

### 5.4 BIOLOGICAL RESOURCES

The analysis in this section is based on research, documents, maps, and GIS data prepared by Dudek (biologic consultant) in May 2012. Additional information can be found in the General Biological Resources Technical Appendix included as Appendix E of this DEIR.

#### 5.4.1 Environmental Setting

The City of Menifee contains predominantly residential uses and vacant lands. Approximately 34 percent (9,977 acres) of the land in the City currently comprises residential uses. Approximately 38 percent (11,454 acres) is currently vacant. Approximately 6 percent (1,651 acres) is used for agricultural purposes, with local parks and recreation, golf courses, industrial/manufacturing, and other land uses accounting for approximately 6 percent (1,867 acres). Commercial, educational, and utilities account for approximately 4 percent (1,150 acres) of the City lands (see Figure 3-2, Citywide Aerial).

Although 38 percent of the City is currently vacant land, as of May 2011 there were 53 projects approved by the City or county or both, ranging from small commercial buildings (equipment rentals and sprinkler supply) to large residential communities (Audie Murphy Ranch). Residential and non-residential development would occur on some of the vacant land.

I-215 traverses north–south through the center of Menifee, with existing community commercial areas primarily along Newport, Bradley, and McCall Roads off of I-215. Salt Creek traverses the center of the City area in an east–west direction. Sun City is centrally located in the City with a mix of age-restricted residential and commercial activity. Quail Valley is a small-lot, semirural residential community in the northwestern section of the City, and Romoland is a residential and commercial community in the northeastern section of the city. The center of the City area has hills mostly vegetated with Riversidean sage scrub. The steepest slopes and largest cluster of hillsides are north of Menifee Lakes, traveling northward across McCall Boulevard. Quail Valley also has a significant number of steep hillsides. The highest elevation in City is 2,600 feet on the southwest City boundary; the lowest is about 1,400 feet next to the east end of Canyon Lake.

Vegetation categories within the City boundary include: chaparral; coast live oak woodland; dairy/livestock feedyards; field croplands; grove/orchard; nonnative grasslands; oak woodland; open water/reservoir/pond; residential/urban/exotic; riparian scrub; Riversidean sage scrub; and southern cottonwood/willow riparian (see Figure 5.4-1, *Vegetation Communities*).

#### Plant Communities and Habitat

The City contains a total of 12 plant communities. The following section has a description of each of the plant communities per the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) (MSHCP 2003).

##### **Chaparral**

There are approximately 1,415 acres of chaparral in the City. Chaparral is a shrub-dominated Vegetation Community that is composed largely of evergreen species that range from 9 to 15 feet in height. The most common and widespread species within chaparral is chamise (*Adenostoma fasciculatum*). Other common shrub species include manzanita (*Arctostaphylos* spp.), wild-lilac (*Ceanothus* spp.), oak (*Quercus* spp.), redberry (*Rhamnus* spp.), laurel sumac (*Malosma laurina*), mountain-mahogany (*Cercocarpus betuloides*), toyon (*Heteromeles arbutifolia*), and mission manzanita (*Xylococcus bicolor*). Soft-leaved subshrubs are less common in chaparral than in coastal sage scrub but occur within canopy gaps of mature stands. Common



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species include California buckwheat (*Eriogonum fasciculatum*), sages (*Salvia* spp.), California sagebrush (*Artemisia californica*), and monkeyflower (*Mimulus* spp.). In addition, herbaceous species, including deerweed (*Lotus scoparius*), nightshade (*Solanum* spp.), Spanish bayonet (*Yucca whipplei*), rock-rose (*Helianthemum scoparium*), onion (*Allium* spp.), soap plant (*Chlorogalum* spp.), bunch grasses (*Nassella* spp., and *Melica* spp.), wild cucumber (*Marah* spp.), bedstraw (*Galium* spp.), and lupine (*Lupinus* spp.) are also present.

#### **Coast Live Oak Woodland**

There are approximately 20 acres of coast live oak woodland in the City. Coast Live Oak Woodland falls under the Woodland and Forests Vegetation Community Classification. The MSHCP Plan Area supports approximately 34,300 acres (2.7 percent of MSHCP Plan Area) of woodlands and forests composed of black oak forest, broad-leaved upland forest, oak woodlands and peninsular juniper woodland Vegetation Communities. Woodland and forest Vegetation Communities are dominated by Englemann oak (*Quercus englemannii*), coast live oak (*Q. agrifolia*), canyon live oak (*Q. chrysolepis*), interior live oak (*Q. wislizenii*), and black oak (*Q. kelloggii*) in the canopy, which may be continuous to intermittent or savannah-like. Four-needle pinyon (*Pinus quadrifolia*), single-leaf pinyon pine (*Pinus monophylla*) and California juniper (*Juniperus californica*) are the canopy species of peninsular juniper woodland which most commonly occur in Southern California, forming a scattered canopy from 10 to 50 feet tall.

Many understory plants in oak woodlands are shade tolerant and include wild blackberry (*Rubus ursinus*), snowberry (*Symphoricarpos mollis*), California walnut (*Juglans californica*), California-lilac (*Ceanothus* spp.), *Rhus* spp., currant (*Ribes* spp.), toyon (*Heteromeles arbutifolia*), California bay (*Umbellularia californica*), Englemann oak, manzanita (*Arctostaphylos* spp.), laurel sumac (*Malosma laurina*), poison-oak (*Toxicodendron diversilobum*) and herbaceous plants including bracken fern (*Pteridium aquilinum*), polypody fern (*Polypodium californicum*), fiesta flower (*Pholistorma auritum*) and miner's lettuce (*Claytonia perfoliata*). Coast Live Oak Woodland community can occur in a variety of areas, including stream banks, canyon bottoms and flat to very steep topography.

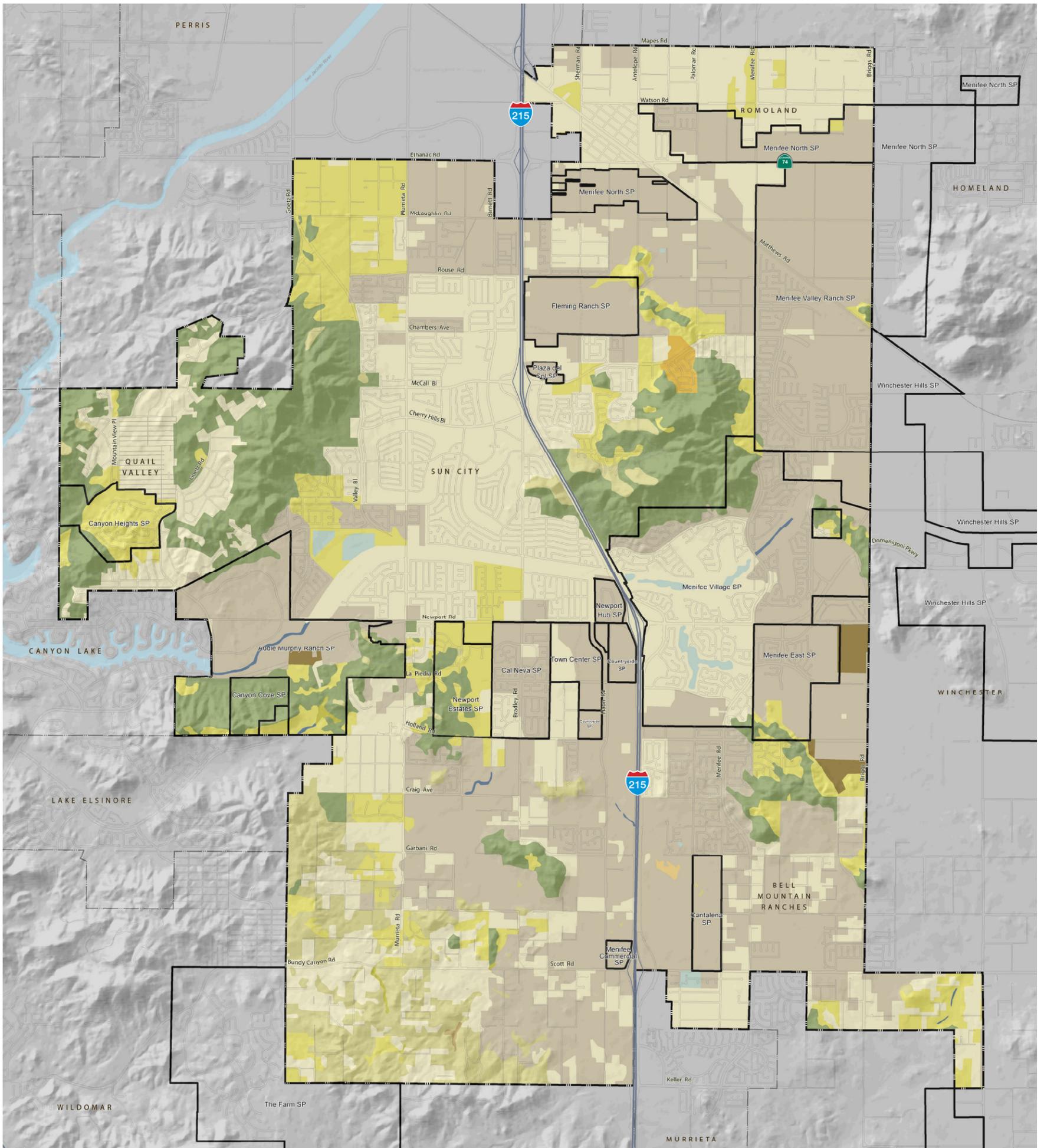
#### **Field Croplands**

There are approximately 11,679 acres of field croplands within the City. Field croplands is in the Agricultural Land Vegetation Community Classification. Agricultural lands include areas occupied by dairies and livestock feed yards or areas that have been tilled for use as croplands or groves/orchards.

#### **Nonnative Grasslands**

There are approximately 2,887 acres of nonnative grassland in the City. Nonnative grasslands falls under the Grassland Vegetation Community Classification. Two general types of grasslands occur in Southern California: (1) nonnative dominated, primarily annual grassland ("nonnative grassland"); and (2) native dominated, perennial grassland ("valley and foothill grassland"). The only valley and foothill grasslands in Riverside County are distributed over approximately 0.2 percent (2,700 acres) of the MSHCP plan area on the Santa Rosa Plateau. Nonnative grasslands are likely to be dominated by several species of grasses adapted to life in areas disturbed by agriculture: slender oat (*Avena barbata*), wild oat (*A. fatua*), fox tail chess (*Bromus madritensis*), soft chess (*B. hordeaceus*), ripgut grass (*B. diandrus*), barley (*Hordeum* spp.), rye grass (*Lolium multiflorum*), English ryegrass (*L. perrene*), rat-tail fescue (*Vulpia myuros*), and Mediterranean schismus (*Schismus barbatus*).

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**Vegetation Communities**



Source: Dudek, 2012



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### **Residential/Urban/Exotic**

There are approximately 9,619 acres of Residential/Urban/Exotic within the City. Residential/Urban/Exotic falls under the Developed/Disturbed Land Vegetation Community Classification. Developed or disturbed lands consist of areas that have been disced, cleared, or otherwise altered. Developed lands may include roadways, existing buildings, and structures. Disturbed lands may include ornamental plantings for landscaping, escaped exotics, or ruderal vegetation dominated by non-native, weedy species such as mustard (*Brassica* sp.), fennel (*Foeniculum vulgare*), tocalote (*Centaurea melitensis*), and Russian thistle (*Salsola tragus*).

### **Riversidean Sage Scrub**

There are approximately 3,796 acres of Riversidean Sage Scrub within the City. Riversidean Sage Scrub falls under the Coastal Sage Scrub Vegetation Community Classification. Coastal sage scrub is dominated by a characteristic suite of low-statured, aromatic, drought-deciduous shrubs and subshrub species. Composition varies substantially depending on physical circumstances and the successional status of the Vegetation Community; however, characteristic species include California sagebrush (*Artemisia californica*), California buckwheat (*Eriogonum fasciculatum*), laurel sumac (*Malosma laurina*), California encelia (*Encelia californica*), and several species of sage (e.g., *Salvia mellifera*, *S. apiana*). Other common species include brittlebush (*E. farinosa*), lemonadeberry (*Rhus integrifolia*), sugarbush (*Rhus ovata*), yellow bush penstemon (*Keckiella antirrhinoides*), Mexican elderberry (*Sambucus mexicana*), sweetbush (*Bebbia juncea*), boxthorn (*Lycium* spp.), shore cactus (*Opuntia littoralis*), coastal cholla (*O. proliferata*), tall prickly-pear (*Opuntia oricola*), and species of *Dudleya*.

### **Sensitive Resources**

#### **Rare, Threatened, Endangered, Endemic, and/or Sensitive Species, or MSHCP-Covered Species**

Sensitive species include species listed as threatened or endangered under the FESA or CESA. Species proposed for listing are also considered sensitive. Sensitive species also include those identified by USFWS or California Department of Fish and Wildlife (CDFW) as a Federal Species of Concern, Species of Special Concern, or a Special Animal. Species of Special Concern are considered sensitive because of declining population levels, limited ranges, and/or continuing threats, which have made them vulnerable to extinction. Special Animals refers to taxa, or group, that meets criteria established by the CDFW California Natural Diversity Database (CNDDDB). These species are either listed, rare, declining, associated with a declining habitat, have a limited range, or are listed as sensitive by other state or federal agencies, or nongovernmental organizations.

Information regarding the occurrences of special-status species in the vicinity of the City was obtained from searching the CNDDDB. This database contains records of reported occurrences of federal- or state-listed endangered, threatened, rare, or proposed endangered or threatened species, federal species of concern, state species of special concern, or otherwise sensitive species or habitat that may occur within or in the immediate vicinity of the City.

### **Sensitive Plants**

Sensitive plant species include those that have been afforded special status and/or recognition by federal and state resource agencies, as well as private conservation organizations. In general, the principal reason an individual taxon (species, subspecies, or variety) is given such recognition is the documented or perceived decline or limitations of its population size or geographical extent and/or distribution resulting in



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most cases from habitat loss. Table 5.4-1 summarizes sensitive plant species that have the potential to occur in City; however, it does not have all possible species that may occur. Plant growth is dependent on or affected by factors such as geographical location, soil types, precipitation rates, angle, and direction of slopes, elevations, microclimates, and successional considerations. Therefore, a particular plant or grouping of plants could be found growing outside their typical habitats if some of the above factors are favorable.

**Table 5.4-1  
Sensitive Plant Species Potentially Present in City and Vicinity**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/State Status</b>	<b>MSHCP</b>	<b>CRPR</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Abronia villosa</i> var. <i>aurita</i>	Chaparral sand-verbena	None/None	Not Covered	1B.1	Chaparral, Coastal scrub, Desert dunes/sandy/ annual herb/January–September/260–5,250 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Allium munzii</i>	Munz's onion	END/THR	NEPS	1B.1	Chaparral, Cismontane woodland, Coastal scrub, Pinyon and juniper woodland, Valley and foothill grassland/mesic, clay/perennial bulbiferous herb/ March–May/970–3,510 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Ambrosia pumila</i>	Dwarf burr ambrosia (or San Diego Ambrosia)	END/None	NEPS	1B.1	Chaparral, Coastal scrub, Valley and foothill grassland, Vernal pools/often in disturbed areas, sometimes alkaline/ perennial rhizomatous herb/ April–October/65–1,360 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Arctostaphylos rainbowensis</i>	Rainbow manzanita	None/None	Covered	1B.1	Chaparral/ perennial evergreen shrub/ December–Mar/740–2,200 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Arenaria paludicola</i>	Marsh sandwort	END/END	Not Covered	1B.1	Marshes and swamps (freshwater or brackish)/sandy, openings/ stoloniferous herb/ May–August/ < 560 feet	Low potential to occur; minimal suitable habitat within City. . City is within elevation range for this species.
<i>Astragalus pachypus</i> var. <i>jaegeri</i>	Jaeger's bush milk-vetch	None/None	Covered	1B.1	Chaparral, Cismontane woodland, Coastal scrub, Valley and foothill grassland/sandy or rocky/ perennial shrub/December–June/1,200–3,000 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.

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<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/State Status</b>	<b>MSHCP</b>	<b>CRPR</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Atriplex coronata</i> var. <i>notatior</i>	San Jacinto Valley crownscale	END/None	CAS	1B.1	Playas, Valley and foothill grassland (mesic), Vernal pools/alkaline/annual herb/April–August/ 460– 1,640 feet	Moderate potential to occur. Suitable habitat is present; and City is within elevation range for this species.
<i>Atriplex coulteri</i>	Coulter’s saltbush	None/None	Not Covered	1B.2	Coastal bluff scrub, coastal dunes, coastal scrub, valley and foothill grassland; alkaline or clay/ perennial herb/March–October/10– 1,500 feet.	Moderate potential to occur within areas supporting alkaline or clay soils. City is within elevation range for this species.
<i>Atriplex parishii</i>	Parish’s brittlescale	None/None	CAS	1B.1	Chenopod scrub, Playas, Vernal pools/alkaline/ annual herb/June–October/82– 6,230 feet	Moderate potential to occur within vernal pool habitat. .
<i>Atriplex serenana</i> var. <i>davisonii</i>	Davidson’s saltscale	None/None	CAS	1B.2	Coastal bluff scrub, Coastal scrub/alkaline/ annual herb/April–October/33–660 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Bahiopsis laciniata</i>	San Diego County viguiera	None/None	Not Covered	4.2	Chaparral, coastal scrub/shrub/February- June/196-2,460 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Berberis nevini</i>	Nevin’s barberry	END/END	CAS	1B.1	Chaparral, Cismontane woodland, Coastal scrub, Riparian scrub/sandy or gravelly/ perennial evergreen shrub/ March–June/900– 2,710 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Boechera (Arabis)</i> <i>johnstonii</i>	Johnston’s rock cress	None/None	NEPS	1B.2	Chaparral, Lower montane coniferous forest/often on eroded clay/perennial herb/ February–June/4,430–7,050 feet	Moderate potential to occur. Suitable habitat is present; and City is within elevation range for this species.
<i>Brodiaea filifolia</i>	Thread-leaved brodiaea	THR/END	CAS	1B.1	Chaparral (openings) Cismontane woodland, Coastal scrub, Playas, Valley and foothill grassland, Vernal pools/often clay/ perennial bulbiferous herb/ March– June/82–4,000 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.



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<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/State Status</b>	<b>MSHCP</b>	<b>CRPR</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Brodiaea orcuttii</i>	Orcutt's brodiaea	None/None	Covered	1B.1	Closed-cone coniferous forest, Chaparral, Cismontane woodland, Meadows and seeps, Valley and foothill grassland, Vernal pools/mesic, clay, sometimes serpentinite/perennial bulbiferous herb/May–July/98–5,550 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>California macrophylla</i>	Round-leaved filaree	None/None	CAS	1B.1	Cismontane woodland, Valley and foothill grassland/clay/annual herb/March–May/49–3,940 feet	Species known to occur within City. Suitable habitat is present and City is within elevation range for this species (CDFW 2012).
<i>Calochortus plummerae</i>	Plummer's mariposa lily	None/None	Covered (1)	1B.2	Chaparral, Cismontane woodland, Coastal scrub, Lower montane coniferous forest, Valley and foothill grassland/granitic, rocky/perennial bulbiferous herb/May–July/ 330–5,580 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Calochortus weedii</i> var. <i>intermedius</i>	Intermediate mariposa lily	None/None	Covered	1B.2	Chaparral, Coastal scrub, Valley and foothill grassland/rocky, calcareous/perennial bulbiferous herb/May–July/340–2,810 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Caulanthus simulans</i>	Payson's jewel-flower	None/None	Covered	4.2	Chaparral, Coastal scrub/sandy, granitic/ annual herb/(February) March–May (June)/300–7,220 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Centromadia pungens</i> ssp. <i>laevis</i>	Smooth tarplant	None/None	CAS	1B.1	Chenopod scrub, Meadows and seeps, Playas, Riparian woodland, Valley and foothill grassland/alkaline/annual herb/April–September/0–1,570 feet	Species known to occur within City. Suitable vegetation is present and City is within elevation range for this species (CDFW 2012).

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<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/State Status</b>	<b>MSHCP</b>	<b>CRPR</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Chorizanthe leptotheca</i>	Peninsular spineflower	None/None	Covered (1)	4.2	Chaparral, Coastal scrub, Lower montane coniferous forest/alluvial fan, granitic/annual herb/May–August/980–6,230 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Chorizanthe parryi</i> var. <i>parryi</i>	Parry's spineflower	None/None	Covered (1)	1B.1	Chaparral, Cismontane woodland, Coastal scrub, Valley and foothill grassland/sandy or rocky, openings/annual herb/April–June/ 900–4,000 feet	Species known to occur within City. Suitable vegetation is present and City is within elevation range for this species (CDFW 2012).
<i>Chorizanthe polygonoides</i> var. <i>longispina</i>	Long-spined spineflower	None/None	Covered	1B.2	Chaparral, Coastal scrub, Meadows and seeps, Valley and foothill grassland, Vernal pools/often clay/annual herb/April–July/98–5,020 feet	Species known to occur within City. Suitable vegetation is present and City is within elevation range for this species (CDFW 2012).
<i>Chorizanthe procumbens</i>	Prostrate spineflower	None/None	Covered	None	Coastal scrub, chaparral, grasslands/ sandy/ herb/ <2,625 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Cladium californicum</i>	California sawgrass	None/None	Not Covered	2.2	Meadows and seeps, Marshes and swamps (Alkaline or Freshwater)/perennial rhizomatous herb/June–September/200–1,970 feet	Moderate potential to occur within marshes and swamps. Suitable habitat within the City is minimal.
<i>Convolvulus simulans</i>	Small-flowered morning-glory	None/None	Covered	4.2	Chaparral (openings), Coastal scrub, Valley and foothill grassland/clay, serpentinite seeps/annual herb/March–July/98–2,300 feet	Moderate potential to occur within clay soils. City is within elevation range for this species.
<i>Deinandra paniculata</i>	Paniculate tarplant	None/None	Not Covered	4.2	Coastal scrub, valley and foothill grassland, vernal pools/usually vernal mesic/annual herb/April–November/82–3,083 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Dodecahema leptoceras</i>	Slender-horned spineflower	END/END	NEPS	1B.1	Chaparral, Cismontane woodland, Coastal scrub(alluvial fan)/sandy/annual herb/April–June/ 660–2,490 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.



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**Table 5.4-1  
Sensitive Plant Species Potentially Present in City and Vicinity**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/State Status</b>	<b>MSHCP</b>	<b>CRPR</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Dudleya multicaulis</i>	Many-stemmed dudleya	None/None	NEPS	1B.2	Chaparral, Coastal scrub, Valley and foothill grassland/often clay/perennial herb/April–July/ 50–2,590 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Dudleya viscida</i>	Sticky-leaved dudleya	None/None	Covered	1B.2	Coastal bluff scrub, Chaparral, Cismontane woodland, Coastal scrub/rocky/perennial herb/ May–June/33–1,800 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Eryngium aristulatum</i> var. <i>parishii</i>	San Diego button-celery	END/END	Covered	1B.1	Coastal scrub, Valley and foothill grassland, Vernal pools/mesic/annual/perennial herb/April–June/66–2,030 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Harpagonella palmeri</i>	Palmer's grapplinghook	None/None	Covered	4.2	Chaparral, Coastal scrub, Valley and foothill grassland/clay/annual herb/March–May/65–3,130 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Holocarpha virgata</i> ssp. <i>elongata</i>	Graceful tarplant	None/None	Covered	4.2	Chaparral, Cismontane woodland, Coastal scrub, Valley and foothill grassland/annual herb/May–November/200–3,610 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Hordeum intercedens</i>	Vernal barley	None/None	Covered	3.2	Coastal dunes, Coastal scrub, Valley and foothill grassland(saline flats and depressions), Vernal pools/annual herb/ March–June/16–3,280 feet	Moderate potential to occur within vernal pools and alkali playas within the City. Suitable habitat is present; and City is within elevation range for this species.
<i>Horkelia cuneata</i> ssp. <i>puberula</i>	Mesa horkelia	None/None	Not Covered	1B.1	Chaparral(maritime), Cismontane woodland, Coastal scrub/sandy or gravelly/perennial herb/ February–July (September)/230–2,660 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Juglans californica</i>	Southern California black walnut	None/None	Covered	4.2	Chaparral, Cismontane woodland, Coastal scrub/alluvial/perennial deciduous tree/March–August/160–2,950 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.

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**Table 5.4-1  
Sensitive Plant Species Potentially Present in City and Vicinity**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/State Status</b>	<b>MSHCP</b>	<b>CRPR</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Juncus luciensis</i>	Santa Lucia dwark rush	None/None	Not Covered	1B.2	Chaparral, Great Basin scrub, lower montaine coniferous forest, meadows and seeps, vernal pools/annual herb/April-July/984-6,692 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Lasthenia glabrata</i> ssp. <i>coulteri</i>	Coulter's goldfields	None/None	CAS	1B.1	Marshes and swamps(coastal salt), Playas, Vernal pools/annual herb/February-June/ < 4,000 feet	Species known to occur within City. Suitable vegetation is present and City is within elevation range for this species (CDFW 2012).
<i>Lepidium virginicum</i> var. <i>robinsonii</i>	Robinson's pepper-grass	None/None	Not Covered	1B.2	Chaparral, Coastal scrub/annual herb/January-July/ 0-2,900 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Lilium humboldtii</i> ssp. <i>ocellatum</i>	Ocellated Humboldt lily	None/None	Covered	4.2	Chaparral, Cismontane woodland, Coastal scrub, Lower montane coniferous forest, Riparian woodland/openings/perennial bulbiferous herb/ March-July (August)/98-5,910 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Malacothamnus fasciculatus</i>	Parish's bush mallow	None/None	Not Covered	1A	Chaparral, coastal scrub/deciduous shrub/June-July/1,000-1,492 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Microseris douglasii</i> ssp. <i>platycarpa</i>	Small-flowered microseris	None/None	Covered (1)	4.2	Cismontane woodland, Coastal scrub, Valley and foothill grassland, Vernal pools/clay/annual herb/ March-May/49-3,510 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Monardella pringlei</i>	Pringle's monardella	None/None	Not Covered	1A	Coastal scrub(sandy)/annual herb/May-June/ 980-1,310 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Muhlenbergia californica</i>	California muhly	None/None	Covered (1)	4.3	Chaparral, Coastal scrub, Lower montane coniferous forest, Meadows and seeps/mesic, seeps and stream banks/perennial rhizomatous herb/June-September/330-6,560 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.



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**Table 5.4-1  
Sensitive Plant Species Potentially Present in City and Vicinity**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/State Status</b>	<b>MSHCP</b>	<b>CRPR</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Myosurus minimus</i> ssp. <i>apus</i>	Little mousetail	None/None	CAS	3.1	Valley and foothill grassland, Vernal pools(alkaline)/annual herb/March–June/66–2,100 feet	Moderate potential to occur within vernal pools and alkaline soils.
<i>Nama stenocarpum</i>	Mud nama	None/None	CAS	2.2	Marshes and swamps(lake margins, riverbanks)/ annual/perennial herb/January–July/16–1,640 feet	Moderate potential to occur within. Suitable habitat is present; however, City is within elevation range for this species.
<i>Navarretia fossalis</i>	Moran's navarretia	THR/None	NEPS	1B.1	Chenopod scrub, Marshes and swamps(assorted shallow freshwater), Playas, Vernal pools/ annual herb/Apr-Jun/98–4,270 feet	Species known to occur within City. Marginal vegetation is present and City is within elevation range for this species (CDFW 2012).
<i>Navarretia prostrate</i>	Prostrate navarretia	None/None	CAS	1B.1	Coastal scrub, Meadows and seeps, Valley and foothill grassland(alkaline), Vernal pools/mesic/ annual herb/April–July/50–2,300 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Orcuttia californica</i>	California Orcutt grass	END/END	NEPS	1B.1	Vernal pools/ annual herb/April–August/49–2,170 feet	Species known to occur within City. Marginal vegetation is present and City is within elevation range for this species (CDFW 2012).
<i>Pentachaeta aurea</i> ssp. <i>allenii</i>	Allen's pentachaeta	None/None	Not Covered	1B.1	Coastal scrub, valley and foothill grassland/ annual herb/March–June/250–1,700 feet.	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Phacelia stellaris</i>	Brand's phacelia	C/None	NEPS	1B.1	Coastal dunes, Coastal scrub/ annual herb/ March–June/3–1,312 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.

## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

**Table 5.4-1  
Sensitive Plant Species Potentially Present in City and Vicinity**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/State Status</b>	<b>MSHCP</b>	<b>CRPR</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Polygala cornuta</i> var. <i>fishiae</i>	Fish's milkwort	None/None	Covered (1)	4.3	Chaparral, Cismontane woodland, Riparian woodland/perennial deciduous shrub/May–August/330–3,280 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Pseudognaphalium leucocephalum</i>	White rabbit-tobacco	None/None	Not Covered	2.2	Chaparral, Cismontane woodland, Coastal scrub, Riparian woodland/sandy, gravelly/perennial herb/(July)August–November (December)/0–6,890 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Quercus engelmannii</i>	Engelmann oak	None/None	Covered	4.2	Chaparral, Cismontane woodland, Riparian woodland, Valley and foothill grassland/ perennial deciduous tree March–June/160–4,270 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Romneya coulteri</i>	Coulter's matilija poppy	None/None	Covered (1)	4.2	Chaparral, Coastal scrub/often in burns/ perennial rhizomatous herb/March–July/65–3,940 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Satureja chandleri</i>	San Miguel savory	None/None	NEPS	1B.2	Chaparral, Cismontane woodland, Coastal scrub, Riparian woodland, Valley and foothill grassland/rocky, gabbroic or metavolcanic/ perennial shrub/March–July/390–3,530 feet	Low potential to occur. Suitable vegetation is present; however, City lacks suitable gabbroic or metavolcanic soils. City is within elevation range for this species.
<i>Scutellaria bolanderi</i> ssp. <i>austromontana</i>	Southern mountains skullcap	None/None	Not Covered	1B.2	Chaparral, cismontane woodland, lower montane coniferous forest/mesic/rhizomatous herb/June–August/1,394–6,561 feet	Moderate potential to occur in higher elevation areas within the City. Suitable habitat is present and City is within elevation range for this species.
<i>Senecio aphanactis</i>	Chaparral ragwort	None/None	Not Covered	2.2	Chaparral, Cismontane woodland, Coastal scrub/sometimes alkaline annual herb/January–April/49–2,620 feet	Moderate potential to occur. Suitable vegetation is present; City is within elevation range for this species.



## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

**Table 5.4-1  
Sensitive Plant Species Potentially Present in City and Vicinity**

<i>Scientific Name</i>	<i>Common Name</i>	<i>Federal/State Status</i>	<i>MSHCP</i>	<i>CRPR</i>	<i>Habitat</i>	<i>Potential to Occur</i>
<i>Sidalcea neomexicana</i>	Salt spring checkerbloom	None/None	Not Covered	2.2	Chaparral, Coastal scrub, Lower montane coniferous forest, Mojavean desert scrub, Playas/alkaline, mesic/perennial herb/March–June/49–5,020 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Symphytotrichum defoliatum</i>	San Bernardino aster	None/None	Not Covered	1B.2	Cismontane woodland, Coastal scrub, Lower montane coniferous forest, Meadows and seeps, Marshes and swamps, Valley and foothill grassland(vernally mesic)/near ditches, streams, springs/perennial rhizomatous herb/July–November/ < 6,690 feet	Moderate potential to occur. Suitable habitat is present and City is within elevation range for this species.
<i>Trichocoronis wrightii</i> var. <i>wrightii</i>	Wright's trichocoronis	None/None	NEPS	2.1	Meadows and seeps, Marshes and swamps, Riparian forest, Vernal pools/alkaline/annual herb/May–September/16–1,430 feet	Moderate potential to occur. Marginal suitable habitat is present; City is within elevation range for this species.

#### FED: Federal Classifications

- END Taxa listed as endangered
- THR Taxa listed as threatened
- PE Taxa proposed to be listed as endangered
- PT Taxa proposed to be listed as threatened
- C2\* USFWS may, in the future, designate such taxa as Candidates.
- (\*) indicates those C2 candidates that were removed from the list.
- C Candidate for listing.
- ND Not designated as a sensitive species

#### STATE: State Classifications

- END Taxa listed as endangered
- THR Taxa listed as threatened
- CE Candidate for endangered listing
- CT Candidate for threatened listing
- SCS California Species of Special Concern.
- ND Not designated as a sensitive species

#### Multiple Species Habitat Conservation Plan (MSHCP) Classifications

CAS: Criteria Area Species Survey Area

NEPS: Narrow Endemic Plant Species Survey Area

**Not Covered: Not included in the Federal and State Take Permits for the MSHCP.**

**Covered(a) Additional surveys may be required for these species within riparian/riverine areas.**

**Covered (c) Additional surveys may be required for these species**

**Covered (1) These Covered Species will be considered to be Covered Species Adequately Conserved when conservation requirements identified in species-specific conservation objectives have been met.**

#### California Rare Plant Rank Classifications (CRPR)

- 1A Plants presumed by CNPS to be extinct in California
- 1B Plants considered by CNPS to be rare or endangered in California and elsewhere
- 2 Plants considered by CNPS to be rare, threatened or endangered in California, but which are more common elsewhere
- 3 Review list of plants suggested by CNPS for consideration as endangered but about which more information is needed.
- 4 Watch list of plants of limited distribution whose status should be monitored.

#### Threat Ranks

- 0.1: Seriously threatened in California (high degree/immediacy of threat)
- 0.2: Fairly threatened in California (moderate degree/immediacy of threat)
- 0.3: Not very threatened in California (low degree/immediacy of threats or no current threats known)

Source: California Natural Diversity Database, April 2012 (CDFW 2012); Federal Fish and Wildlife Permit TE088609-1 Amendment (August 3, 2009)

## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

#### Sensitive Wildlife

Among the diverse wildlife species within the City are sensitive species, some of which have protected status under the FESA and various California statutes. “Sensitive” means any wildlife species native to California that is vulnerable or declining and is likely to become endangered or threatened in a significant portion of its range within the state without cooperative management or removal of threats. Table 5.4-2 summarizes sensitive animal species known to occur in the City. This list is not all inclusive because the CNDDDB does not have an all-inclusive list of species occurring in an area.

**Table 5.4-2  
Sensitive Animal Species Potentially Present in City and Vicinity**

<i>Scientific Name</i>	<i>Common Name</i>	<i>Federal/ State Status</i>	<i>MSHCP</i>	<i>Habitat</i>	<i>Potential to Occur</i>
<b>AMPHIBIANS</b>					
<i>Spea hammondi</i>	Western spadefoot	None/SCS	Covered	Most common in grasslands, coastal scrub near rain pools or vernal pools; riparian habitats	Species known to occur within City. Suitable habitat is present (CDFW 2012).
<i>Taricha torosa torosa</i>	Coast Range newt (Monterey Co. south only)	None/SCS	Covered	Coastal drainages; terrestrial habitats; may migrate over 1 kilometer to breed in ponds, reservoirs and slow moving streams	Very low potential to occur within City and vicinity; outside of documented range for this species in western Riverside County, which is limited to the Santa Ana Mountains. Suitable riparian and woodlands are limited in extent.
<b>REPTILES</b>					
<i>Anniella pulchra pulchra</i>	Silvery legless lizard	None/SCS/None	Not Covered	Stabilized dunes, beaches, dry washes, chaparral, scrubs, pine, oak, and riparian woodlands; associated with sparse vegetation and sandy or loose, loamy soils	Moderate potential to occur in riparian and woodland habitats underlain by sandy soils and substantial leaf litter.



## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

**Table 5.4-2  
Sensitive Animal Species Potentially Present in City and Vicinity**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/ State Status</b>	<b>MSHCP</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Aspidoscelis hyperythra</i>	Orangethroat whiptail	None/SCS	Covered	Coastal scrub, chaparral, grassland, juniper, and oak woodland	Species known to occur within City. Suitable habitat is present (CDFW 2012).
<i>Aspidoscelis tigris stejnegeri</i>	Coastal western whiptail	None/SA	Covered	Coastal scrub, chaparral	Species known to occur within City. Suitable habitat is present (CDFW 2012).
<i>Charina trivirgata</i>	Rosy boa	None/SA	Not Covered	Rocky chaparral, coastal scrub, oak woodlands, desert, and semi-desert scrub	Moderate potential to occur. Suitable habitat is present.
<i>Coleonyx variegatus abbotti</i>	San Diego banded gecko	None/SA	Covered	Cismontane chaparral, coastal scrub, desert scrub; granite outcrops Rocks, boards, fallen yucca stems, cow dung, and other litter serve as diurnal refuge for the banded gecko. Additionally, it may utilize mammal burrows for refuge	Moderate potential to occur based on presence of suitable chaparral and coastal scrub habitats and granite outcrops on isolated hills (e.g., east of Sun City).
<i>Crotalus ruber ruber</i>	Northern Red-diamond rattlesnake	None/SCS	Covered	Variety of shrub habitats where there is heavy brush, large rocks, or boulders	Species known to occur within City. Suitable habitat is present (CDFW 2012).
<i>Diadophis punctatus modestus</i>	San Bernardino ringneck snake	None/SA	Not Covered	Open, relatively rocky areas, often in somewhat moist microhabitats near intermittent streams.	Moderate potential to occur within riparian, woodland, and chaparral habitats.

## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

**Table 5.4-2  
Sensitive Animal Species Potentially Present in City and Vicinity**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/ State Status</b>	<b>MSHCP</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Diadophis punctatus similis</i>	San Diego ringneck snake	None/SA	Not Covered	Open, relatively rocky areas, often in somewhat moist microhabitats near intermittent streams	Very low potential to occur; based on range, if ringneck occurs it likely would be the San Bernardino ringneck snake.
<i>Emys marmorata</i>	Western pond turtle	None/SCS	Covered	Slow-moving permanent or intermittent streams, ponds, small lakes, reservoirs with emergent basking sites; adjacent uplands used during winter	Very low potential to occur due to limited perennial aquatic habitats in the City and vicinity.
<i>Phrynosomacoronatum blainvillei</i>	San Diego horned lizard	None/SCS	Not Covered	Coastal scrub, annual grassland, chaparral, oak and riparian woodland, coniferous forest	Moderate potential to occur. Suitable habitat is present.
<i>Salvadora hexalepis virgulata</i>	Coast patch-nosed snake	None/SCS	None	Chaparral, washes, sandy flats, rocky areas	Moderate potential to occur. Suitable habitat is present.
<i>Sceloporus graciosus vanderburgianus</i>	Southern sagebrush lizard	None/None	Covered (4)	Montane chaparral, hardwood and conifer forest, juniper, coastal scrub	Low potential to occur due to limited habitat onsite; typically occurs in more mountainous regions of southern California.
<i>Sceloporus orcuttii</i>	Granite spiny lizard	None/None	Covered	Granite rock outcrops within forest, woodland, chaparral and coastal scrub habitats	Moderate potential to occur based on presence of suitable chaparral and coastal scrub habitats and granite outcrops on isolated hills (e.g., east of Sun City).



## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

**Table 5.4-2  
Sensitive Animal Species Potentially Present in City and Vicinity**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/ State Status</b>	<b>MSHCP</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Thamnophis hammondi</i>	Two-striped garter snake	None/SCS	Not Covered	Streams, creeks, pools, streams with rocky beds, ponds, lakes, vernal pools	Moderate potential to occur in riparian habitats in the City and vicinity.
<i>Xantusia henshawi henshawi</i>	Granite night lizard	None/None	Covered	Rock outcrops in desert, chaparral and woodland habitats	Moderate potential to occur based on presence of suitable chaparral and coastal scrub habitats and granite outcrops on isolated hills (e.g., east of Sun City).
<b>BIRDS</b>					
<i>Accipiter cooperii</i> (nesting)	Cooper's hawk	None/SCS	Covered	Riparian and oak woodlands, montane canyons	Moderate potential to nest and forage in riparian and woodland habitats onsite.
<i>Accipiter gentilis</i> (nesting)	Northern goshawk	None/SCS	Covered	Within and in the vicinity of coniferous forest. Uses old nests, and maintains alternate sites.	No potential to nest onsite due to lack of suitable nesting habitat and very low potential to forage onsite because site is generally outside its range in Riverside County, which is primarily the San Jacinto Mountains.
<i>Accipter striatus</i> (nesting)	Sharp-shinned hawk	None/SCS	Covered	Nests in coniferous forests, ponderosa pine, black oak, riparian deciduous, mixed conifer, Jeffrey pine; winters in lowland woodlands and other habitats	No potential to nest onsite because site is outside its nesting range. Moderate potential to occur during winter or as transient.

## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

**Table 5.4-2  
Sensitive Animal Species Potentially Present in City and Vicinity**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/ State Status</b>	<b>MSHCP</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Agelaius tricolor</i> (nesting colony)	Tricolored blackbird	None/SCS	Covered	Nests near fresh water, emergent wetland with cattails or tules; forages in grasslands, woodland, agriculture	Very low potential to nest onsite due to lack of suitable wetland habitats present. Moderate potential to forage in grasslands onsite.
<i>Aimophila ruficeps canescens</i>	Southern California rufous-crowned sparrow	None/SCS	Covered	Grass-covered hillsides, coastal scrub, chaparral with boulders and outcrops	Species known to occur within City. Suitable coastal scrub habitat is present (CDFW 2012).
<i>Ammodramus savannarum</i> (nesting)	Grasshopper sparrow	None/None	Covered (3)	Open grassland and prairie, especially native grassland with a mix of grasses and forbs	Moderate potential to nest and forage onsite. Suitable grassland habitat is present.
<i>Amphispiza belli</i>	Bell's sage sparrow	None/SCS	Covered	Coastal scrub and dry chaparral along coastal lowlands and inland valleys	Species known to occur within City. Suitable habitat is present (CDFW 2012).
<i>Aquila chrysaetos</i> (nesting and wintering)	Golden Eagle	None/CFP/SCS	Covered	Open country, especially hilly and mountainous regions; grassland, coastal scrub, chaparral, oak savannas, open coniferous forest; sensitive to nearby development and human activities	Species known to occur within City. However, very low potential to nest in City and vicinity due to lack of suitable nesting sites (remote rocky outcrops and ledges and large trees) and because of the relatively high level of development. Suitable grassland and open coastal scrub foraging habitat is present (CDFW 2012).



## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

**Table 5.4-2  
Sensitive Animal Species Potentially Present in City and Vicinity**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/ State Status</b>	<b>MSHCP</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Ardea alba</i> (nesting colony)	Great egret	None/None	Not Covered	Nests colonially in large trees; nesting colonies are typically located near marshes, tide-flats, irrigated pastures, and margins of rivers and lakes	Low potential to nest onsite due to lack of suitable well developed riparian and woodland habitat near wetland areas. High potential to forage onsite.
<i>Ardea herodias</i> (nesting colony)	Great blue heron	None/None	Covered	Variety of habitats, but primarily wetlands; lakes, rivers, marshes, mudflats, estuaries, saltmarsh, riparian habitats	Low potential to nest onsite due to lack of suitable well developed riparian and woodland habitat near wetland areas. High potential to forage onsite.
<i>Asio otus</i> (nesting)	Long-eared owl	None/SCS	Not Covered	Riparian, live oak thickets, other dense stands of trees, edges of coniferous forest; sensitive to nearby development and human activities	Very Low potential to nest onsite due to lack of suitable well developed riparian and woodland habitat and relatively high level of human development.
<i>Athene cunicularia</i> (burrow sites and some wintering sites)	Burrowing owl	None/SCS	Covered (2)	Grassland, lowland scrub, agriculture, coastal dunes, and other artificial open areas	Species known to occur within City. Suitable habitat is present (CDFW 2012).
<i>Baeolophus inornatus</i> (nesting)	Oak titmouse	None/SA	Not Covered	Montane hardwood-conifer, montane hardwood, blue oak, valley oak and coastal oak woodlands, montane and valley foothill riparian habitats	Moderate potential to nest in oak woodland habitat onsite.

## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

**Table 5.4-2  
Sensitive Animal Species Potentially Present in City and Vicinity**

<i>Scientific Name</i>	<i>Common Name</i>	<i>Federal/ State Status</i>	<i>MSHCP</i>	<i>Habitat</i>	<i>Potential to Occur</i>
<i>Botaurus lentiginosus</i>	American bittern	None/SA	Covered	Emergent habitat of freshwater marsh and vegetation borders of ponds and lakes	Low potential to nest onsite due to lack of suitable wetland habitats.
<i>Buteo regalis</i> (wintering)	Ferruginous hawk	None/SCS	Covered	Open, dry country, grasslands, open fields, agriculture	Species known to occur within City. Suitable winter foraging habitat is present (CDFW 2012). Species does not nest in the region.
<i>Calypte costae</i> (nesting)	Costa's hummingbird	None/SA	Not Covered	Shrubs and arid habitats; edges of desert riparian and valley foothill riparian, coastal scrub, desert scrub, desert succulent scrub, arid shrublands, lower elevation chaparral, and palm oasis	Moderate potential to nest onsite due to suitable coastal scrub and chaparral habitats present.
<i>Cathartes aura</i>	Turkey vulture	None/None	Covered	Rangeland, agriculture, grassland; uses cliffs and large trees for roosting, nesting and resting	Low potential to nest onsite due to lack of suitable large trees, cliffs and large rock outcrops. High to forage onsite wherever it finds carrion.
<i>Charadrius montanus</i> (wintering)	Mountain plover	None/SCS	Covered	Nests in open, shortgrass prairies or grasslands; winters in shortgrass plains, plowed fields, open sagebrush, and sandy deserts	Moderate potential to occur during winter. Suitable grasslands and open coastal scrub habitat is present. Species does not nest in region.



## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

**Table 5.4-2  
Sensitive Animal Species Potentially Present in City and Vicinity**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/ State Status</b>	<b>MSHCP</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Circus cyaneus</i> (nesting)	Northern harrier	None/SCS	Covered	Open wetlands (nesting), pasture, old fields, dry uplands, grasslands, rangelands, coastal scrub	Low potential to nest onsite due to lack of suitable wetland habitats and due to its sensitivity to human development. High potential to forage onsite in grasslands and other open habitats.
<i>Coccyzus americanus occidentalis</i> (nesting)	Western yellow-billed cuckoo	C/END	Covered (1)	Dense, wide riparian woodlands and forest with well-developed understories	Very low potential to nest and forage onsite due to a lack of well-developed riparian zones necessary for nesting. May occasionally occur in riparian habitats during migration for short periods of time.
<i>Dendroica petechia brewsteri</i> (nesting)	Yellow warbler	None/SCS	Covered	Nests in lowland and foothill riparian woodlands dominated by cottonwoods, alders and willows; winters in a variety of habitats	Very low potential to nest and onsite due to a lack of well-developed riparian and woodland habitats. Moderate potential to winter onsite.
<i>Elanus leucurus</i> (nesting)	White-tailed kite	None/CFP	Covered	Open grasslands, savanna-like habitats, agriculture, wetlands, oak woodlands, riparian	Low potential to nest onsite due to a lack of riparian and woodland habitats and due to its general sensitivity to human activities. Moderate potential to forage onsite, especially during then non-breeding season when it exhibits nomadic behavior.

## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

**Table 5.4-2  
Sensitive Animal Species Potentially Present in City and Vicinity**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/ State Status</b>	<b>MSHCP</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Empidonax traillii extimus</i> (nesting)	Southwestern willow flycatcher	END/END	Covered (1)	Riparian woodlands along streams and rivers with mature, dense stands of willows or alders; may nest in thickets dominated by tamarisk	Very low potential to nest and forage onsite due to a lack of well-developed riparian zones associated with water necessary for nesting. May occasionally occur in riparian habitats during migration for short periods of time.
<i>Eremophila alpestris actia</i>	California horned lark	None/SCS	Covered	Open habitats, grassland, rangeland, shortgrass prairie, montane meadows, coastal plains, fallow grain fields	Species known to occur within City. Suitable habitat is present (CDFW 2012).
<i>Falco columbarius</i> (wintering)	Merlin	None/SCS	Covered	Nests in open country, open coniferous forest, prairie; winters in open woodlands, grasslands, cultivated fields, marshes, estuaries and sea coasts	Moderate potential to forage in grasslands and other open habitats onsite during the winter.
<i>Falco mexicanus</i> (nesting)	Prairie Falcon	None/SCS	Covered	Nests on cliffs, buildings, bridges; forages in wetlands, riparian, meadows, croplands, especially where waterfowl are present	Very low potential to nest onsite due to suitable nesting habitats. Moderate potential to nest onsite. Suitable habitat is present.



## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

**Table 5.4-2  
Sensitive Animal Species Potentially Present in City and Vicinity**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/ State Status</b>	<b>MSHCP</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Haliaeetus leucocephalus</i> (nesting and wintering)	Bald eagle	THR/CFP/END	Covered	Seacoasts, rivers, swamps, large lakes; winters at large bodies of water in lowlands and mountains	No potential to nest onsite due to lack of suitable nesting habitat and low potential to forage onsite during the winter because site is relatively far from suitable roosting sites (e.g., Lake Mathews).
<i>Icteria virens</i> (nesting)	Yellow-breasted chat	None/SCS	Covered	Dense, relatively wide riparian woodlands and thickets of willows, vine tangles, and dense brush	Low potential to nest and forage onsite due to a lack of well-developed riparian zones necessary for nesting. May occasionally occur in riparian habitats during migration for short periods of time.
<i>Ixobrychus exilis</i> (nesting)	Least bittern	None/SCS	Not Covered	Nests in dense emergent wetlands of cattails and tules are essential	Low potential to nest onsite due to lack of suitably well-developed wetland habitats.
<i>Lanius ludovicianus</i> (nesting)	Loggerhead shrike	None/SCS	Covered	Open ground, including grassland, coastal scrub, broken chaparral, agriculture, riparian, open woodland	Species known to occur within City. Suitable habitat is present (CDFW 2012).
<i>Melanerpes lewis</i> (nesting)	Lewis' woodpecker	None/SA	Not Covered	Open oak savannahs, broken deciduous and coniferous habitats	No potential to nest onsite because site is outside its breeding range. Moderate potential to occur in woodlands during the winter.

## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

**Table 5.4-2  
Sensitive Animal Species Potentially Present in City and Vicinity**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/ State Status</b>	<b>MSHCP</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Nycticorax nycticorax</i> (nesting colony)	Black-crowned night heron	None/SA	Covered	Marshes, ponds, reservoirs, estuaries; nests in dense-foliaged trees and dense fresh or brackish emergent wetlands	Low potential to nest onsite due to lack of suitable wetland habitats.
<i>Picoides nuttallii</i> (nesting)	Nuttall's woodpecker	None/SA	Not Covered	Lower elevation riparian deciduous and oak habitats	Moderate potential to occur. Suitable habitat is present.
<i>Picoides pubescens</i>	Downy woodpecker	None/None	Covered	Nests in deciduous (often willow) woodlands, oak woodlands, orchards, suburban plantings and occasionally conifers	Moderate potential to nest onsite in riparian and woodland habitats.
<i>Plegadis chihi</i> (nesting colony)	White-faced ibis	None/SCS	Covered	Nests in marsh; winter foraging in shallow lacustrine waters, muddy ground of wet meadows, marshes, ponds, lakes, rivers, flooded fields and estuaries	Low potential to nest and forage onsite due to lack of suitable wetland habitats.
<i>Polioptila californica californica</i>	Coastal California gnatcatcher	THR/SCS	Covered	Coastal scrub, coastal scrub-chaparral mix, coastal scrub-grassland ecotone, riparian in late summer	Species known to occur within City. Suitable habitat is present (CDFW 2012).



## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

**Table 5.4-2  
Sensitive Animal Species Potentially Present in City and Vicinity**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/ State Status</b>	<b>MSHCP</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Spinus lawrencei</i>	Lawrence's goldfinch	None/SA	Not Covered	Valley foothill hardwood, valley foothill hardwood-conifer; and, in southern California, desert riparian, palm oasis, pinyon-juniper and lower montane habitats; nests in open oak or other arid woodland and chaparral, near water	Moderate potential to nest and forage onsite in woodland and chaparral habitats.
<i>Spizella atrogularis</i> (nesting)	Black-chinned sparrow	None/SA	Not Covered	Chaparral and sagebrush scrub	Low potential to nest onsite. Although suitable habitat is present, it typically nests along the foothills of the Santa Ana, Palomar, and San Jacinto Mountain ranges in Riverside County and not in interior areas of western Riverside County.
<i>Spizella passerine</i> (nesting)	Chipping sparrow	None/SA	Not Covered	Open woodlands with sparse or low shrubs	Low potential to nest onsite. Although suitable habitat is present, it is not a common breeder in the interior foothills.
<i>Vireo bellii pusillus</i> (nesting)	Least Bell's vireo	END/END	Covered (1)	Nests in southern willow scrub with dense cover within 1–2 meters of the ground; habitat includes willows, cottonwoods, baccharis, wild	Low potential to nest and forage onsite due to a lack of well-developed riparian zones necessary for nesting. May occasionally occur in riparian habitats during migration for short periods of

## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

**Table 5.4-2  
Sensitive Animal Species Potentially Present in City and Vicinity**

<i>Scientific Name</i>	<i>Common Name</i>	<i>Federal/ State Status</i>	<i>MSHCP</i>	<i>Habitat</i>	<i>Potential to Occur</i>
				blackberry, or mesquite in desert areas	time.
<i>Wilsonia pusilla</i>	Wilson's warbler	None/None	Covered	Nests in montane meadows and low, dense willow thickets; in migration occurs in chaparral, woodlands and forests with shrubs	No potential to nest onsite because the site is outside its range in Riverside County, which is limited to higher elevations of the San Jacinto Mountains.
<b>MAMMALS</b>					
<i>Antrozous pallidus</i>	Pallid bat	None/SCS	Not Covered	Arid habitats, including grasslands, shrublands, woodlands and forests; prefers rocky outcrops, cliffs and crevices with access to open habitats for foraging	Moderate potential to roost and forage onsite although suitable roosting sites may be limited. Suitable foraging habitat is present and bats may travel from other locations to forage in area.
<i>Canis latrans</i>	Coyote	None/None	Covered	Many areas except very highly urbanized areas	Expected to commonly occur. Suitable habitat is present.
<i>Chaetodipus californicus femoralis</i>	Dulzura pocket mouse	None/None	Not Covered	Coastal sage scrub, chaparral, grassland at elevation < 4,500 feet	Species known to occur within City. Suitable habitat is present (CDFW 2012).
<i>Chaetodipus fallax fallax</i>	Northwestern San Diego pocket mouse	None/SCS	Covered	Coastal scrub, grassland, sage scrub-grassland ecotones, sparse chaparral; rocky substrates, loams, and sandy loams	Species known to occur within City. Suitable habitat is present (CDFW 2012).



## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

**Table 5.4-2  
Sensitive Animal Species Potentially Present in City and Vicinity**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/ State Status</b>	<b>MSHCP</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Corynorhinus townsendii</i>	Townsend's big-eared bat	None/SCS	Not Covered	A variety of communities, including conifer and oak woodlands and forests, arid grasslands and deserts and high-elevation forests and meadows; requires appropriate roosting, maternity and hibernacula sites free from human disturbance	Low potential to occur. Although some suitable habitat is present, this species prefers more mesic habitats than occur in City or vicinity, and it is sensitive to human presence. It is now an uncommon species in southern California.
<i>Dipodomys simulans</i>	Dulzura kangaroo rat	None/None	Covered	Coastal scrub, chaparral, grassland at elevation < 4,500 feet	High potential to occur onsite in coastal scrub and chaparral.
<i>Dipodomys stephensi</i>	Stephens' kangaroo rat	END/THR	Covered	Open habitat, grassland, sparse coastal scrub, sandy loam, and loamy soils with low clay content; gentle slopes (< 30%)	Species known to occur within City. Suitable habitat is present (CDFW 2012).
<i>Euderma maculatum</i>	Spotted bat	None/SCS	Not Covered	Occupies a wide variety of habitats from arid deserts and grasslands, to mixed conifer forests; feeds over water and along washes; needs rock crevices in cliffs or caves for roosting	Moderate potential to roost and forage onsite although suitable roosting sites may be limited. Suitable foraging habitat is present and bats may travel from other locations to forage in area.

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### BIOLOGICAL RESOURCES

**Table 5.4-2  
Sensitive Animal Species Potentially Present in City and Vicinity**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/ State Status</b>	<b>MSHCP</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Eumops perotis californicus</i>	Western mastiff bat	None/SCS	Not Covered	Roosts in small colonies in cracks and small holes, seeming to prefer man-made structures	Species known to occur within City. Suitable habitat is present (CDFW 2012).
<i>Lasiurus blossevillii</i>	Western red bat	None/SCS	Not Covered	Occurs in a wide variety of habitats, including scrub, grassland, woodland, and riparian areas	Moderate potential to roost and forage onsite, although suitable tree roost sites may be limited. More likely to occur as non-breeder, because the vast majority of breeding females occur in Sacramento and San Joaquin rivers.
<i>Lasiurus cinereus</i>	Hoary bat	None/SA	Not Covered	Roost in tree foliage and sometimes cavities, such as woodpecker holes; most foraging in open areas within forest, woodland riparian, and wetland habitats	Moderate potential to roost and forage onsite as a winter visitor, although suitable tree roost sites may be limited. Breeding would not occur in the City of vicinity.
<i>Lasiurus xanthinus</i>	Western yellow bat	None/SCS	Not Covered	Desert and montane riparian, desert succulent scrub, desert scrub, and pinyon-juniper woodland	Species known to occur within City. Suitable riparian roosting habitat is present (CDFW 2012).
<i>Lepus californicus bennettii</i>	San Diego black-tailed jackrabbit	None/SCS	Covered	Arid habitats with open ground; grasslands, coastal scrub, agriculture, disturbed areas, rangelands	Species known to occur within City. Suitable habitat is present (CDFW 2012).



## 5. Environmental Analysis

### BIOLOGICAL RESOURCES

**Table 5.4-2  
Sensitive Animal Species Potentially Present in City and Vicinity**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/ State Status</b>	<b>MSHCP</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Lynx rufus</i>	Bobcat	None/None	Covered	Large expanses of relatively undisturbed brushy and rocky habitats near springs or other perennial water sources	Moderate potential to occur onsite. Suitable habitat is present, but its distribution may be limited to areas with high cover and relatively little human activity.
<i>Mustela frenata</i>	Long-tailed weasel	None/None	Covered	Virtually all types of habitat, including agricultural and disturbed areas, wherever there is sufficient prey	High potential to occur onsite. Suitable habitat is present, and this species often occurs in agricultural areas.
<i>Myotis ciliolabrum</i>	Western small-footed myotis	None/SA	Not Covered	Occur in wide variety of habitats, primarily arid wooded and brush areas near water; roosts in caves, buildings, mines, crevices, and under bridges and bark	Moderate potential to roost and forage onsite although suitable roosting sites may be limited. Suitable foraging habitat is present and bats may travel from other locations to forage in area.
<i>Myotis evotis</i>	Long-eared myotis	None/None	Not Covered	Occurs in wide variety of brush, woodland, and forest; roosts in buildings, crevices, under bark, and in snags; caves used for night roosts	Moderate potential to roost and forage onsite although suitable roosting sites may be limited. Suitable foraging habitat is present and bats may travel from other locations to forage in area.

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### BIOLOGICAL RESOURCES

**Table 5.4-2  
Sensitive Animal Species Potentially Present in City and Vicinity**

<i>Scientific Name</i>	<i>Common Name</i>	<i>Federal/ State Status</i>	<i>MSHCP</i>	<i>Habitat</i>	<i>Potential to Occur</i>
<i>Myotis thysanodes</i>	Fringed myotis	None/SA	Not Covered	Occurs in a wide variety of habitats, including pinyon-juniper, valley foothill hardwood and hardwood-conifer woodlands; forms maternity colonies and roosts in caves, mines, buildings and crevices	Moderate potential to roost and forage onsite although suitable roosting sites may be limited. Suitable foraging habitat is present and bats may travel from other locations to forage in area.
<i>Myotis volans</i>	Long-legged myotis	None/SA	Not Covered	Most common in forest and woodland; forages in coastal scrub, chaparral, Great Basin shrub and early successional forest and woodland; roosts in rock crevices, under bark, snags, mines, and caves	Low potential to occur. Although some suitable habitat is present, this species prefers higher elevations (>4,000 ft.) and is an uncommon species in southern California.
<i>Myotis yumanensis</i>	Yuma myotis	None/SA	Not Covered	Closely tied to open water which is used for foraging; open forests and woodlands are optimal habitat	Low potential to occur. Although some suitable habitat is present, this species is typically associated with water and wetlands that is uses for foraging and drinking.
<i>Neotoma lepida intermedia</i>	San Diego desert woodrat	None/SCS	Covered	Coastal scrub, chaparral, pinyon-juniper woodland with rock outcrops, cactus thickets, dense undergrowth	High potential to occur onsite in coastal scrub habitats and more xeric, open forms of chaparral.



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### BIOLOGICAL RESOURCES

**Table 5.4-2  
Sensitive Animal Species Potentially Present in City and Vicinity**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/ State Status</b>	<b>MSHCP</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Nyctinomops femorosaccus</i>	Pocketed free-tailed bat	None/SCS	Not Covered	Rocky desert areas with high cliffs or rock outcrops	Low potential to roost onsite due to lack of suitable habitat. Moderate potential to forage onsite.
<i>Nyctinomops macrotis</i>	Big free-tailed bat	None/SCS	Not Covered	Rugged, rocky canyons	Low potential to occur. Limited suitable habitat is available and this species is rare in southern California.
<i>Onychomys torridus ramona</i>	Southern grasshopper mouse	None/SCS	Not Covered	Inhabits scrub and grasslands with friable soils for digging; prefers low to moderate shrub cover.	Very low potential to occur. Although the species is known to occur within the City, there is only one record in the CNDDDB from 1932 (CDFW 2012). In numerous trapping studies conducted in the City and vicinity since the early 1990s, southern grasshopper mouse has never been documented. While suitable habitat is present, it is most likely that the species has been extirpated in the area.
<i>Perognathus longimembris brevinasus</i>	Los Angeles pocket mouse	None/SCS	Covered (2)	Grassland, coastal scrub, disturbed habitats; fine, sandy soils	Species known to occur within City. Suitable habitat is present (CDFW 2012).
<i>Sylvilagus bachmani</i>	Brush rabbit	None/None	Covered	Dense, brush cover, mostly in chaparral, but also successional stages of oak and conifer habitats	High potential to occur onsite in chaparral and woodland habitats.

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### BIOLOGICAL RESOURCES

**Table 5.4-2  
Sensitive Animal Species Potentially Present in City and Vicinity**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/ State Status</b>	<b>MSHCP</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Puma concolor</i>	Mountain lion	None/None	Covered	Large expanses of relatively undisturbed brushy and rocky habitats where its main prey—the mule deer—also occurs	Low potential to occur due to high level of development in area and lack of its primary prey mule deer. However, individuals may occasionally wander into the area, especially west of I-215; most likely young dispersing and inexperienced males.
<i>Taxidea taxus</i>	American badger	None/SCS	Not Covered	Grasslands, agriculture, drier open stages of shrub, forest, and herbaceous habitats with friable soils.	Moderate potential to occur onsite in open grassland and agricultural areas, especially in the northern and eastern portions of the area that are connected to larger expanses of agriculture and undeveloped areas.
<b>INVERTEBRATES</b>					
<i>Branchinecta lynchi</i>	Vernal pool fairy shrimp	THR/SA	Covered (1)	Vernal pools; cool-water pools with low to moderate dissolved solids	Moderate potential to occur. Suitable vernal pool habitat is present.
<i>Branchinecta sandiegonensis</i>	San Diego fairy shrimp	END/SA	Not Covered	Small, shallow vernal pools, occasionally ditches and road ruts	Moderate potential to occur. Suitable vernal pool habitat is present.
<i>Euphydryas editha quino</i>	Quino checkerspot butterfly	END/SA	Covered	Sparsely vegetated hilltops, ridgelines, occasionally rocky outcrops; host plant <i>Plantago erecta</i> and nectar plants must be present	Low potential to occur. Suitable habitat is present within the City; however, no documented occurrences with the City.



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### BIOLOGICAL RESOURCES

**Table 5.4-2  
Sensitive Animal Species Potentially Present in City and Vicinity**

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal/ State Status</b>	<b>MSHCP</b>	<b>Habitat</b>	<b>Potential to Occur</b>
<i>Streptocephalus woottoni</i>	Riverside fairy shrimp	END/SA	Covered (1)	Deep, long-lived vernal pools, vernal pool-like seasonal ponds, stock ponds; warm water pools that have low to moderate dissolved solids	Species known to occur within City. Suitable habitat is present (CDFW 2012).

**FED: Federal Classifications**

- END Taxa listed as endangered
- THR Taxa listed as threatened
- PE Taxa proposed to be listed as endangered
- PT Taxa proposed to be listed as threatened
- C2\* USFWS may, in the future, designate such taxa as Candidates. (\*) indicates those C2 candidates that were removed from the list.
- C Candidate for listing.
- None Not designated as a sensitive species

**STATE: State Classifications**

- END Taxa listed as endangered
- THR Taxa listed as threatened
- CE Candidate for endangered listing
- CT Candidate for threatened listing
- CFP California Fully Protected.
- SCS California Species of Special Concern.
- SA Special Animal. Taxa of concern to the California Natural Diversity Data Base regardless of their current legal or protected status.
- WL Watch List
- None Not designated as a sensitive species

**Multiple Species Habitat Conservation Plan Classifications (MSHCP)**

Covered: MSHCP Fully covered species

**Not Covered: Not included in the Federal and State Take Permits for the MSHCP.**

Covered (1) Additional surveys may be required for these species within riparian/riverine areas.

Covered (2) Additional surveys may be required for these species within designated survey areas

Covered (3) These Covered Species will be considered to be Covered Species Adequately Conserved when conservation requirements identified in species-specific conservation objectives have been met.

Covered (4) These Covered Species will be considered to be Covered Species Adequately Conserved when a Memorandum of Understanding is executed with the Forest Service that addresses management for these species on Forest Service Land.

Source: CDFW, California Natural Diversity Data Base. 2012. Rarefind Version 43.0.2. On-line database.

### Sensitive Natural Communities

Sensitive natural communities are natural communities that are considered rare in the region by regulatory agencies; that are known to provide habitat for sensitive animal or plant species; or are known to be important wildlife corridors. Six sensitive natural communities are listed on the CNDDDB as occurring within eight topographic quads in and near Menifee. Three of those communities were mapped in Menifee by the

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biological resources technical study; a fourth is similar to a community mapped in the City; and the remaining two are not known to occur in Menifee.

#### *Southern Coast Live Oak Riparian Forest*

This community is open to locally dense evergreen riparian woodlands dominated by coast live oak. This community occurs on bottomlands and outer floodplains along larger streams in canyons and valleys of coastal southern California, mostly south of Point Conception. This community is similar to the Coast Live Oak Woodland community, which can occur on stream banks, channel bottoms, and flat to very steep topography. Approximately 20 acres of Coast Live Oak Woodland were identified as scattered throughout the City (Dudek 2012).

#### *Southern Cottonwood Willow Riparian Forest*

This community is a tall, open, broadleaved winter-deciduous riparian forest dominated by Fremont cottonwood (*Populus fremontii*), black cottonwood (*Populus trichocarpa*), and several tree willows. It occurs on frequently overflowed lands along rivers and streams of the Transverse and Peninsular ranges, from Santa Barbara County south to Baja California Norte and east to the edge of the deserts. This community was identified in Menifee in the southern part of the City just east of I-215 and south of Garbani Road.

#### *Southern Interior Basalt Flow Vernal Pool*

Vernal pools are ephemeral wetlands that form in shallow depressions underlain by a rock and/or soil near the surface that restricts the downward percolation of water. Depressions in the landscape fill with rainwater and runoff from adjacent areas during the winter and may remain inundated until spring or early summer, sometimes drying more than once during the wet season. Larger pools hold water longer and may, in the deeper portions, support species which are more representative of those found in freshwater marshes. The only known occurrence of this habitat type in southern California is on the Santa Rosa Plateau about seven miles southwest of the City boundary (RCIP 2002); it is not known to occur in Menifee.

#### *Southern Riparian Scrub*

Southern riparian scrub is a dense, broadleaved, winter-deciduous riparian thickets dominated by several willow (*Salix*) species, with scattered emergent Fremont cottonwood and California sycamore (*Platanus racemosa*). Most stands are too dense to allow much understory development. Riparian scrub is mapped in Menifee in Salt Creek in the east part of the City.

#### *Southern Sycamore Alder Riparian Woodland*

This community is a tall, open, broadleaved, winter-deciduous streamside woodland dominated by California sycamore and often also white alder (*Alnus rhombifolia*). This woodland community occurs on very rocky streambeds subject to intense seasonal flooding; in Transverse and Peninsular ranges from Point Conception into Baja California Norte. This community was not identified in vegetation mapping of the City by Dudek (2012).

#### *Valley Needlegrass Grassland*

Valley Needlegrass Grassland is a midheight (to two feet) grassland dominated by perennial purple needlegrass (*Nassella pulchra*). It usually occurs on fine-textured (often clay) soils, moist or even waterlogged during winter, but very dry in summer. Valley needlegrass grassland is a type of valley and foothill grassland; the only occurrence of valley and foothill grassland in Western Riverside County is on the



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### BIOLOGICAL RESOURCES

Santa Rosa Plateau several miles southwest of Menifee. Valley needlegrass grassland is not known to occur in Menifee.

Note that all four of the sensitive natural communities identified in Menifee are riparian, that is, they occur along the banks of rivers and streams.

#### **MSHCP Considerations**

The City of Menifee is a permittee under the MSHCP and subject to the requirements per Section 13.2 of the Implementing Agreement of the MSHCP. These requirements include ensuring that all discretionary actions are consistent with the MSHCP related to two areas: 1) Reserve Assembly requirements and 2) the special survey requirements in the MSHCP. For projects within the criteria area (see Figure 5.4-2, *Criteria Area Cells*), the City shall submit a joint project review (JPR) addressing both of these categories to the Regional Conservation Authority prior to project approval.

#### **MSHCP Reserve Assembly**

A future 500,000 acre Reserve established by the MSHCP would be made up of large cores of habitat that are connected by linkages and constrained linkages throughout western Riverside County. The City of Menifee contains two reserve features: one core (Proposed Core 2) and one constrained linkage (Proposed Constrained Linkage 17; see Figure 5.4-3, *Proposed Cores and Linkages*). When Menifee implements its General Plan it will be required to assist in the establishment of conservation lands that contribute to these reserve features.

##### *Proposed Core 2*

A portion of the southeast corner of the City near Scott Road and Briggs Road is within Cell 5066 in Proposed Core 2. Proposed Core 2 (Antelope Valley) is in the southwest region of the MSHCP plan area and consists largely of private lands and some small pieces of Public/Quasi-Public Lands. Connections from the Core are made through Proposed Constrained Linkage 15 (Lower Warm Springs Creek), 16, 17 (Paloma Valley), and 18. Proposed Core 2 is constrained in all directions by existing agricultural uses and urban development; however, it is directly connected to other MSHCP conserved lands and is only about one mile from the nearest connected Core (existing Core J [Lake Skinner/Diamond Valley Lake]). Proposed Core 2 provides important habitat for the Quino checkerspot butterfly, which has key populations in this area. This butterfly is restricted by the distribution and availability of its host plants, which in many areas have been replaced by non-native exotic weed species and habitat type conversion to developed land.

##### *Proposed Constrained Linkage 17*

A portion of the southeast corner of the City near Leon Road and Keller Road is within Cell 5168 connected to Proposed Constrained Linkage 17. Proposed Constrained Linkage 17 (Paloma Valley) is in the south-central region of the MSHCP Plan Area. Proposed extension of existing Core 7 (Lake Skinner/Diamond Valley Lake Extension) is located to the east of this Linkage. Proposed Constrained Linkage 17 provides habitat and movement for species. This Linkage is constrained by existing urban development and agricultural use along much of its length.

#### **Special Survey Requirements**

##### *Section 6.1.2 Compliance - Riparian/Riverine Species*

Riparian/riverine areas are lands which contain habitat dominated by trees, shrubs, persistent emergents, or emergent mosses and lichens, which occur close to or which depend upon soil moisture from a nearby fresh

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water source; or areas with fresh water flow during all or a portion of the year (MSHCP 2003). Emergents are plants rooted in soil beneath the water surface; the leaves, stems, and reproductive organs emerge above water. As projects are proposed within the City's Planning Area, an assessment of the potentially significant effects of those projects on riparian/riverine areas, fairy shrimp and vernal pools shall be performed by a qualified biologist during the appropriate season. Vernal Pools are seasonal wetlands that occur in depression areas that have wetlands indicators of all three parameters (soils, vegetation, and hydrology) during the wetter portion of the growing season but normally lack wetlands indicators of hydrology and/or vegetation during the drier portion of the growing season (MSHCP 2003). As part of compliance with this part of the MSHCP, a qualified biologist shall determine whether there are suitable habitats for Riverside, Santa Rosa Plateau, and/or Vernal Pool fairy shrimp.

If riparian/riverine habitat are identified within a project impact area, and the proposed project design does not incorporate avoidance of these areas, then a Determination of Biologically Equivalent or Superior Preservation (DBESP) containing mitigation measures to offset the loss of the values and functions of Habitat as it relates to Covered Species shall be prepared. Any DBESP prepared must be approved by the Permittee (City), and then forwarded to CDFW and USFWS for a 60-day review period. If future projects are located in a Criteria Cell, then the DBESP shall be included in the JPR as well.

Additionally, Section 6.1.2 compliance requires that if riparian vegetation will be impacted, then focused surveys for least Bell's vireo, southwestern willow flycatcher, and western yellow-billed cuckoo will be required. If these riparian birds are found to occupy a site that will have impacts, then the DBESP will need to address compensation (via restoration, enhancement and/or creation) for that loss of occupied habitat. Section 6.1.2 of the MSHCP outlines the requirements and protection of riparian/riverine areas and vernal pools within the MSHCP Plan Area. The City is within the MSHCP Plan Area and is an MSHCP Permittee. Therefore, any future discretionary development projects implemented under the General Plan would be required to demonstrate compliance with Section 6.1.2 of the MSHCP.



#### *Section 6.1.3 Compliance - Narrow Endemic Plant Species Survey Area*

A portion of the City, specifically within the north-central, central, and southern portion of the City is within the NEPSSA Survey Area 3 and 4 which has habitat assessment requirements for California Orcutt grass (*Orcuttia californica*), spreading navarretia (*Navarretia fossalis*), and Wright's Trichocoronis (*Trichocoronis wrightii* var. *wrightii*) within NEPSSA Survey Area 3, and habitat assessment requirements for California Orcutt grass (*Orcuttia californica*) and Munz's onion (*Allium munzii*) within NEPSSA Survey Area 4 (see Figure 5.4-4, *Narrow Endemic Plant Species Survey Area (NEPSSA) Lands*). Table 5.4-3 provides a summary of habitat requirements for these species.

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**Table 5.4-3  
Narrow Endemic Plant Species Survey Area Species**

<i>Species</i>	<i>NEPSSA Survey Area</i>	<i>Perennial/ Annual</i>	<i>Soils</i>	<i>Blooming Period</i>	<i>Habitat</i>
California Orcutt grass	3, 4	Annual	Alkaline soils and southern basaltic claypan	April through June	Vernal pools
Spreading navarretia	3	Annual	Saline-alkaline	May through June	Vernal pools and depressions and ditches in areas that once supported vernal pools.
Wright's Trichocoronis	3	Annual	Alkali soils	May to September	Alkali playa, alkali annual grassland, and alkali vernal pools.
Munz's onion	4	Perennial bulb	Clay soils	April through May	Moderately moist places or seasonally moist microsites in grassy openings in coastal sage scrub, chaparral, juniper woodland, valley and foothill grasslands in clay soils.

For any project or discretionary action that takes place within the NEPSSA Survey Area depicted on Figure 5.4-4, a habitat assessment for all plants within the specified NEPSSA Survey Area shall be required. The habitat assessment shall determine presence of the suitable NEPSSA habitat within the project area. Site-specific focused surveys conducted by a qualified biologist during the appropriate blooming period shall be required where appropriate when suitable habitat is determined to be present within the identified NEPSSA Survey Area.

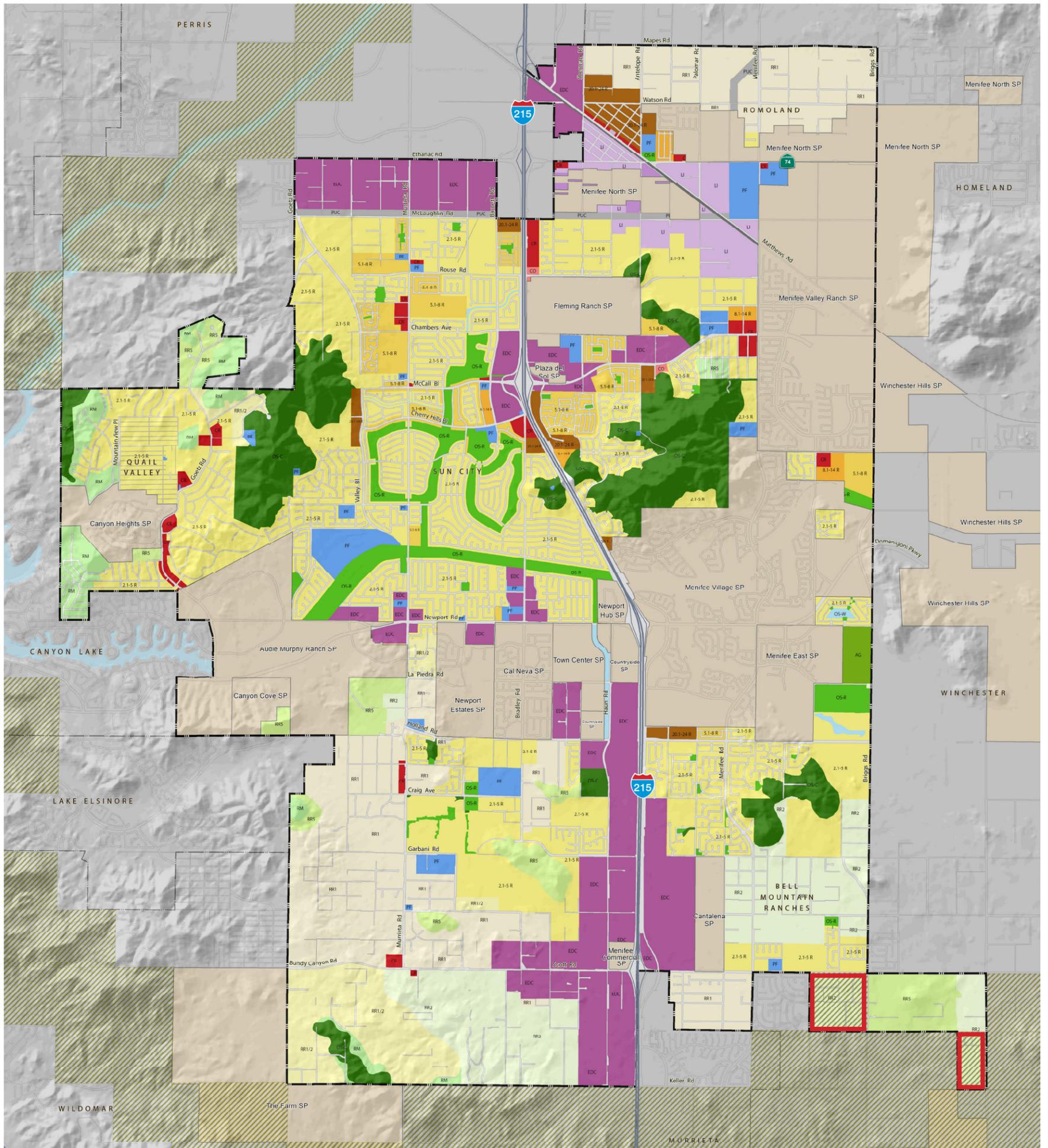
If the above mentioned NEPSSA species are identified within the specific project area, then the City or proponent shall attempt to avoid 90 percent of those areas to provide for long-term conservation value for those species until it is demonstrated that conservation goals for the particular species are met. If it is determined that the 90 percent threshold cannot be met and achievement of overall MSHCP conservation goals for the particular species has not yet been demonstrated, the Permittee (City) must prepare a DBESP. The DBESP shall demonstrate that although the project would exceed the 10 percent NEPSSA impact threshold, with proposed design and compensation measures, it would result in an overall MSHCP Conservation Area design and configuration biologically equivalent or superior. Equivalency Findings in the DBESP shall be prepared. Any DBESP prepared must be approved by the Permittee (City), and then forwarded to CDFW and USFWS for a 60-day review period. If future projects are located in a Criteria Cell, then the DBESP shall be included in a JPR as well. In summary, any future discretionary development projects implemented under the General Plan that lies within a NEPSSA Survey Area would be required to demonstrate compliance with Section 6.1.3 of the MSHCP.

#### *Section 6.3.2 Compliance – Additional Survey Areas*

##### Criteria Area Plant Species Survey Area

The area within the City, specifically, the southeastern portion of the City encompasses Criteria Species Survey Area 4, which has habitat assessment requirements for Coulter's goldfields (*Lasthenia glabrata* ssp. coulteri), little mousetail (*Myosurus minimus*), round-leaved filaree (*Erodium macrophyllum*), and smooth tarplant (*Centromadia pungens* formerly *Hemizonia pungens* ssp. laevis) (see Figure 5.4-5, *Criteria Area Species Survey Area (CASSA) Lands*). Table 5.4-4 provides a summary of habitat requirements for these species.

Criteria Area Cells



Source: Dudek, 2012

Rural Mountainous (RM) 10 ac min	2.1-5 du/ac Residential (2.1-5R)	Commercial Retail (CR) 0.20 - 0.35 FAR	Agriculture (AG)	Public Utility Corridor (PUC)
Rural Residential 5 ac min (RR5)	5.1-8 du/ac Residential (5.1-8R)	Commercial Office (CO) 0.25 - 1.0 FAR	Conservation (OS-C)	Railroad
Rural Residential 2 ac min (RR2)	8.1-14 du/ac Residential (8.1-14R)	Heavy Industrial (HI) 0.15 - 0.50 FAR	Recreation (OS-R)	Specific Plan (SP)
Rural Residential 1 ac min (RR1)	14.1-20 du/ac Residential (14.1-20R)	Business Park (BP) 0.25 - 0.60 FAR	Water (OS-W)	Criteria Area Cell
Rural Residential 1/2 ac min (RR1/2)	20.1-24 du/ac Residential (20.1-24R)	Economic Development Corridor (EDC)	Public/Quasi Public Facilities (PF)	

--- City Boundary

— Criteria Area Cells in City of Menifee



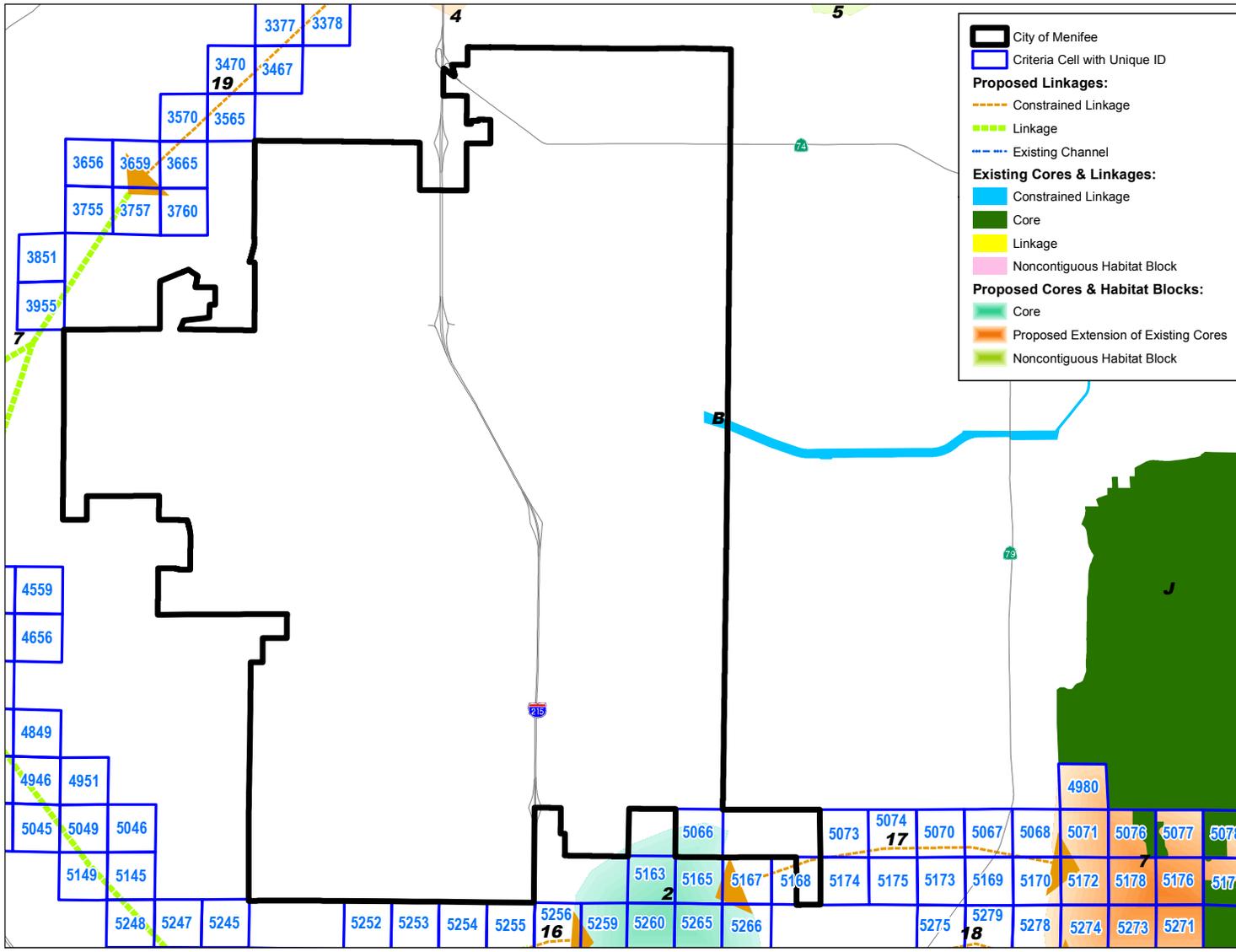
## 5. *Environmental Analysis*

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### BIOLOGICAL RESOURCES

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# Proposed MSHCP Cores and Linkages



Source: Dudek

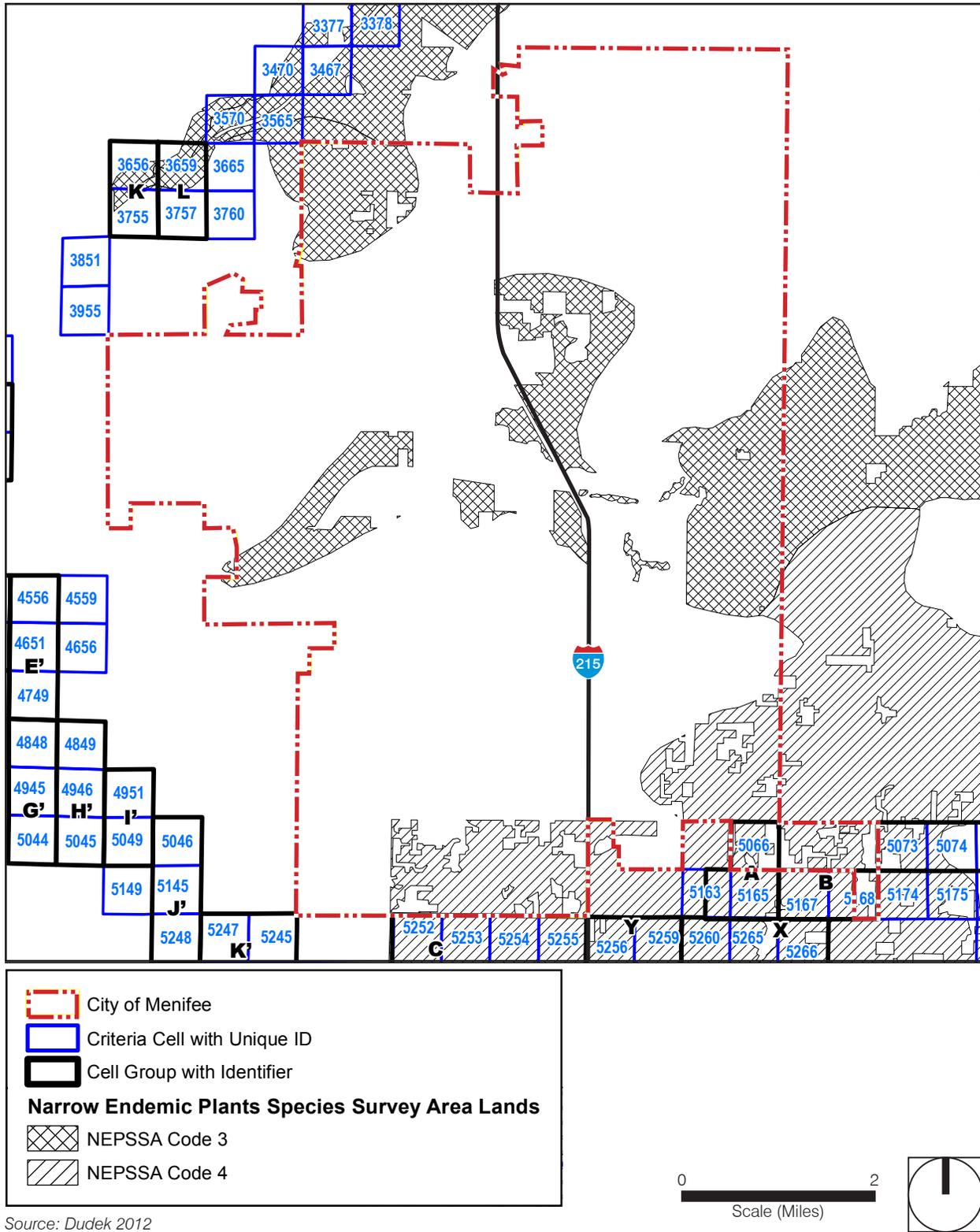
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# Narrow Endemic Plant Species Survey Area (NEPSSA) Lands



Source: Dudek 2012

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**Table 5.4-4  
Criteria Area Plant Species Survey Area Species**

<b>Species</b>	<b>Perennial/ Annual</b>	<b>Soils</b>	<b>Blooming Period</b>	<b>Habitat</b>
Coulter's goldfields	Annual	Traver, Domino and Willows soils.	February through June	Alkali scrub, alkali playas, vernal pools, and alkali grasslands
Little mousetail	Annual	Alkaline soils	April through May	Vernal pools and within the alkali vernal pools and alkali annual grassland components of alkali vernal plains
Round-leaved filaree	Annual/bien nial	Clay soils	March through May	Open cismontane woodland and valley and foothill grassland
Smooth tarplant	Annual	Primarily alkaline soils	April through November	Alkali scrub, alkali playas, riparian woodland, watercourses, and alkaline grasslands

For any project or discretionary action that takes place within the area depicted on Figure 5.4-5, a habitat assessment for the plants listed on Table 5.4-4, shall be required. The habitat assessment shall be conducted to determine presence of suitable CASSA habitat within the project area. Site-specific focused surveys conducted by a qualified biologist during the appropriate blooming period shall be required where appropriate when suitable habitat is determined to be present within the identified CASSA Survey Area.



Similar to the procedures for NEPSSA species, if the above mentioned CASSA species are identified within the specific project area, then the City or proponent shall attempt to avoid 90 percent of those areas to provide for long-term conservation value for those species until it is demonstrated that conservation goals for the particular species are met. If it is determined that the 90 percent threshold cannot be met and achievement of overall MSHCP conservation goals for the particular species has not yet been demonstrated, the Permittee (City) must prepare a DBESP. The DBESP shall demonstrate that although the project would exceed the 10 percent CASSA impact threshold, with proposed design and compensation measures, it would result in an overall MSHCP Conservation Area design and configuration biologically equivalent or superior. Equivalency Findings in the DBESP shall be prepared. Any DBESP prepared must be approved by the Permittee (City), and then forwarded to CDFW and USFWS for a 60-day review period. If future projects are located in a Criteria Cell, then the DBESP shall be included in the JPR as well. In summary, any future discretionary development projects implemented under the General Plan that lies within a CASSA Survey Area would be required to demonstrate compliance with Section 6.3.2 of the MSHCP.

**Burrowing Owl.** About half of the City is within a Burrowing Owl Survey Area (see Figure 5.4-6, *Burrowing Owl Survey Area*). Section 6.3.2 of the MSHCP, *Additional Survey Needs and Procedure*, addresses additional survey requirements for Burrowing Owls. For any project or discretionary action taken within the Burrowing Owl Survey Area, a habitat assessment shall be conducted to determine presence of suitable Burrowing Owl habitat within the project area. Site-specific focused surveys conducted by a qualified biologist during the appropriate breeding season (March 1 to August 31) shall be required where appropriate when suitable habitat is determined to be present within the identified Burrowing Owl habitat area.

If the above mentioned Burrowing Owl species are identified within the specific project area, then the City or proponent shall attempt to avoid 90 percent of those areas to provide for long-term conservation value for those species until it is demonstrated that conservation goals for the particular species are met. If it is determined that the 90 percent threshold cannot be met and achievement of overall MSHCP conservation

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goals for the particular species has not yet been demonstrated, the Permittee (City) must prepare a DBESP. The DBESP shall demonstrate that although the project would exceed the 10 percent Burrowing Owl impact threshold, with proposed design and compensation measures, it would result in an overall MSHCP Conservation Area design and configuration biologically equivalent or superior. Equivalency Findings in the DBESP shall be prepared. Any DBESP prepared must be approved by the Permittee (City), and then forwarded to CDFW and USFWS for a 60-day review period. If future projects are located in a Criteria Cell, then the DBESP shall be included in the JPR as well. In summary, any future discretionary development projects implemented under the General Plan that lies within a Burrowing Owl Survey Area would be required to demonstrate compliance with Section 6.3.2 of the MSHCP.

For Burrowing Owls, pursuant to the MSHCP Species Objectives for the Burrowing Owl, if the proposed project falls within a Criteria Cell, and more than 3 pairs of Burrowing Owls are found on over 35 acres that is non-contiguous with MSHCP Conservation Areas, then conservation measures need to be proposed. If less than 3 pairs are found, then the owls can be relocated, subject to coordination with the Regional Conservation Authority.

### **Jurisdictional Waters and Wetlands**

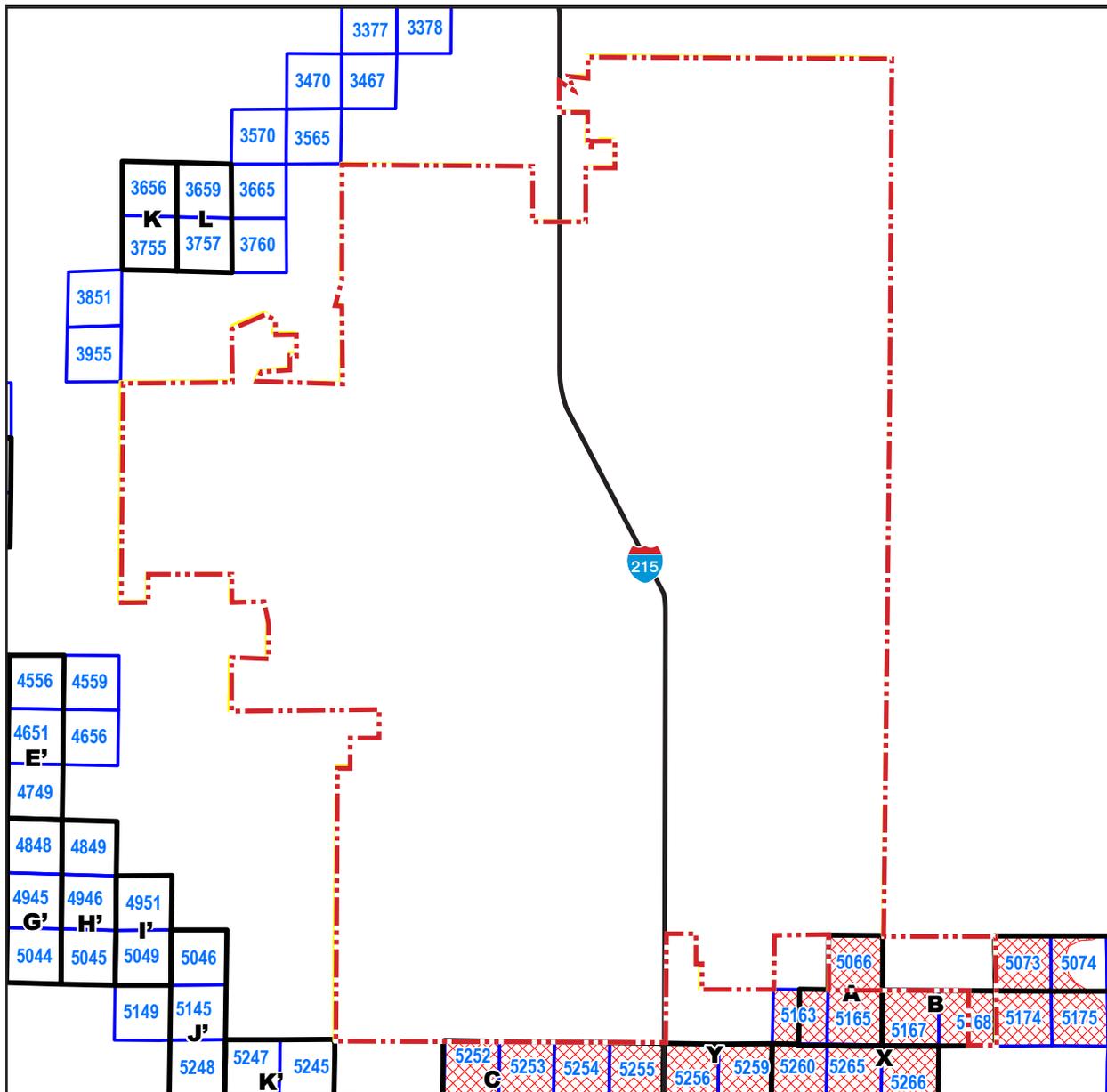
The San Jacinto River northwest of the City is the main drainage feature in the area and flows to Canyon Lake just outside the City's western boundary, and ultimately to Lake Elsinore, southwest of the City. Lake Elsinore is generally a closed system; however, during extreme rain events (torrential rains or extended wet cycles) it overflows down Temescal Creek and ultimately to the Santa Ana River. The overall drainage pattern of the City is toward the center of the City and west toward Canyon Lake. It can be described in five distinct areas: the northern portion of the City drains south; the hills east of I-215 (in the northeast of the City) drain west on their western slope and to the east on the eastern slope; Bell Mountain in the southeast portion of the City drains south toward the Paloma Valley; runoff from the Sedco Hills in the southwest portion of the City drains to the northeast; and Quail Valley in the northwest of the City drains southwest toward Canyon Lakes.

The four primary drainage courses are: 1) Salt Creek, which bisects the center of the City east-west from the Menifee Lakes Golf Course to Canyon Lake; 2) a drainage system in the northern portion of the City that flows south and connecting to the east-west drainage; 3) a channel originating at the base of Bell Mountain and flowing northwest through Paloma Valley, continuing north parallel to the freeway and connecting with the east-west drainage in the center of the City; and 4) a forked drainage system originating in Quail Valley that conveys flows northeast to southwest into Canyon Lake (see Figure 5.4-7, *Drainages*).

In addition to the primary drainages, the US Geological Survey (USGS) topographic quadrangle depicts several drainages in the City, including four that originate in the Sedco Hills in the south and flow northeast, two drainages on the south side of Bell Mountain flowing south toward Paloma Valley, and three drainages from the hills in the northeast of the City.

The drainages within the City are primarily ephemeral, unvegetated drainage courses. The east-west channel supports riparian vegetation just upstream of its confluence with Canyon Lakes. Riparian scrub and riparian woodland occur in isolated patches within the drainages in the southern portion of the City.

# Criteria Area Species Survey Area (CASSA) Lands



  City of Menifee  
  Criteria Cell with Unique ID  
  Cell Group with Identifier  
**Criteria Area Species Survey Area Lands**  
  CASSA ID 4



Source: Dudek 2012

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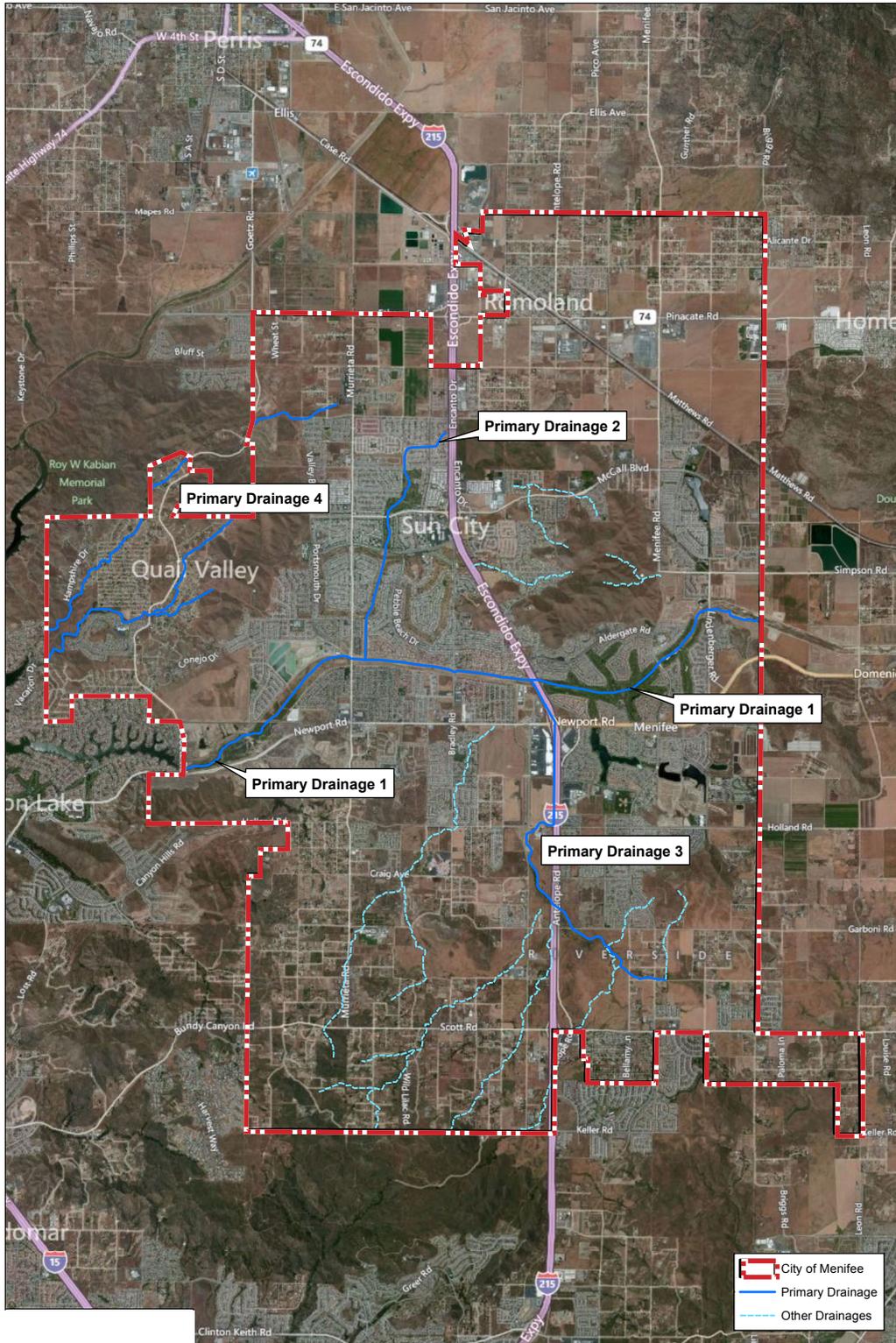
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## Drainages



Source: Dudek 2012

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The State Water Resources Control Board regulates discharges to all surface water and groundwater in the state. All drainages in the City are waters of the State under Santa Ana RWQCB jurisdiction. Additionally, CDFW regulates streambeds with a defined bed and bank and with fish and wildlife resources. Drainages in the City as well as riparian vegetation associated with a drainage are CDFW jurisdictional streambeds. Both Canyon Lake and Lake Elsinore have been determined by the Corps and the EPA to be traditional navigable waters (TNW) under the jurisdiction of the Corps. Any tributaries that have a significant nexus (defined as affecting the chemical, physical, and biological integrity of a TNW) to Canyon Lake or Lake Elsinore would also fall under the jurisdiction of the Corps as waters of the U.S.

#### **Riparian Habitats**

Riparian habitats occur along the banks of rivers and streams. Riparian habitats within the City boundary include: southern cottonwood/willow riparian; riparian scrub; and open water/reservoir/pond. There are approximately 11.25 acres (less than 1 percent of total City acreage) of southern cottonwood/willow riparian; approximately 30.98 acres (1 percent of total City acreage) of riparian scrub; and approximately 130.56 acres (4 percent of total City acreage) of open water/reservoir/pond. These habitat types are typically found associated with water courses or sources of fresh water.

#### **Wildlife Movement Corridors**

No existing wildlife movement corridors were identified in the City; however, there is a Proposed Constrained Linkage 17 (Paloma Valley) as described above under *MSHCP Reserve Assembly*.

#### **Regulatory Setting**

##### **Federal and State Regulations**

###### *Federal Endangered Species Act*

The Federal Endangered Species Act (FESA) of 1973 (16 United States Code [USC] Sections 1531-1544) and subsequent amendments provide for the protection and conservation of endangered species and the habitats on which they depend. A federally endangered species is one facing extinction throughout all or a significant portion of its geographic range. A federally threatened species is one likely to become endangered within the foreseeable future throughout all or a significant portion of its range. The presence of any federally threatened or endangered species on a site generally imposes severe constraints on development; particularly if development would result in a “take” of the species or its habitat. Take of endangered species is prohibited under Section 9 of the FESA. “Take,” as defined under the FESA, means to “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in any such conduct.” Section 7 of the FESA requires federal agencies to consult with the U.S. Fish and Wildlife Service (USFWS) on proposed federal actions that may affect any endangered, threatened or proposed (for listing) species or critical habitat that may support the species. Section 4(a) of the FESA requires that critical habitat be designated by the USFWS “to the maximum extent prudent and determinable, at the time a species is determined to be endangered or threatened.” Critical habitat is formally designated by USFWS to provide guidance for planners/managers and biologists with an indication of where suitable habitat may occur and where high priority of preservation for a particular species should be given. Section 10 of the FESA provides the regulatory mechanism that allows the incidental take of a listed species by private interests and nonfederal government agencies during lawful activities. Habitat conservation plans (HCPs) for the impacted species must be developed in support of incidental take permits for nonfederal projects to minimize impacts to the species and develop viable mitigation measures to offset impacts.



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Candidate species do not have the full protection of the FESA; however, the USFWS advises applicants that candidate species could be elevated to listed species at any time.

The City of Menifee is a permittee to the MSHCP. The MSHCP was prepared to provide for the take and mitigation of the 146 species covered under the MSHCP pursuant to the FESA. The MSHCP allows for the issuance of take at the local level by MSHCP permittees, including the City of Menifee, thereby streamlining the take authorization process on a project-by-project basis.

#### *Migratory Bird Treaty Act*

The Migratory Bird Treaty Act (MBTA) of 1918 (16 USC Sections 703–712), implemented by the USFWS, is the domestic law that affirm, or implements the United States' commitment to four international conventions with Great Britain (for Canada), Japan, Mexico, and Russia for the protection of shared migratory bird resources. The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter, any migratory bird listed in 50 Code of Federal Regulations (CFR) Part 10, including feathers or other parts, nests, eggs, nestlings, or products, except as allowed by implementing regulations (50 CFR 21). A violation of the MBTA may occur on, but is not limited to, projects that involve clearing or grubbing of migratory bird nest habitat during the nesting season and demolition or reconstruction where bird nests are present. This time period is especially important due to the heightened presence of eggs or young that are essential to the survival of the species. Consequently, prior to initiating a project that includes potential bird habitat removal, it is generally recommended that a nesting bird survey be done if that habitat removal is proposed to be completed during the nesting season. USFWS administers permits to take migratory birds in accordance with the regulations of the MBTA.

#### *Bald and Golden Eagle Protection Act*

The Bald and Golden Eagle Protection Act provides for the protection of the bald eagle and the golden eagle by prohibiting, except under certain specified conditions, the taking, possession and commerce of such birds. If compatible with the preservation of bald and golden eagles, the Secretary of the Interior may permit the taking, possession, and transportation of bald and golden eagles and nests for scientific or religious purposes, or for the protection of wildlife, agricultural, or other interests. The Secretary of the Interior may authorize the take of golden eagle nests that interfere with resource development or recovery operations. Bald eagles may not be taken for any purpose unless the secretary issues a permit prior to the taking.

#### *Clean Water Act, Section 404*

The Corps regulates discharges of dredged or fill material into “waters of the U.S.”<sup>1</sup> (including wetlands and non-wetland bodies of water that meet specific criteria) pursuant to Section 404 of the federal Clean Water Act (CWA). A permit is required for any filling or dredging within waters of the U.S. The permit review process entails an assessment of potential adverse impacts to Corps wetlands and jurisdictional waters, wherein the Corps may require mitigation measures to offset unavoidable impacts on wetlands and other waters of the U.S. in a manner that achieves no net loss of wetland acres or values. Where a federally listed species may be affected, a Section 7 consultation with USFWS may be required. If there is potential for cultural resources to be present, Section 106 review may be required. Also, where a Section 404 permit is required, a Section

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<sup>1</sup> “Waters of the United States,” as it applies to the jurisdictional limits of the authority of the Corps of Engineers under the Clean Water Act, includes: all waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide; all interstate waters including interstate wetlands; all other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate or foreign commerce; water impoundments; tributaries of waters; territorial seas; wetlands adjacent to waters. The terminology used by Section 404 of the Clean Water Act includes “navigable waters” which is defined at Section 502(7) of the Act as “waters of the United States including the territorial seas.”

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401 Water Quality Certification would also be required from the Regional Water Quality Control Board (RWQCB).

Wetlands are defined as “those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that normally do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.” Section 404 Permits often require mitigation to offset losses of these habitat types. The Corps is required to consult with the USFWS, EPA, and RWQCB, when appropriate in carrying out its discretionary authority under Section 404.

Stream channels that do not meet the federal definition of a wetland may still be regulated by the Corps as “other waters of the U.S.” if they meet the definition provided above. In addition, they are generally regulated in California by Section 1600 of the California Fish and Wildlife Code.

#### *Clean Water Act, Section 401 and 402*

Section 401 of the CWA requires an applicant to obtain certification for any activity that may result in a discharge of a pollutant into waters of the U.S. As a result, proposed fill in waters and wetlands requires coordination with the appropriate RWQCB that administers Section 401 and provides certification. The RWQCB also plays a role in review of water quality and wetland issues, including avoidance and minimization of impacts. Section 401 certification is required prior to the issuance of a Section 404 permit. Permits requiring Section 401 certification include Corps Section 404 permits and National Pollutant Discharge Elimination System (NPDES) permits issued by the EPA under Section 402 of the CWA. NPDES permits are issued by the applicable RWQCB. The City of Menifee is within the jurisdiction of the Santa Ana RWQCB (Region 8) and the San Diego RWQCB (Region 9).<sup>2</sup>

#### *Executive Order 11990, Protection of Wetlands*

Executive Order 11990 establishes a national policy to avoid adverse impacts on wetlands whenever there is a practicable alternative. On projects with federal actions or approvals, impacts on wetlands must be identified in the environmental document. Alternatives that avoid wetlands must be considered. If wetland impacts cannot be avoided, then all practicable measures to minimize harm to those wetlands must be included. This must be documented in a specific Wetlands Only Practicable Alternative Finding in the final environmental document for the proposed project.

#### *California Wetlands Conservation Policy (1993)*

California Wetlands Conservation Policy is more restrictive than federal wetlands policy. The goal of California Wetlands Conservation Policy (Executive Order W-59-93, 1993) is to ensure no net loss of wetlands within the state. This policy, incorporated in an executive order by former governor Pete Wilson, also encourages a long-term net gain in the state’s quantify, quality, and permanence of wetlands acreage and values. Interpretation of this order indicates that any developer wishing to fill in wetlands for construction for new development must perform mitigation in the form of constructed wetlands elsewhere at ratios ranging from 2:1 to 10:1. In addition to the Corps, State regulatory agencies claiming jurisdiction over wetlands include the CDFW and the State Water Resources Control Board.

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<sup>2</sup> Regulation of discharges to municipal storm drain systems in the entire City of Menifee was placed in the jurisdiction of the Santa Ana RWQCB by Order No. R8-2013-0024, issued by the Santa Ana Region RWQCB in 2013.



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#### *California Fish and Wildlife Code, Section 1600*

Section 1600 of the California Fish and Wildlife Code requires that a project proponent notify CDFW of any proposed alteration of streambeds, rivers, and lakes. The intent is to protect habitats that are important to fish and wildlife. CDFW may review a project and place conditions on the project as part of a Streambed alteration agreement (SAA). The conditions are intended to address potentially significant adverse impacts within CDFW's jurisdictional limits.

#### *California Endangered Species Act*

The California Endangered Species Act (CESA) establishes a state policy to conserve, protect, restore, and enhance threatened or endangered species and their habitats. CESA mandates that state agencies should not approve projects that would jeopardize the continued existence of threatened or endangered species if reasonable and prudent alternatives are available that would avoid jeopardy. CESA definitions of endangered and threatened species parallel those defined in the FESA. CESA requires state lead agencies to consult with CDFW during the California Environmental Quality Act (CEQA) process to avoid jeopardy to threatened or endangered species. CESA prohibits any person from taking or attempting to take a species listed as endangered or threatened (Fish and Wildlife Code, Section 2080). Section 2080 of the Fish and Wildlife Code provides the permitting structure for CESA. The take of a state-listed endangered or threatened species or candidate species requires incidental take permits authorized by CDFW. Prior to being considered for protected status, the CDFW designates a species as a species of special concern. Species of special concern are those for which CDFW has information indicating that the species is declining.

As previously stated, the City of Menifee is a permittee to the MSHCP. The MSHCP was prepared to provide for the take and mitigation of species covered under the MSHCP pursuant to the California Natural Community Conservation Planning Act. The MSHCP allows for the issuance of take at the local level by MSHCP permittees, including the City of Menifee, thereby streamlining the take authorization process on a project-by-project basis.

#### *Porter-Cologne Water Quality Act*

The Porter-Cologne Water Quality Act (Water Code sections 13000 et seq.) is the basic water quality control law for California. The Porter-Cologne Water Quality Control Act charges the State Water Resources Control Board (SWRCB) and nine RWQCBs statewide with protecting water quality throughout California. Each of the nine regional boards is required to adopt a Water Quality Control Plan or Basin Plan that recognizes and reflects the regional differences in existing water quality, the beneficial uses of the region's ground and surface water, and local water quality conditions and problems. The City of Menifee is located in the Santa Ana River Basin, Region 8, in the Upper Santa Ana Watershed. The Water Quality Control Plan for the Region 8 was updated in 2008. This Basin Plan gives direction on the beneficial uses of the state waters within Region 8, describes the water quality that must be maintained to support such uses, and provides programs, projects, and other actions necessary to achieve the standards established in the Basin Plan. The part of the City in the Warm Springs Creek Watershed (part of the larger Santa Margarita River Watershed)—that is, the south end of the City—is in the jurisdiction of the San Diego RWQCB, Region 9. However, discharges to municipal storm drains throughout the City of Menifee are regulated by the Santa Ana RWQCB. The Basin Plan for the San Diego Region RWQCB was issued in 1994 and amended in 2011.

Waters of the State are defined in Section 13050(c) of the Porter-Cologne Water Quality Control Act as "... any surface water or groundwater, including saline waters, within the boundaries of the State." Projects that affect waters of the State are required by the RWQCB reduce impacts through mitigation. Mitigation ratios are determined on a project-specific basis during the permitting process and are based on the quality of the wetlands impacts by the project.

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#### *Native Plant Protection Act (California Fish and Wildlife Code Sections 1900–1913)*

California's Native Plant Protection Act (NPPA) requires all state agencies to establish criteria for determining if a species, subspecies, or variety of native plant is endangered or rare. Provisions of the NPPA prohibit the taking of listed plants from the wild and require notification of the CDFW at least 10 days in advance of any change in land use which would adversely impact listed plants. This requirement allows CDFW to salvage listed plant species that would otherwise be destroyed.

#### *Unlawful Take or Destruction of Nests or Eggs (Fish and Wildlife Code Sections 3503.5–3513)*

Section 3503.5 of the Fish and Wildlife Code of California specifically protects birds of prey. The code states:

It is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.

Section 3513 of the Fish and Wildlife Code of California duplicates the federal protection of migratory birds. The code states:

It is unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Treaty Act.

#### *Natural Community Conservation Planning Act (Fish and Wildlife Code Sections 2800–2835)*

The purpose of Natural Community Conservation Planning Act is to sustain and restore those species and their habitat identified by the California Department of Fish and Wildlife that are necessary to maintain the continued viability of biological communities impacted by human changes to the landscape. It is also the policy of the state to conserve, protect, restore, and enhance natural communities. The MSHCP satisfies the requirements of the California Natural Community Conservation Planning Act.

#### *California Environmental Quality Act: Treatment of Listed Plant and Animal Species*

The FESA and CESA protect only species formally listed as threatened or endangered (or rare in the case of the state list). However, Section 15380 of the CEQA Guidelines independently defines “endangered” species of plants or animals as those whose survival and reproduction in the wild are in immediate jeopardy and “rare” species as those who are in such low numbers that they could become endangered if their environment worsens.

### **Conservation Plans and Areas**

#### *Stephens' Kangaroo Rat Habitat Conservation Plan*

The proposed project is within the boundary of the adopted Habitat Conservation Plan (HCP) for endangered Stephens' kangaroo rat (SKR) implemented by the Riverside County Habitat Conservancy Agency (RCHCA). The SKR HCP mitigates impacts from development on the SKR by establishing a network of preserves and a system for managing and monitoring them. Through implementation of the SKR HCP, more than \$45 million has been dedicated to the establishment and management of a system of regional preserves designed to ensure the persistence of SKR in the plan area. This effort has resulted in the permanent conservation of approximately 50 percent of the SKR-occupied habitat remaining in the HCP area. Through direct funding



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and in-kind contributions, SKR habitat in the regional preserve system is managed to ensure its continuing ability to support the species. The City of Menifee is a member agency of the RCHCA; there are no regional SKR preserves in the City. The proposed project is within the SKR HCP area and will be required to comply with applicable provisions of this plan.

#### *Western Riverside Multiple Species Habitat Conservation Plan*

The MSHCP serves as a comprehensive, multi-jurisdictional HCP, pursuant to Section (a)(1)(B) of the Federal Endangered Species Act of 1973, as well as a Natural Communities Conservation Plan (NCCP) under the State NCCP Act of 2001. The MSHCP encompasses all incorporated Riverside County land west of the crest of the San Jacinto Mountains to the Orange County line, as well as the jurisdictional areas of the Cities of Temecula, Murrieta, Lake Elsinore, Canyon Lake, Norco, Corona, Riverside, Moreno Valley, Banning, Beaumont, Calimesa, Perris, Hemet, Wildomar, San Jacinto, Eastvale, Jurupa Valley, and Menifee. The overall biological goal of the MSHCP is to conserve covered species and their habitats as well as maintain biological diversity and ecological processes while allowing for future economic growth within a rapidly urbanizing region.

Federal and state wildlife agencies approved permits required to implement the MSHCP on June 22, 2004. The City of Menifee adopted the MSHCP on August 3, 2009. Implementation of the MSHCP will protect 146 rare, threatened, and endangered species of plants and animals and will conserve approximately 500,000 acres of habitat, including 347,000 acres of land already in public or quasi-public ownership, and about 153,000 acres of land that will be purchased or conserved through other means, such as land acquisition, conservation easements, or designated open space. The money for purchasing private land will come from numerous sources, such as development mitigation fees as well as state and federal funds.

The MSHCP includes a program for the collection of development mitigation fees, policies for the review of projects in areas where habitat must be conserved, and policies for the protection of riparian areas, vernal pools, riparian species, narrow endemic plants, and criteria area species. It also includes requirements to perform plant, bird, reptile, and mammal surveys in certain areas and implement urban/wildland interface guidelines as necessary.

The primary intent of the MSHCP is to provide for the conservation of a range of plants and animals and in return, provide take coverage and mitigation for projects throughout Western Riverside County to avoid the cost and delays of mitigating biological impacts on a project-by-project basis. It allows the incidental take (for development purposes) of species and their habitat from development.

The City is a permittee to the MSHCP. The City is in the MSHCP area. The MSHCP Plan Area is divided into several Area Plans; the City is in the Sun City/Menifee and Harvest Valley/Winchester Area Plans. Only a portion of the properties along the southern City boundary are within criteria cells, specifically Cells 5066 and 5168. Conservation within Criteria Cell 5066 focuses on contributing to Proposed Core 2, and Conservation within Criteria Cell 5168 focuses on contributing to Proposed Constrained Linkage 17. As part of the General Plan update, continued participation in the MSHCP is required, and any new proposed project is required to comply with applicable provisions of the MSHCP.

#### **5.4.2 Thresholds of Significance**

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

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- B-1 Have a substantial 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 Wildlife or U.S. Fish and Wildlife Service.
- B-2 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 Wildlife or U.S. Fish and Wildlife Service.
- B-3 Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
- B-4 Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.
- B-5 Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- B-6 Conflict with the provisions of an adopted habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

#### 5.4.3 Environmental Impacts

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

**IMPACT 5.4-1: DEVELOPMENT OF THE PROPOSED PROJECT COULD IMPACT THE SENSITIVE SPECIES. [THRESHOLD B-1]**

**Impact Analysis:** The following assumptions were used when analyzing impacts to species and their habitat.

- Any area with a proposed land use designation of Residential (except for Rural Mountainous); Commercial Retail; Commercial Office; Heavy Industrial; Business Park; Economic Development Corridor; and Specific Plan areas were considered impacted throughout the land use area, with a potential for the future complete loss of all biological resources not protected under existing regulations. Areas proposed for Rural Mountainous and RR5 (Rural Residential, 5-acre minimum) designations are expected to leave a portion of the area in a natural state due to steep slope development restrictions, as described in the General Plan.<sup>3</sup>
- Areas adjacent to any Residential, Commercial, Office, Industrial, Business Park, and Economic Development Corridor were assumed to experience potential development-

<sup>3</sup> The Rural Mountainous (RM) designation has a maximum permitted density of one residential unit per 10 acres; 464 acres are designated RM in the proposed General Plan. The proposed General Plan has four Rural Residential (RR) designations, with permitted densities ranging from one unit per five acres (RR5) to one unit per one-half acre (RR1/2). A 100-foot-wide fuel modification zone surrounding a residence with a footprint of 3,600 square feet (60 x 60 feet) is 1.55 acres in area. Thus, of the four Rural Residential designations, only the RR5 designation would potentially leave the majority of lots so designated in a natural state. 663 acres are designated RR5 in the proposed General Plan.



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associated impacts due to increased noise, lighting, traffic, and nonpermeable surface area, and in the case of potential residential development, the introduction of domestic animals.

General Plan buildout has the potential to result in direct and indirect impacts to existing biological resources. This discussion identifies potential impacts that could result from future development at a programmatic level. Specific potential direct and indirect impacts resulting from individual future development projects will be analyzed on a case-by-case basis as they are submitted to the City.

Impacts that may occur as a result of project implementation vary according to future proposed projects and include potential habitat loss and diminished habitat quality. Wherever future projects are implemented, the following impacts have the potential to occur:

- Direct loss of sensitive plants and/or communities from construction activities;
- Direct loss of disturbance of sensitive wildlife species from construction activities;
- Wildlife disturbance caused by the presence of humans, domestic animals, and vehicles adjacent to directly impacted areas;
- Artificial lighting that alters nocturnal wildlife activity;
- Alterations in the natural landscape with the placement of impermeable surfaces;
- Increased urban runoff, potentially containing herbicides, fungicides, pesticides, and fertilizer required to maintain turf and landscaping;
- Increased habitat fragmentation with a potential corresponding decrease in species diversity and abundance.

Proposed planning actions could result in the permanent loss of habitat and species by allowing future development to occur. In addition, proposed planning actions have the potential to produce indirect impacts that could adversely modify the composition and value of wildlife and habitat adjacent to development areas. These impacts from future projects would need to be analyzed on a case-by-case basis as such projects are submitted to the City.

Approximately 38 percent of the City's land is currently vacant, with approximately 34 developed with residential uses. Future proposed development projects would be reviewed to ensure that sensitive species outlined in Tables 5.4-1 and 5.4-2 are protected and impacts to their habitats are mitigated.

The City is a permittee of the MSHCP and must thereby comply with the reserve assembly provisions as well as the provisions in Sections 6.1.2, 6.1.3, 6.3.2, and 6.1.4 of the MSHCP for projects proposed within the City. The implementation of the MSHCP at the project-specific level would minimize direct and indirect species impacts of future projects proposed in accordance with the General Plan.

Additionally, payment of the mitigation fee and compliance with all applicable requirements of the MSHCP provide full mitigation under California Environmental Quality Act, National Environmental Policy Act, Federal Endangered Species Act, and California Endangered Species Act for impacts to MSHCP-covered species and habitats. The MSHCP also addresses indirect impacts through cores and linkages, criteria cells, and MSHCP fees. Impacts to MSHCP-covered species would be potentially significant without mitigation.

Impacts would be the same for the Expanded EDC Scenario.

**IMPACT 5.4-2: GENERAL PLAN BUILDOUT WOULD RESULT IN THE LOSS OF RIPARIAN HABITAT. [THRESHOLD B-2]**

**Impact Analysis:** General Plan buildout could have the following impacts to sensitive riparian habitats:

- Direct loss of sensitive plants and/or communities from construction activities;
- Alterations in the natural landscape with the placement of impermeable surfaces;
- Increased urban runoff, potentially containing herbicides, fungicides, pesticides, and fertilizers
- Increased habitat fragmentation with a potential corresponding decrease in species diversity and abundance.

It is expected that all of the drainages depicted on Figure 5.4-7 would be considered jurisdictional to state and federal agencies, requiring impacts to be mitigated through the regulatory permitting processes.

The drainages in the City are primarily ephemeral and unvegetated which would be considered riverine resources per the MSHCP. The east-west channel (Drainage 1 in Figure 5.4-7) supports riparian vegetation just upstream of its confluence with Canyon Lake. Riparian scrub and riparian woodland occur in isolated patches within the other drainages in the southern portion of the City. Future development projects that affect these riparian resources would be required to comply with the requirements of Section 6.1.2 of the MSHCP and prepare a DBESP that would outline the mitigation to reduce impacts. The mitigation measures are required to be biologically equivalent or superior to existing conditions. Project applicants must obtain the necessary permits from RWQCB, Corps, and CDFW. Riparian habitat impacts would be significant without mitigation.

One of the drainages mapped on Figure 5.4-7 passes through the additional area that would be designated EDC under the Expanded EDC Scenario; impacts would be the same under that scenario.

**IMPACT 5.4-3: THE PROPOSED PROJECT MAY IMPACT JURISDICTIONAL WATERS [THRESHOLD B-3]**

**Impact Analysis:** Potential development under the General Plan that may impact protected wetlands includes future private development, roads, or public facilities projects in and/or adjacent to sensitive habitats, including southern cottonwood/willow riparian, riparian scrub, open water/reservoir/pond, coast live oak woodland, and riversidean sage scrub (see Figure 5.4-2).

Most of the drainages in the City are considered waters of the State under RWQCB jurisdiction. Drainages in the City as well as riparian vegetation associated with drainages are considered CDFW jurisdictional streambeds. Both Canyon Lake and Lake Elsinore have been determined by the Corps and the EPA to be TNW and are under Corps jurisdiction. Any tributaries that have a significant link to Canyon Lake or Lake Elsinore would also fall under the jurisdiction of the Corps as waters of the U.S. Future development projects that would directly or indirectly impact these drainages and/or tributaries would be required to obtain permits from the applicable agencies.

The drainages within the City are primarily ephemeral and unvegetated. However, the east-west channel (Drainage 1 of Figure 5.4-7) supports riparian vegetation just upstream of its confluence with Canyon Lakes. It is expected that over time, if additional drainage occurs within these drainages, that more riparian



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vegetation would occur, requiring mitigation (through the regulatory permitting process and MSHCP) if impacts occur. Riparian scrub and riparian woodland occur in isolated patches within the drainages in the southern portion of the City and may also be included in required mitigation.

If development is in wetland areas, state and federal laws and regulations would be implemented to protect resources from development through the Corps Section 404 permitting process, the California Wetlands Conservation Policy, and compliance with applicable MSHCP policies. The California Wetlands Conservation Policy is intended to ensure no net loss of wetlands occurs within the State.

Additionally, wetlands are protected under Section 6.1.2 of the MSHCP, which outlines the requirements and protection of riparian areas and/or vernal pools. Future development projects would comply with conditions of any required permits from RWQCB, Corps, and CDFW, and provisions of the MSHCP. Jurisdictional water impacts would be significant without mitigation.

Impacts would be the same under the Expanded EDC Scenario.

**IMPACT 5.4-4: THE PROPOSED PROJECT WOULD NOT AFFECT WILDLIFE MOVEMENT. [THRESHOLD B-4]**

**Impact Analysis:** Any proposed project considered for approval according to the General Plan would be subject to the MSHCP. As shown on Figure 5.4-3, Proposed Core 2 and Proposed Constrained Linkage 17 traverse the southeastern portion of the City boundary. As projects are proposed in the City, an evaluation would be performed of how the project might contribute to or conflict with assembly of the MSHCP Conservation Area consistent with reserve configuration requirements.

Overall buildout of the General Plan would affect wildlife movement; however the majority of the City is not located within designated or known wildlife corridors or movement areas. A portion of Proposed Constrained Linkage 17, located in the southeastern portion of the City, is intended to provide a movement corridor for species. Per the MSHCP, projects proposed in the Criteria Area are subject to the Joint Power Review (JPR) process through the Regional Conservation Authority. For projects specifically within Criteria Area, the City would submit a JPR that would assess how the project affects Reserve Assembly and other plan requirements. Consistency with the MSHCP will ensure that areas needed to provide a linkage or core for wildlife movement are conserved and that the project is in compliance with the Reserve Assembly of the MSHCP. Migratory wildlife corridor impacts would not be significant.

Impacts would be the same under the Expanded EDC Scenario.

**IMPACT 5.4-5: GENERAL PLAN BUILDOUT MAY IMPACT BIRD SPECIES AND STEPHENS' KANGAROO RAT; IT WOULD NOT CONFLICT WITH PLANS AND POLICIES. [THRESHOLDS B-5 AND B-6]**

**Impact Analysis:** Development projects may require removal of mature trees which may impact nesting birds. The MBTA governs the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests. It prohibits the take, possession, import, export, transport, sale, purchase, barter, or offering of these activities, except under a valid permit or as permitted in the implementing regulations. USFWS administers permits to take migratory birds in accordance with MBTA regulations.

### Multiple Species Habitat Conservation Plan

The MSHCP is a habitat conservation plan (HCP) and Natural Communities Conservation Plan (NCCP) of which Menifee is a permittee. Therefore, implementation of the proposed General Plan would be subject to the MSHCP. The City boundaries lie within the MSHCP Area and the southeastern portion of the City is located in a criteria area, specifically within Cells 5066 and 5168 which contribute to the Reserve Assembly for Proposed Core 2 and Proposed Constrained Linkage 17, respectively (Figure 5.4-7). The proposed General Plan land use designation within Criteria Cells 5066 and 5168 is RR2 – Rural Residential 2-acre minimum, which permits single-family detached residences on large parcels of two to five acres. Limited agriculture, intensive equestrian, and animal keeping uses are expected and encouraged.

Per the MSHCP, projects proposed in the criteria area are subject to the JPR process through the Regional Conservation Authority. Since this EIR is a programmatic level review, there are no specific projects proposed at this time that would require biological surveys needed for a JPR. Instead, the City would ensure that future discretionary projects within the MSHCP area conduct their own MSHCP consistency analyses. For projects specifically within the criteria area, the City would submit a JPR that would assess how the project affects reserve assembly, and other plan requirements of the MSHCP including Section 6.1.2, Protection of Species Associated with Riparian/Riverine Areas and Vernal Pool; Section 6.1.3, Protection of Narrow Endemic Plant Species; Section 6.3.2, Additional Survey Needs and Procedures; and Section 6.1.4, Guidelines Pertaining to the Urban/Wildlands Interface.

### Stephens' Kangaroo Rat Habitat Conservation Plan

The City is also subject to the SKR HCP. Implementation of the proposed General Plan within the City boundaries would be subject to impact fees under the SKR HCP, which are collected from new development within the SKR HCP boundary and applied to a fund that helps to secure and maintain conserved areas (land purchased or otherwise secured for this purpose). Payment of fees per the SKR HCP mitigates for development impacts to the SKR for projects within the SKR HCP boundaries. Impacts would be less than significant.

Impacts regarding each HCP would be the same under the Expanded EDC Scenario.

#### 5.4.4 Existing Regulations and Standard Conditions

##### Federal

- United States Code, Title 16, Sections 1531 et seq.: Endangered Species Act
- United States Code, Title 16, Sections 703-712: Migratory Bird Treaty Act
- United States Code, Title 33, Sections 1251 et seq.: Clean Water Act

##### State

- California Fish and Wildlife Code, Section 2080: Endangered Species Act
- California Fish and Wildlife Code, Section 1600: Lakes and Streambeds
- California Public Resources Code Sections 30000 et seq.: California Coastal Act
- Executive Order W-59-93, California Wetlands Conservation Policy

##### Regional

- Western Riverside County Multiple Species Habitat Conservation Plan



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- Stephens' Kangaroo Rat Habitat Conservation Plan

#### Relevant General Plan Policies

Relevant Menifee General Plan policies are in the Open Space and Conservation Element and are listed in Appendix C of this EIR.

#### 5.4.5 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval Impact 5.4-4 would be less than significant.

Without mitigation, the following impacts would be **potentially significant**:

- Impact 5.4-1 Potential impacts to candidate, sensitive, or special status species in the MSHCP, CNDDDB database, or by CDFW, or USFWS from future development projects.
- Impact 5.4-2 Potential impacts to riparian habitat from future development projects.
- Impact 5.4-3 Potential impacts to jurisdictional waters as defined by Corps, CDFW, and RWQCB from future development projects.
- Impact 5.4-5 Conflict with the MSHCP or SKR HCP from future development projects.

These significance conclusions would be the same under the Expanded EDC Scenario.

#### 5.4.6 Mitigation Measures

##### Impact 5.4-1

4-1 Prior to project approvals, project applicants shall have a habitat assessment prepared by a qualified biologist for projects on undeveloped sites. The habitat assessment report shall be submitted to the City of Menifee Community Development Department prior to project approvals.

- If the findings of the habitat assessment show no sensitive species or suitable habitat occur on site, then no additional surveys or mitigation measures are required.
- If the potential for sensitive species exist or suitable habitat exists on site, focused surveys or mitigation, if identified in the habitat assessment, shall be completed. Focused surveys conducted in the appropriate season for each species, as identified in the habitat assessment report, shall be conducted to determine presence/absence status.
- If no sensitive species are identified through focused surveys, then no additional surveys or mitigation measures are required.
- If suitable habitat for federal- or state-listed species, or if federal- or state-listed species are identified on the site, then the biologist conducting the habitat assessments shall

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recommend measures to avoid impacts to the affected species or provide compensatory mitigation for such impacts.

- If suitable habitat for federal- or state-listed species, or if federal- or state-listed species are identified on the site, then the project applicant must consult with the US Fish and Wildlife Service and/or the California Department of Fish and Wildlife regarding avoidance and/or mitigation of impacts to those species.

#### Impact 5.4-2

4-2 Prior to project approvals, project applicants shall have the project site assessed for potential jurisdictional waters, wetlands, and/or riparian habitat by a professional biologist qualified to conduct jurisdictional delineations.

- If potential jurisdictional area is identified on the project site, the applicant shall have a full jurisdictional delineation completed by a qualified professional. The findings of the delineation shall be presented in a report. The qualified professional shall recommend mitigation measures in the report for avoiding, or compensating for, impacts to waters, wetlands, and riparian habitats. Jurisdictional delineation reports shall be presented to the US Army Corps of Engineers, Santa Ana Regional Water Quality Control Board or San Diego Regional Water Quality Control Board, and/or California Department of Fish and Wildlife for concurrence. Mitigation measures for impacts to jurisdictional waters, wetlands, and riparian habitat shall be determined by those agencies.

#### Impact 5.4-3

Implementation of Mitigation Measure 4-2.

#### Impact 5.4-5

4-3 Prior to the issuance of grading permits for private development projects or prior to construction for public agency contracts, during the nesting season, February 1 to August 31, a preconstruction/pregrading field survey shall be conducted by a qualified biologist to determine if active nests of species protected by the Migratory Bird Treaty Act (MBTA) or the California Fish and Wildlife Code are present in the construction zone.

- If active nests are not located within the project area an appropriate buffer shall be established (i.e., 500 foot radius of an active listed species or raptor nest, 300 foot for other sensitive or protected bird nests (nonlisted), or 100 foot for sensitive or protected songbird nests). Construction may be conducted during the nesting/breeding season outside the buffer.
- If active nests are located during the preactivity field survey, no grading or heavy equipment activity shall take place within at least 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected species under MBTA or California Fish and Wildlife Code, bird nests (nonlisted), or within 100 feet of sensitive or protected songbird nests until the nest is no longer active.

4-4 Within 30 days prior to commencement of grading and construction activities, projects within the mapped Burrowing Owl survey area shall have a preconstruction survey for resident Burrowing



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Owls conducted by a qualified biologist. These surveys shall be required, in addition to the habitat assessment and focused surveys that would be required under Section 6.3.2 of the MSHCP. If ground-disturbing activities in these areas are delayed or suspended for more than 30 days after the preconstruction survey, the area shall be resurveyed for owls. Take of active nests shall be avoided. The preconstruction survey and any relocation activity shall be conducted in accordance with MSHCP instructions and/or guidelines and coordinated with the Regional Conservation Authority following accepted protocols.

- 4-5 The City shall continue to participate in the Stephens' Kangaroo Rat Habitat Conservation Plan including collection of mitigation fees for future projects.

#### **5.4.7 Level of Significance After Mitigation**

Compliance with Mitigation Measures 4-1 through 4-5 would reduce biological resource impacts to less than significant.

Impacts after mitigation would be the same under the Expanded EDC Scenario.