

April 15, 2019

Mr. Fred Cohen
CJC Design, Inc.
22485 La Palma Avenue, Suite 202
Yorba Linda, California 92887

Subject: Biological Resources Assessment for the Shell Gas Station Project (LSA Project No. CJD1901)

Dear Mr. Cohen:

LSA conducted a general biological resources assessment for the Shell Gas Station Project (project). The approximately 1.4-acre project site is located at the southwest corner of Mentone Boulevard and Crafton Avenue in the unincorporated community of Mentone, San Bernardino County, California (Figure 1; all figures attached). The project area assessed (Figure 2) includes the area of project construction as well as off-site improvements within undeveloped land.

The assessment was conducted for the identification of potential jurisdictional waters and to address compliance with the California Environmental Quality Act (CEQA). The results of the assessment are summarized below.

- There are no features on the site subject to jurisdiction of the U.S. Army Corps of Engineers (USACE) as waters of the U.S. or wetlands or to jurisdiction of the California Department of Fish and Wildlife (CDFW) as lakes or streams.
- No threatened or endangered species are expected to inhabit the project site. The site is not within designated critical habitat of any species.
- No substantial project impacts to other special-status species are anticipated. The site does not have habitat suitable for burrowing owl (*Athene cunicularia*).
- There are no sensitive natural communities on the project site.

METHODS

Literature Review

A literature review was conducted to determine the existence or potential occurrence of special-status plant and animal species on or in the vicinity of the project. Database records for the *Redlands, California*; *Yucaipa, California*; *Harrison Mountain, California*; and *San Bernardino South, California* U.S. Geological Survey (USGS) 7.5-minute quadrangles were searched on April 8, 2019, using the California Department of Fish and Wildlife's Natural Diversity Data Base application *Rarefind 5* (version 5.2.14, <https://www.wildlife.ca.gov/Data/CNDDDB/>). Current and historic aerial photographs were reviewed on April 8, 2019, using *Google Earth* (<https://www.google.com/earth>). U.S. Fish and Wildlife Service (USFWS) listed species and designated critical habitat information was

used to determine the locations of any listed species sightings and critical habitat boundaries on and in the vicinity of the project. Soil types were determined using the California Soil Resources Lab application *SoilWeb Earth* (<https://casoilresource.lawr.ucdavis.edu/soilweb-apps/>).

Reconnaissance Field Survey

A general reconnaissance-level field survey was conducted on April 10, 2019, by LSA biologist Stan Spencer from 9:20 to 10:20 a.m. Weather conditions consisted of clear skies, cool temperatures (about 60 degrees Fahrenheit), and winds of 5 to 8 miles per hour. Notes were made on general site conditions, vegetation, wildlife, potential jurisdictional waters, and suitability of habitat for various special-status species. The project area was surveyed on foot. Plant and animal species observed during the field survey were noted and are listed in attached Table A.

ENVIRONMENTAL SETTING

Existing and Adjacent Land Use

The project site consists of vacant land and is bounded by commercial development to the north and east, approximately one acre of vacant land and a residence to the west, and residential development to the south. The general vicinity of the proposed project site is heavily developed.

Figure 2 shows the assessed project area and photograph locations. Site photographs are provided in Figure 3.

Elevation, Topography, and Soils

The project site is generally flat and level with an average elevation of approximately 1,760 feet above mean sea level.

Mapped soils on the site are Soboba gravelly loamy sand and Soboba stony loamy sand. Soils observed on the site appeared to be consistent with these designations. The site is highly disturbed and devoid of natural vegetation. A review of historical aerial photographs (Google Earth 1995, 2002–2018) confirms that the site has been subjected to frequent disking and other disturbance.

Vegetation and Wildlife Observed

Vegetation on the site is best described as ruderal and is dominated by mouse barley (*Hordeum murinum*), ripgut brome (*Bromus diandrus*), wild oat (*Avena fatua*), shortpod mustard (*Hirschfeldia incana*), and redstem stork's bill (*Erodium cicutarium*). There are no trees or natural communities present. A complete list of plant species observed on the site is included in attached Table A.

The only wildlife species detected during the survey is Botta's pocket gopher (*Thomomys bottae*). No special-status wildlife species were observed. There are no California ground squirrel (*Spermophilus beecheyi*) burrows, trees, or shrubs that could provide nesting habitat for birds.

RESULTS AND DISCUSSION

Wetlands and Other Jurisdictional Waters

The USACE, under Section 404 of the Federal Clean Water Act (CWA), regulates discharges of dredged or fill material into “waters of the United States.” These waters include wetlands and non-wetland bodies of water that meet specific criteria, including a connection to interstate commerce. This connection may be direct (through a tributary system linking a stream channel with traditional navigable waters used in interstate or foreign commerce) or it may be indirect (through a connection identified in USACE regulations). The USACE typically regulates as non-wetland waters of the U.S. any body of water displaying an “ordinary high water mark” (OHWM). In order to be considered a “jurisdictional wetland” under Section 404, an area must possess hydrophytic vegetation, hydric soils, and wetland hydrology. The CDFW, under Sections 1600 et seq. of the California Fish and Game Code, regulates alterations to lakes, rivers, and streams. A stream is defined by the presence of a channel bed and banks and at least an occasional flow of water. The Regional Water Quality Control Board (RWQCB) is responsible for the administration of Section 401 of the CWA, through water quality certification of any activity that may result in a discharge to jurisdictional waters of the U.S. The RWQCB may also regulate discharges to “waters of the State,” including wetlands, under the California Porter-Cologne Water Quality Control Act.

No drainage features, ponded areas, wetlands, or riparian habitat subject to jurisdiction of the CDFW, USACE, and/or RWQCB were found within the project area.

Special-Status Species

Species in danger of extinction or that may soon be in danger of extinction may be listed as endangered or threatened under the Federal and State Endangered Species Acts. The USFWS can also designate critical habitat areas that are essential to the conservation of a listed species. In addition to threatened and endangered species, the CDFW maintains lists of plants species considered rare and animal species designated as Species of Special Concern, as well as other species that it considers to be in need of monitoring.

Threatened and endangered species, plant species considered rare, and Species of Special Concern that have been reported from the general project vicinity are included in attached Table B, along with assessments of habitat suitability on the project site.

Threatened and Endangered Species and Critical Habitats

The results of the literature search indicated the potential occurrence of nine threatened or endangered species in the project vicinity:

- Nevin’s barberry (*Berberis nevinii*);
- Slender-horned spineflower (*Dodecahema leptoceras*);
- Santa Ana River woollystar (*Eriastrum densifolium* ssp. *sanctorum*);
- Sierra Madre yellow-legged frog (*Rana muscosa*);
- Southwestern willow flycatcher (*Empidonax traillii extimus*);

- Coastal California gnatcatcher (*Polioptila californica californica*);
- Least Bell's vireo (*Vireo bellii pusillus*);
- San Bernardino kangaroo rat (*Dipodomys merriami parvus*); and
- Stephens' kangaroo rat (*Dipodomys stephensi*).

All of these species are considered to be absent from the project site based on lack of suitable habitat (Table B).

The site is not within designated critical habitat of any species.

Burrowing Owl

Burrowing owl, a California Species of Special Concern, occurs in open habitats with low vegetation throughout the region. This special-status species requires special consideration at proposed construction sites because its habit of nesting underground makes it vulnerable to grading and other project-related soil disturbance.

The project site does not provide suitable habitat for burrowing owl because of its small size and isolation from open habitats due to the surrounding dense urban development, combined with a history of regular and intense soil disturbance. Moreover, the site is unsuitable due to the absence of ground squirrel burrows or other features that could provide nesting habitat for this species, and to the presence of dense, tall vegetation. Because of the lack of suitable habitat, no surveys or other measures are required for this species at the project site.

Other Non-listed Special-Status Species

Besides the species discussed above, the literature search indicated the potential presence of one rare plant and seven animal Species of Special Concern in the project vicinity. As shown in Table B, the project site does not have habitat suitable for any of these species.

Natural Communities of Concern

There are no sensitive natural communities on the project site.

Wildlife Movement, Corridors, and Nursery Sites

The project site is not in a wildlife corridor and does not contain nursery sites. The project would not substantially limit wildlife movement.

Local Policies and Ordinances Protecting Biological Resources

City and County General Plans and development ordinances may include regulations or policies governing biological resources. For example, policies may include tree preservation, locally designated species survey areas, local species of interest, and significant ecological areas.

The project site does not have trees. The project will not conflict with local policies or ordinances related to biological resources.

Adopted Habitat Conservation Plans

The project is not within an adopted Habitat Conservation Plan area.

Nesting/Migratory Birds

Most birds and their active nests are protected from “take” (meaning destruction, pursuit, possession, etc.) under Sections 3503–3801 of California Fish and Game Code. Some protection is also provided under the Migratory Bird Treaty Act. Activities that cause destruction of active nests, or that cause nest abandonment and subsequent death of eggs or young, may constitute violations of one or both of these laws.

The project site does not have trees or shrubs that could provide nesting habitat for birds; nor does it contain suitable habitat for burrowing owl.

Sincerely,

LSA ASSOCIATES, INC.



Stan Spencer, PhD
Associate/Senior Biologist

Attachments: Table A: Species Observed
Table B: Special-Status Species Summary
Figure 1: Regional and Project Location
Figure 2: Project Area
Figure 3: Site Photographs

Table A: Species Observed

Scientific Name	Common Name
MAGNOLIID FLOWERING PLANTS	
Asteraceae	Sunflower family
<i>Centaurea benedicta</i> (non-native species)	Blessed thistle
<i>Hedypnois cretica</i> (non-native species)	Crete weed
<i>Heterotheca grandiflora</i>	Telegraph weed
Boraginaceae	Borage family
<i>Amsinckia intermedia</i>	Common fiddleneck
Brassicaceae	Mustard family
<i>Brassica tournefortii</i> (non-native species)	Sahara mustard
<i>Hirschfeldia incana</i> (non-native species)	Shortpod mustard
Chenopodiaceae	Saltbush family
<i>Atriplex sp.</i>	Saltbush
Fabaceae	Pea family
<i>Lupinus bicolor</i>	Miniature lupine
Geraniaceae	Geranium family
<i>Erodium botrys</i> (non-native species)	Longbeak stork's bill
<i>Erodium cicutarium</i> (non-native species)	Redstem stork's bill
Malvaceae	Mallow family
<i>Malva parviflora</i> (non-native species)	Cheeseweed mallow
MONOCOTS FLOWERING PLANTS	
Poaceae	Grass family
<i>Avena barbata</i> (non-native species)	Slender wild oat
<i>Avena fatua</i> (non-native species)	Wild oat
<i>Bromus diandrus</i> (non-native species)	Ripgut brome
<i>Hordeum murinum</i> (non-native species)	Mouse barley
<i>Schismus barbatus</i> (non-native species)	Common Mediterranean grass
MAMMALS	
Geomyidae	Pocket Gophers
<i>Thomomys bottae</i>	Botta's pocket gopher

Table B: Special-Status Species Summary

Species	Status	Habitat and Distribution	Occurrence Probability
PLANTS			
<i>Berberis nevinii</i> Nevin's barberry	US: FE CA: SE/1B	Gravelly wash margins in alluvial scrub or coarse soils and rocky slopes in chaparral at 70 to 825 meters (220 to 2,700 feet) elevation. Known occurrences at higher elevations are planted (not natural). Known only from Los Angeles, San Bernardino, Riverside, and San Diego Counties, California.	Absent. No wash habitat on site.
<i>Chorizanthe parryi</i> var. <i>parryi</i> Parry's spineflower	US: – CA: 1B	Sandy or rocky soils in chaparral, coastal scrub, oak woodlands, and grassland at 40 to 1,705 meters (100 to 5,600 feet) elevation. Known only from Los Angeles, Riverside, and San Bernardino Counties.	Absent. Site lacks suitable plant communities.
<i>Dodecahema leptoceras</i> Slender-horned spineflower	US: FE CA: SE/1B	In the Vail Lake area, occurs in gravel soils of Temecula arkose deposits in openings in chamise chaparral. In other areas, occurs in sandy cobbly riverbed alluvium in alluvial fan sage scrub (usually late seral stage), on floodplain terraces and benches that receive infrequent overbank deposits from generally large washes or rivers, where it is most often found in shallow silty depressions dominated by leather spineflower (<i>Lastarriaea coriacea</i>) and other native annual species, and is often associated with cryptogamic soil crusts composed of bryophytes, algae and/or lichens. Occurs at 200 to 760 meters (600 to 2,500 feet) elevation. Known only from Los Angeles, Riverside, and San Bernardino Counties, California.	Absent. Site lacks suitable plant communities.
<i>Eriastrum densifolium</i> ssp. <i>sanctorum</i> Santa Ana River woollystar	US: FE CA: SE/1B	Riversidean alluvial fan sage scrub and chaparral in sandy or gravelly soils of floodplains and terraced fluvial deposits of the Santa Ana River and larger tributaries (Lytle and Cajon Creeks, lower portions of City and Mill Creeks) at 90 to 625 meters (300 to 2,100 feet) elevation in San Bernardino and Riverside Counties.	Absent. Site lacks suitable plant communities.
AMPHIBIANS			
<i>Rana muscosa</i> Sierra Madre yellow-legged frog	US: FE CA: SE	Ponds, lakes, and streams at moderate to high elevation; appears to prefer bodies of water with open margins and gently sloping bottom. Transverse Ranges in southern California from 370 to 2,290 meters (1,200 to 7,500 feet) elevation. Restricted to streams in ponderosa pine, montane hardwood-conifer, and montane riparian habitats.	Absent: No aquatic or woodland habitat present on site.
<i>Spea hammondi</i> Western spadefoot	US: – CA: SSC	Grasslands and occasionally hardwood woodlands; largely terrestrial but requires rain pools or other ponded water persisting at least three weeks for breeding; burrows in loose soils during dry season. Occurs in the Central Valley and adjacent foothills, the non-desert areas of southern California, and Baja California.	Absent: No aquatic habitat present on site.

Table B: Special-Status Species Summary

Species	Status	Habitat and Distribution	Occurrence Probability
REPTILES			
<i>Anniella stebbinsi</i> Southern California legless lizard	US: – CA: SSC	Inhabits sandy or loose loamy soils with high moisture content under sparse vegetation in Southern California.	Absent. No loose, moist soils present on site.
<i>Arizona elegans occidentalis</i> California glossy snake	US: – CA: SSC	Scrub and grassland habitats, often with loose or sandy soils. Patchily distributed from the eastern portion of San Francisco Bay to southern San Joaquin Valley and in non-desert areas of southern California. Also occurs in Baja California, Mexico.	Absent. No scrub or grassland present on site.
<i>Aspidoscelis tigris stejnegeri</i> Coastal western whiptail	US: – CA: SSC	Woodlands, riparian areas, and sparsely vegetated areas in a wide variety of habitats including coastal sage scrub and sparse grassland. Occurs in valleys and foothills from Ventura County to Baja California.	Absent. No suitable plant communities present on site.
<i>Crotalus ruber</i> Red diamond rattlesnake	US: – CA: SSC	Desert scrub, thornscrub, open chaparral and woodland; occasional in grassland and cultivated areas. Prefers rocky areas and dense vegetation. Morongo Valley in San Bernardino and Riverside Counties to the west and south into Mexico.	Absent. Site lacks suitable rocky areas and is isolated in an urban context.
<i>Phrynosoma blainvillii (coronatum)</i> Coast horned lizard	US: – CA: SSC	Primarily in sandy soil in open areas, especially washes and floodplains, in many plant communities. Requires open areas for sunning, bushes for cover, patches of loose soil for burial, and an abundant supply of ants or other insects. Occurs west of the deserts from northern Baja California north to Shasta County below 2,400 meters (8,000 feet) elevation.	Absent. Site lacks suitable sandy areas and is isolated in an urban context.
BIRDS			
<i>Empidonax traillii extimus</i> Southwestern willow flycatcher	US: FE CA: SE	Rare and local breeder in extensive riparian areas of dense willows or (rarely) tamarisk, usually with standing water, in the southwestern U.S. and possibly extreme northwestern Mexico. Winters in Central and South America. Below 6,000 feet elevation.	Absent. Site lacks riparian habitat.
<i>Polioptila californica californica</i> Coastal California gnatcatcher	US: FT CA: SSC	Inhabits coastal sage scrub in low-lying foothills and valleys up to about 500 meters (1,640 feet) elevation in cismontane southwestern California and Baja California.	Absent. Site lacks scrub habitat.
<i>Vireo bellii pusillus</i> Least Bell's vireo	US: FE CA: SE	Riparian forests and willow thickets. The most critical structural component of least Bell's vireo habitat in California is a dense shrub layer 2 to 10 feet (0.6–3.0 meter) above ground. Willows usually dominant. Nests from central California to northern Baja California. Winters in southern Baja California.	Absent. Site lacks riparian habitat.

Table B: Special-Status Species Summary

Species	Status	Habitat and Distribution	Occurrence Probability
<i>Athene cunicularia</i> (burrow sites) Burrowing owl	US: – CA: SSC	Open country in much of North and South America. Usually occupies ground squirrel burrows in open, dry grasslands, agricultural and range lands, railroad rights-of-way, and margins of highways, golf courses, and airports. Often utilizes man-made structures, such as earthen berms, cement culverts, cement, asphalt, rock, or wood debris piles. They avoid thick, tall vegetation, brush, and trees, but may occur in areas where brush or tree cover is less than 30 percent.	Absent. Site is too small (about 2 acres of open area on and adjacent to site), disturbed, and isolated by urban development; without ground squirrel burrows or other suitable nesting locations; with vegetation too tall and dense.
MAMMALS			
<i>Dipodomys merriami parvus</i> San Bernardino kangaroo rat	US: FE CA: SSC	Gravelly and sandy soils of alluvial fans, braided river channels, active channels and terraces; San Bernardino Valley (San Bernardino County) and San Jacinto Valley (Riverside County). In San Bernardino County, this species occurs primarily in the Santa Ana River and its tributaries north of Interstate 10, with small remnant populations in the Etiwanda alluvial fan, the northern portion of the Jurupa Mountains in the south Bloomington area, and in Reche Canyon.	Absent. No alluvial habitat present on site.
<i>Dipodomys stephensi</i> Stephens' kangaroo rat	US: FE CA: ST	Found in plant communities transitional between grassland and coastal sage scrub, with perennial vegetation cover of less than 50%. Most commonly associated with <i>Artemisia tridentata</i> , <i>Eriogonum fasciculatum</i> , and <i>Erodium</i> . Requires well-drained soils with compaction characteristics suitable for burrow construction (neither sandy nor too hard). Not found in soils that are highly rocky or sandy, less than 20 inches deep, or heavily alkaline or clay, or in areas exceeding 25% slope. Occurs only in western Riverside County, northern San Diego County, and extreme southern San Bernardino County, below 915 meters (3,000 feet) elevation.	Absent. No grassland present on site.
<i>Taxidea taxus</i> American badger	US: – CA: SSC	Primary habitat requirements seem to be sufficient food and friable soils in relatively open uncultivated ground in grasslands, woodlands, and desert. Widely distributed in North America.	Absent. Site is too small and isolated. No burrows present.

LEGEND

US: Federal Classifications

- No applicable classification
- FE Taxa listed as Endangered.
- FT Taxa listed as Threatened.

CA: State Classifications

- SE Taxa State-listed as Endangered.
- SSC California Species of Special Concern. Refers to animals with vulnerable or seriously declining populations.
- 1B California Rare Plant Rank 1B: Rare, threatened, or endangered in California and elsewhere.

California Rare Plant Ranks are assigned by a committee of government agency and non-governmental botanical experts and are not official State designations of rarity status.

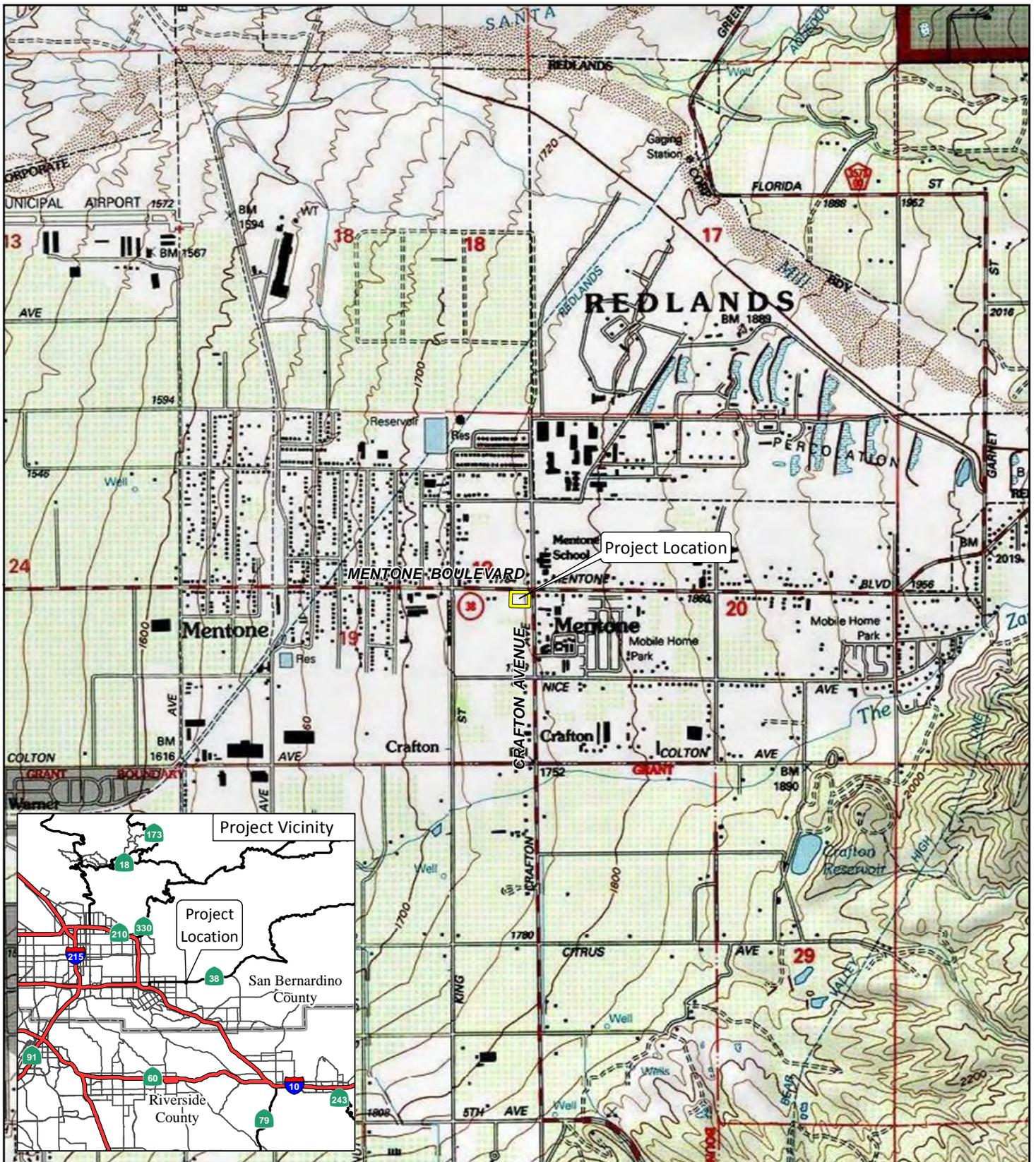
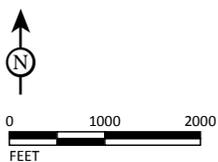


FIGURE 1

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LEGEND
 Project Location



SOURCE: USGS 7.5' Quads: Redlands & Yucaipa, 1988, CA.

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Shell Gas Station Project
 Regional and Project Location



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LEGEND

 Project Area

 Photograph Locations



0 37.5 75
FEET

SOURCE: Google (2018)

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FIGURE 2

Shell Gas Station Project
Project Area



Photograph 1. View of project site, looking north.



Photograph 2. View of project site, looking west.

LSA

FIGURE 3

*Shell Gas Station Project
Site Photographs*