MSHCP CONSISTENCY ANALYSIS AND HABITAT ASSESSMENT

ROCKPORT RANCH PROJECT CITY OF MENIFEE RIVERSIDE COUNTY, CALIFORNIA



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1.0 INTRODUCTION

LSA has conducted a Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) consistency analysis for the approximately 79-acre Rockport Ranch Project site located in the City of Menifee, Riverside County California. Specifically, this report includes a habitat assessment and focused survey for burrowing owl (*Athene cunicularia hypugea*), habitat assessment for MSHCP plants including Narrow Endemic Plant Species Survey Area (NEPSSA), and analysis of other constraints, specifically with regard to nesting birds.

2.0 PROJECT LOCATION AND DESCRIPTION

The project site is associated with Assessor's Parcel Numbers (APN) 364-190-004 and -005 and is located at 29875 Newport Road and 30455 Briggs Road in the City of Menifee, Riverside County, California. Specifically, the site is located at the southwest corner of Old Newport Road and Briggs Road, as depicted on the U.S. Geological Survey (USGS) 7.5-minute *Romoland, California* quadrangle in projected Section 1, Township 6 South, Range 3 West (Figure 1).

The project proposes to construct 318 single-family residential units. Figure 2 depicts the proposed project site plan.

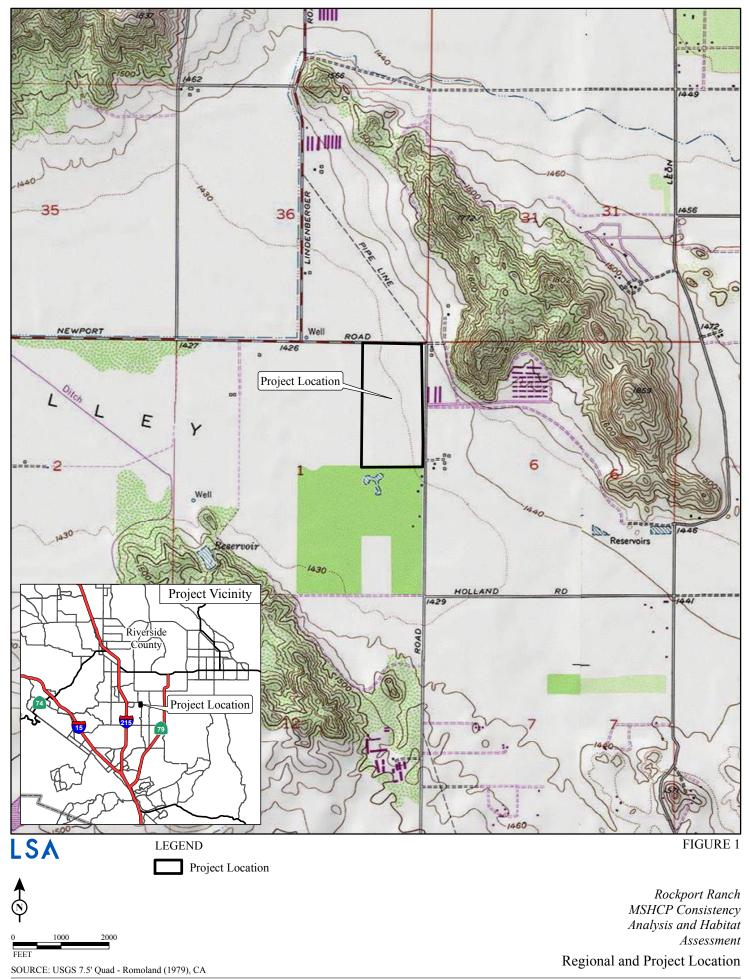
3.0 BACKGROUND

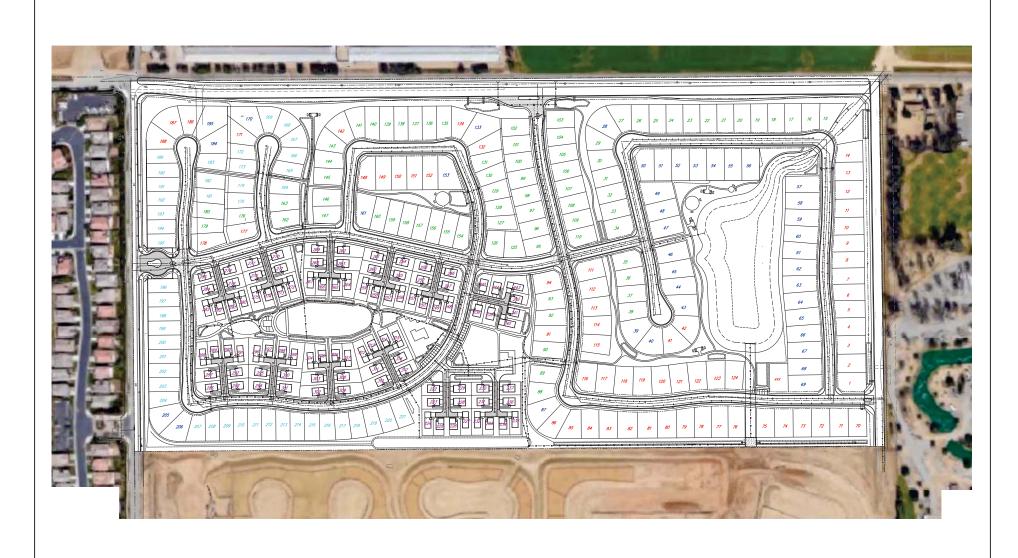
3.1 Western Riverside County Multiple Species Habitat Conservation Plan

The MSHCP provides for the assembly of a Conservation Area consisting of Core Areas and Linkages for the conservation of Covered Species (Riverside County 2003). Covered Species are 146 species of plants and animals of various federal and state listing statuses. The Conservation Area is to be assembled from portions of the MSHCP Criteria Area, which consists of quarter-section (i.e., 160-acre) Criteria Cells, each with specific criteria for species conservation within that cell. The MSHCP provides an incentive-based program, the Habitat Evaluation and Acquisition Negotiation Strategy (HANS) for adding land to the MSHCP Conservation Area. If it is determined that all or a portion of the property is needed for inclusion in the MSHCP Conservation Area, then various incentives may be available to the property owner in exchange for the conveyance of a property interest.

The MSHCP requires focused surveys for certain plant and animal species for project sites located within designated plant and animal survey areas when potential suitable habitat is present. For instance, surveys for Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*) may be required in areas having Delhi soils. The MSHCP also requires that an assessment be completed to determine the effects of the project on riparian/riverine areas and vernal pools, and associated protected species in accordance with MSHCP Section 6.1.2, Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools.

Projects located in proximity to an MSHCP Conservation Area may result in edge effects that could adversely affect biological resources within the MSHCP Conservation area. These edge effects must be addressed according to the Urban/Wildlands Interface Guidelines (MSHCP Section 6.1.4).





LSA FIGURE 2





SOURCE: Excell Engineering

Rockport Ranch MSHCP Consistency Analysis and Habitat Assessment Site Plan

3.2 Jurisdictional Waters and Streambeds

The U.S. Army Corps of Engineers (USACE), under Section 404 of the Federal Clean Water Act (CWA), regulates discharges of dredged or fill material into "waters of the United States." These waters include wetlands and non-wetland bodies of water that meet specific criteria, including a connection to interstate or foreign commerce. This connection may be direct (through a tributary system linking a stream channel with traditional navigable waters used in interstate or foreign commerce) or it may be indirect (through a connection identified in USACE regulations). The USACE typically regulates as non-wetland waters of the U.S. any body of water displaying an "ordinary high water mark" or OHWM. In order to be considered a jurisdictional wetland under Section 404, an area must possess hydrophytic vegetation, hydric soils, and wetland hydrology.

The California Department of Fish and Wildlife (CDFW), under Sections 1600 et seq. of the California Fish and Game Code, regulates alterations to lakes, rivers, and streams. A stream is defined by the presence of a channel bed and banks, and at least an occasional flow of water. The CDFW also regulates habitat associated with the streambed, such as wetland, riparian shrub, and woodlands.

The Regional Water Quality Control Board (RWQCB) is responsible for the administration of Section 401 of the CWA, through water quality certification of any activity that may result in a discharge to jurisdictional waters of the U.S. The RWQCB may also regulate discharges to "waters of the State," including wetlands, under the California Porter-Cologne Water Quality Control Act.

3.3 Migratory/Nesting Birds

Burrowing owl and other nesting bird species are protected by California Fish and Game Code Sections 3503 and 3503.5 and by the Migratory Bird Treaty Act (MBTA) of 1918 (16 USC 703-711), which make it unlawful to take, possess, or needlessly destroy the nest or eggs of any migratory bird or bird of prey.

4.0 METHODS

4.1 Literature Review

A literature review was conducted to determine the existence or potential occurrence of special-status plant and animal species on the project site and in the project vicinity. Database records for the *Romoland, California* USGS 7.5-minute series quadrangle and surrounding quadrangles were searched on January 25, 2016, using the CDFW California Natural Diversity Data Base *Rarefind 5* online application (https://map.dfg.ca.gov/rarefind/) and the California Native Plant Society's *Inventory of Rare and Endangered Plants* (http://www.cnps.org/inventory). The Riverside County Integrated Project (RCIP) Conservation Summary Report (http://onlineservices.rctlma.org/content/rcip_report_generator.aspx) was queried to determine habitat assessment and potential survey requirements for the site, as well as Volume 1, Parts 1 and 2 of the MSHCP (Riverside County Transportation and Land Management Agency 2003). Soil information was taken from electronic data provided by Soil Data Mart (Natural Resource Conservation Service 2003). Current and historical aerial photographs were also reviewed (Google Earth 2016).

4.2 Field Surveys

A general reconnaissance-level field survey was conducted on January 26, 2016, by LSA Senior Biologists Claudia Bauer and Denise Woodard between the hours of 0745 and 1010. The weather during the survey was cool with clear skies and no wind. The temperature ranged from 49 to 64 degrees Fahrenheit. During the survey, the biologist assessed habitat for the burrowing owl, NEPSSA plants, and other special status species identified in the literature review. The survey area included the proposed project footprint as shown in previously referenced Figure 2.

The entire survey area was surveyed on foot. Notes were taken on general site conditions, vegetation, and suitability of habitat for various special-interest elements. All plant and animal species observed or otherwise detected during this field survey were noted and are listed in Appendix A.

MSHCP Plants Habitat Assessment. A habitat assessment for NEPSSA Criteria Area 4 plants was conducted during the January 26, 2016, field survey. Habitat requirements for these species were reviewed prior to the site visit. During the survey, the site was analyzed for the presence of suitable habitats and/or soils to support these species.

Burrowing Owl Habitat Assessment and Focused Survey. A habitat suitability assessment (HSA) and burrow survey was conducted for burrowing owl during the January 26, 2016, field survey. The HSA was conducted by walking throughout the project area. Transects were spaced at approximately 30 feet, which allowed for 100 percent visual coverage of potential habitat. Burrows encountered during the survey were examined for owl sign (e.g., feathers, pellets, whitewash, and prey remnants). Potential habitat within 500 feet of the site was surveyed using binoculars. Areas of suitable habitat were mapped onto an aerial photograph. Potential burrows, such as fossorial mammal burrows as well as manmade structures including earthen berms, cement culverts, cement, asphalt, rock, or wood debris piles; or openings beneath cement or asphalt pavement are generally mapped onto an aerial photograph for use during the focused survey. During the HSA, a single burrowing owl and burrow with sign (in the form of whitewash and pellets) was observed along the northwest edge of the site, on the bank of a detention basin.

Ms. Woodard conducted a focused burrowing owl survey within areas of the proposed project site determined to provide potentially suitable habitat for the burrowing owl. The focused survey was conducted according to the MSHCP *Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area* (Riverside County Environmental Programs Department, March 2006). Table A provides survey dates, times, and weather conditions for each site visit.

Table A: Burrowing Owl Focused Survey Dates, Time, and Weather Conditions

Survey	Date	Time (24–Hour) (start/finish)	Temperature (°F) (start/finish)	Wind (mph)	Cloud Cover
Habitat Assessment & Burrow Survey	1/26/2016	0745/1010	49/64	0	0%
Burrowing Owl Survey 1	3/17/2016	0700/0800	50/50	1–3	0%
Burrowing Owl Survey 2	3/20/2016	0745/0900	50/55	1–3	0%

Table A: Burrowing Owl Focused Survey Dates, Time, and Weather Conditions

Survey	Date	Time (24–Hour) (start/finish)	Temperature (°F) (start/finish)	Wind (mph)	Cloud Cover
Burrowing Owl Survey 3	3/22/2016	0740/0850	54/57	0	10%
Burrowing Owl Survey 4	4/3/2016	0715/0820	55/59	0	0%

Migratory Birds. The project site and areas in the immediate vicinity of the project contains trees, shrubs, and grasslands that provide suitable nesting habitat for a number of migratory bird species known to nest in the project area. Further recommendations regarding nesting birds and the project site are provided in Section 6.1 of this report.

5.0 EXISTING SETTING

5.1 Existing and Adjacent Land Use

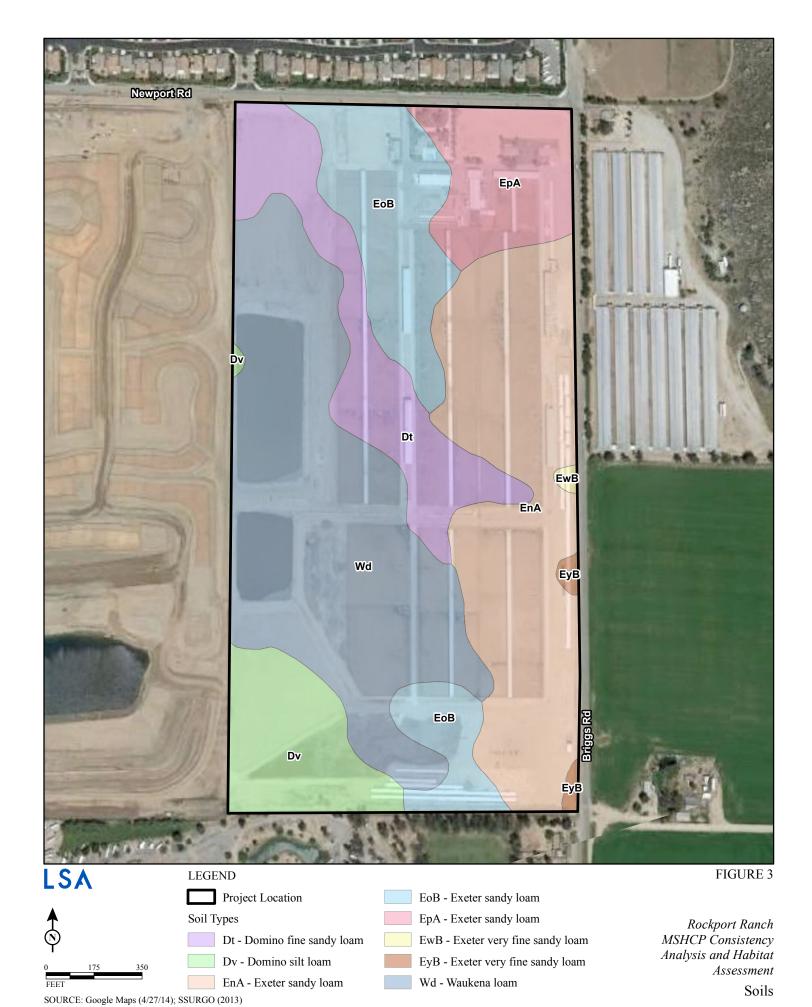
The project site is situated at the southwest corner of Briggs Road and Old Newport Road in the City of Menifee. Historically, a commercial dairy was located on the site. Operation of the dairy ceased in 2014 and the buildings and infrastructure associated with the dairy have since started to be removed. Four homes associated with the dairy are situated at the northern end of the site, along Old Newport Road. The site is bordered on the north by single-family homes, on the south by a recreational vehicle campground/park, on the west by an undeveloped parcel graded for single-family homes, and on the east by a poultry farm and agricultural fields.

5.2 Topography and Soils

The topography of the project site is flat and the elevation is approximately 1,440 feet above mean sea level.

The soils within the project site, as shown in Figure 3, include the following:

- Domino fine sandy loam, saline-alkali (Dt);
- Domino silt loam, saline-alkali (Dv);
- Exeter sandy loam, 0 to 2 percent slopes (EnA);
- Exeter sandy loam, slightly saline-alkali, 0 to 5 percent slopes (EoB);
- Exeter sandy loam, deep, 0 to 2 percent slopes (EpA);
- Exeter very fine sandy loam, 0 to 5 percent slopes (EwB);
- Exeter very fine sandy loam, deep, 0 to 5 percent slopes (EyB); and
- Waukena loam, saline-alkali (Wd).



5.3 Vegetation

The study area is highly disturbed due to past land use practices related to a commercial dairy. As a result of the disturbance caused by the historic land use practices and the current activity to remove the dairy infrastructure from the site, the vegetation on the project site is sparse and ruderal in nature. The dominant vegetation present on site consists almost solely of patches of newly emergent cheeseweed (*Malva parviflora*) and Malabar sprangletop (*Leptochloa fusca*). Ornamental trees and landscaping are found at the northeastern corner of the site related to the residential homes. A complete list of plant species observed on the site is included as Appendix A.

Figure 4 shows vegetation and land use. Site photographs are provided in Figure 5.

5.4 Wildlife

Wildlife common to suburban areas was observed using the site. Some species observed include burrowing owl (*Athene cunicularia*), red-tailed hawk (*Buteo jamaicensis*), common raven (*Corvus corax*), and gull (*Larus* sp.). A complete list of wildlife species observed on the site is included as Appendix A.

6.0 RESULTS AND RECOMMENDATIONS

6.1 MSHCP Consistency Analysis

The proposed project is located within the Sun City/Menifee Area Plan of the MSHCP, but is not located within a Criteria Area or adjacent to a Criteria Area or Conservation Area. Thus, the proposed project is not subject to the Urban/Wildlands Interface Guidelines. No riparian/riverine/vernal pool resources are present. As Figure 6 shows, the project site is within the MSHCP survey areas for NEPSSA plants and the burrowing owl. The results of the MSHCP plants habitat assessment and burrowing owl habitat assessment are discussed in detail below.

MSHCP Plant Species Survey Area. Suitable soils and/or habitat conditions for NEPSSA Area 4 target species do not occur on site; therefore, focused surveys are not required. In addition, none of these species was observed during the January 2016 field survey. Appendix B details habitat suitability for each of these species within the study area.

Burrowing Owl Habitat Assessment and Focused Survey. The project site falls within the MSHCP burrowing owl survey area. Burrowing owls are found in open, dry grasslands, agricultural and range lands, and desert habitats often associated with burrowing animals. They can also inhabit grass, forb, and shrub stages of pinyon, and ponderosa pine habitats. They nest in abandoned burrows of ground squirrels or other animals, in pipes, under piles of rock or debris, and in other similar features.

An HSA and focused survey for the burrowing owl was conducted in January, March, and April 2016 (see previously referenced Table A). As previously noted, a burrowing owl was observed on site during the HSA. The ground squirrel burrow complex located on the western bank of the detention basin would be considered suitable habitat for the burrowing owl. However, during the March and April 2016 burrow owl surveys, no burrowing owls, active burrows, or new sign were





SOURCE: Google Maps (4/27/14)

Vegetation, Land Use and Photograph Locations



Photo 1: View facing west at the north end of the site, from the east boundary of the site.



Photo 2: View facing south, along Briggs Road.



Photo 3: View facing west across the middle of the site.



Photo 4: View facing north from the southeast corner of the site. A Roadside ditch along the east boundary of the site is visible. Briggs Road is seen on the right.



FIGURE 5a

Rockport Ranch MSHCP Consistency Analysis and Habitat Assessment

Site Photographs



Photo 5: View facing northeast, across a detention basin at the south end of the site. The roadside ditch drains into this basin.



Photo 6: View facing east at the detention basin at the south end of the site.



Photo 7: View facing north from the southwest corner of the site.



Photo 8: View facing southwest across the site.

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FIGURE 5b

Rockport Ranch MSHCP Consistency Analysis and Habitat Assessment Site Photographs



Photo 9: View facing north across a fallow field.



Photo 10: View facing south across a partially dry settling pond.



Photo 11: View of potential burrowing owl burrow with burrowing owl sign at entrance.



Photo 12: View facing north across a settling pond.

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FIGURE 5c

Rockport Ranch MSHCP Consistency Analysis and Habitat Assessment Site Photographs



observed. Some whitewash remained on the previously active burrow location, but by the final survey, the burrow was being utilized by a California ground squirrel and the whitewash was no longer visible. No other burrowing owls or features potentially occupied by burrowing owls were detected during the survey.

Although the burrowing owl was not present on site during the burrowing owl portion of the survey, suitable habitat is present and could eventually be reoccupied. Accordingly, a pre-construction survey will be required to be conducted within 30 days prior to start of grading/construction activities. This will be necessary to reevaluate the locations of potential burrowing owl burrows located within the project limits so take of owls or active owl nests can be avoided.

6.2 Jurisdictional Waters and Streambeds

No potential jurisdictional waters were identified on the proposed project site. Thus, the project is not subject to the regulatory authority of the USACE under Section 404 of the CWA, the RWQCB under Section 401 of the CWA, or the CDFW under Sections 1600 et seq. of the California Fish and Game Code.

6.3 Migratory/Nesting Birds

The ornamental trees and shrubs at the north end of the project site and the mature eucalyptus windrow adjacent to the southern boundary of the project site provide potential roosting, foraging, and nesting habitat for migratory birds and raptors, such as hawks and owls. To avoid any potential effects to nesting birds and raptors protected by the MBTA and the California Fish and Game Code, vegetation-clearing and preliminary ground-disturbance work should be completed outside of bird breeding season (typically February 1 through August 31). In the event that initial groundwork cannot be conducted outside the bird breeding season, pre-construction surveys would be required within 30 days prior to construction. Should nesting birds be found, an exclusionary buffer will be established by the biologist. The buffer may be up to 500 feet in diameter, depending on the species of nesting bird found. This buffer will be clearly marked in the field by construction personnel under guidance of the biologist, and construction or clearing will not be conducted within this zone until the biologist determines that the young have fledged or the nest is no longer active.

7.0 CONCLUSIONS

The project area is sparsely vegetated by ruderal vegetation. Impacts to this plant community are not considered significant. The following measures will be required for compliance with the MSHCP:

- The project is not anticipated to have any effects to MSHCP NEPSSA Area 4 plants due to lack of suitable habitat. Thus, no further study for MSHCP NEPSSA plants is required.
- To avoid potential effects to the burrowing owl, the avoidance and minimization measures identified in Section 6.1 would need to be implemented.
- To avoid potential effects to nesting migratory birds and raptors protected by the MBTA and the California Fish and Game Code, vegetation-clearing and preliminary ground-disturbance work should be completed outside of bird breeding season (typically February 1 through August 31). In

the event that initial groundwork cannot be conducted outside the bird breeding season, focused nest surveys would be required. Should nesting birds be found, an exclusionary buffer will be established by the project biologist.

8.0 REFERENCES

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APPENDIX A LIST OF PLANT AND WILDLIFE SPECIES OBSERVED

Appendix A: List of Plant and Wildlife Species Observed

Scientific Name	Common Name		
MAGNOLIOPHYTA: MAGNOLIOPSIDA	DICOT FLOWERING PLANTS		
Arecaceae	Palm family		
Washingtonia robusta (non-native species)	Fan palm		
Asteraceae	Sunflower family		
Lactuca serriola (non-native species)	Prickly lettuce		
Brassicaceae	Mustard family		
Sisymbrium irio (non-native species)	London rocket		
Chenopodiaceae	Saltbush family		
Chenopodium murale (non-native species)	Nettleleaf goosefoot		
Salsola tragus (non-native species)	Russian thistle		
Geraniaceae	Geranium family		
Erodium cicutarium (non-native species)	Redstem stork's bill		
Malvaceae	Mallow family		
Malva parviflora (non-native species)	Cheeseweed mallow		
Solanaceae	Potato family		
Nicotiana glauca (non-native species)	Tree tobacco		
Urticaceae	Nettle family		
Urtica urens (non-native species)	Annual stinging nettle		
MAGNOLIOPHYTA: LILIOPSIDA	MONOCOT FLOWERING PLANTS		
Poaceae	Grass family		
Distichlis spicata	Saltgrass		
Leptochloa fusca	Mexican sprangletop		
AVES	BIRDS		
Anatidae	Swans, Geese, and Ducks		
Branta canadensis	Canada goose		
Anas platyrhynchos	Mallard		
Columbidae	Pigeons and Doves		
Zenaida macroura	Mourning dove		
Streptopelia decaocto (non-native species)	Eurasian collared dove		
Corvidae	Crows and Ravens		
Corvus corax	Common raven		
Hirundinidae	Swallows		
Hirundo rustica	Barn swallow		
Icteridae	Blackbirds, Orioles and Allies		
Agelaius phoeniceus	Red-winged blackbird		
Euphagus cyanocephalus	Brewer's blackbird		
Laridae	Gulls, Terns, and Skimmers		
Larus sp.	Gull		
Parulidae	Wood Warblers		
Dendroica coronata	Yellow-rumped warbler		

Appendix A: List of Plant and Wildlife Species Observed

Scientific Name	Common Name
Scolopacidae	Sandpipers and Phalaropes
Calidris minutilla	Least sandpiper
Strigidae	Typical Owls
Athene cunicularia hypugaea	Burrowing owl
Sturnidae	Starlings
Sturnus vulgaris (non-native species)	European starling
Tyrannidae	Tyrant Flycatchers
Sayornis saya	Say's phoebe
MAMMALIA	MAMMALS
Sciuridae	Squirrels
Spermophilus beecheyi (burrows)	California ground squirrel
Geomyidae	Pocket Gophers
Thomomys bottae	Botta's pocket gopher
Felidae	Cats
Lynx rufus	Bobcat

APPENDIX B MSHCP NARROW ENDEMIC PLANT SURVEY SPECIES

Appendix B: MSHCP Narrow Endemic Plant Survey Species

Species	MSHCP Habitat	Blooming Period	Habitat Suitability
Munz's onion Allium munzii	Seasonally moist sites on clay soils (generally) or within rocky outcrops (pyroxenite) on rocky-sandy loams (such as Cajalco, Las Posas, and Vallecitos) with clay subsoils, in openings within coastal sage scrub, pinyon juniper woodland, and grassland, at 300 to 1,070 meters (1,000 to 3,500 feet) elevation. Known only from western Riverside County in the greater Perris Basin (Temescal Canyon-Gavilan Hills/Plateau and Murrieta Hot Springs areas) and within the Elsinore Peak (Santa Ana Mountains) and Domenigoni Hills regions.	Perennial bulb April- May	None. Suitable soils (clay and rocky-sandy loams with clay subsoils) and vegetation are not present.
San Diego ambrosia Ambrosia pumila	Open floodplain terraces on Garretson gravelly fine sandy loams, or in the watershed margins of vernal pools or alkali playas on Las Posas loam in close proximity to Willow silty alkaline soils. Occurs in sparse annual vegetation.	Perennial Generally non- flowering	None. Garretson, Las Posas and Willow soils are not present. In addition, annual vegetation is highly ruderal due to high level of disturbance.
Many- stemmed dudleya	Clay soils in open areas of barrens, rocky places, ridgelines, chaparral, coastal sage scrub, and southern needlegrass grasslands. Visible population size varies considerably year-to-year depending on rainfall patterns.	Perennial May–June	None. Clay soils and suitable vegetation are not present.
Dudleya multicaulis	The MSHCP account for this species states that "Many- stemmed dudleya is associated with openings in chaparral, coastal sage scrub, and grasslands underlain by clay and cobbly clay soils of the following series: Altamont, Auld, Bosanko, Claypit, and Porterville."		
Spreading navarretia Navarretia fossalis	Saline alkaline soils of vernal pools and depressions and ditches in areas that once supported vernal pools. The MSHCP account for this species states that it "is primarily restricted to the alkali floodplains of the San Jacinto River, Mystic Lake and Salt Creek in association with Willows, Domino and Traver soils" and that "in western Riverside County, spreading navarretia has been found in relatively undisturbed and moderately disturbed vernal pools, within a larger vernal floodplains dominated by annual alkali grassland or alkali playa."	Annual May–June	None. Although alkaline soils are present, vernal pools and depressions and ditches that once supported vernal pools are absent.
California Orcutt grass Orcuttia californica	Alkaline soils and southern basaltic claypan in vernal pools. The MSHCP account for this species states that, in Riverside County, it "is found in southern basaltic claypan vernal pools at the Santa Rosa Plateau, and alkaline vernal pools as at Skunk Hollow and at Salt Creek west of Hemet."	Annual April–June	None. Although alkaline soils are present, vernal pools are absent.
Wright's trichocoronis Trichocoronis wrightii var. wrightii	Alkali soils in alkali playa, alkali annual grassland, and alkali vernal pools. The MSHCP account for this species states that "Wright's trichocoronis is restricted to highly alkaline, silty-clay soils in association with Traver, Domino, and Willows soils."	Annual May– September	None. Although alkaline soils are present, alkali playa, alkali annual grasslands and vernal pools area absent.

MSHCP = Multiple Species Habitat Conservation Plan