewash were observed and no suitably sized burrows or burrow surrogates were observed within the Project site. Because the site does not contain any suitable habitat for BUOW, no protocol-level presence/absence surveys will be required.

### **CERTIFICATION**

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

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

Sincerely,



Gene Jennings

Principal/Regulatory Specialist

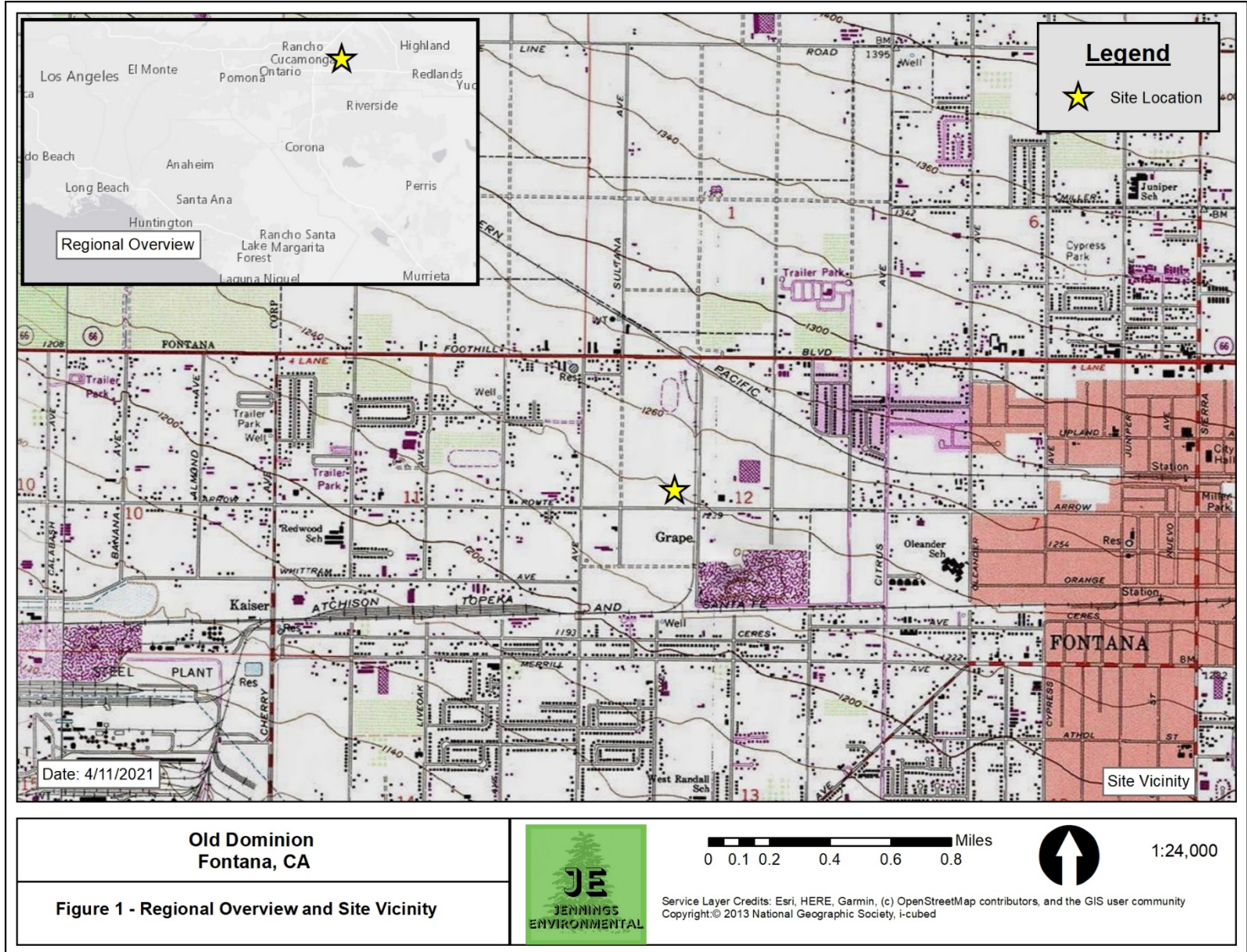
Appendices:

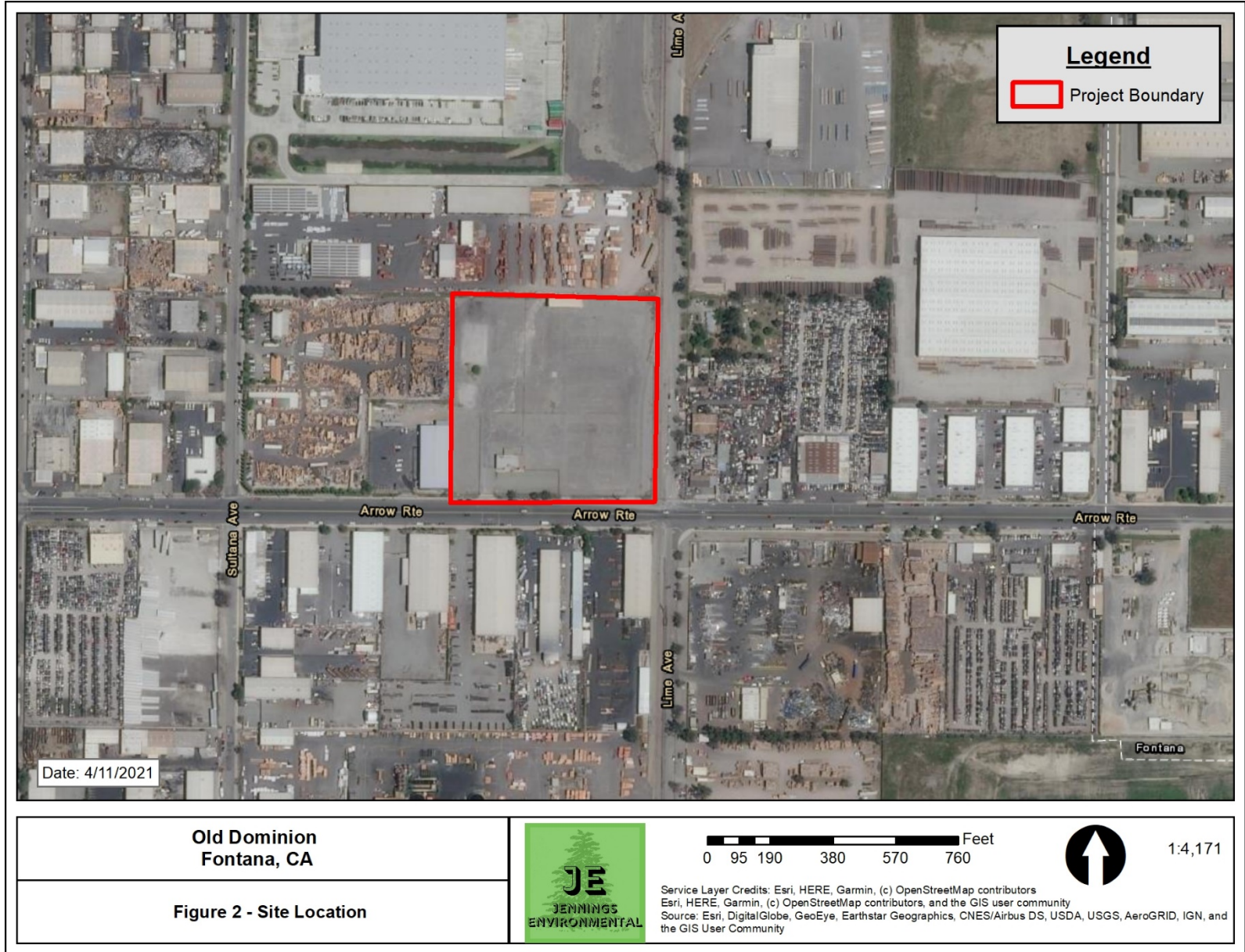
Appendix A – Figures

Appendix B – Photos

## **Appendix A – Figures**

Old Dominion BUOW Habitat Assessment  
for Lilburn Corporation





## **Appendix B – Photos**





Photo 1 –  
Southeast corner  
of parcel facing  
northwest.  
Showing paved  
asphalt with gravel  
and ruderal  
vegetation.



Photo – Northeast  
corner of parcel  
facing southwest.  
Showing more  
asphalt and gravel  
with no  
vegetation.



Photo 3 –  
Northern edge of  
parcel facing west.  
Showing ruderal  
vegetation along  
the northern edge.



Photo 4 – Center  
of parcel facing  
southwest.  
Showing concrete  
pads and asphalt  
paving.