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May 18, 2018

Project No: 17-05347

Margaret R. Carroll Kleinfelder 707Wilshire Boulevard, Suite 1450 Los Angeles, CA 90017

Via e-mail: MCarroll@kleinfelder.com

Subject: Biological Resources Assessment for APNs: 3106-261-26 (Parcel 3), 3106-261-27 (Parcel

4), 3106-261-28 (Parcel 5), and 3106-261-29 (Parcel 6) in the City of Victorville, San

Bernardino County, California.

Dear Ms. Carroll:

Rincon Consultants, Inc. (Rincon) is pleased to present this Biological Resources Assessment (BRA) for the 4.98 acre property located southeast of the intersection of Roy Rogers Drive and Civic Drive in the city of Victorville, San Bernardino County, California. The assessment was completed to document existing site conditions via desktop analysis and reconnaissance site visit to determine potential impacts to special-status biological resources based upon current project plans.

# Project Location and Description

The project site is located southeast of the intersection of Roy Rogers Drive and Civic Drive in the city of Victorville, San Bernardino County, California (Figures 1 and 2). The site is bordered by Interstate 15 to the east, commercial developments and Roy Rogers Drive to the north, Civic Center Drive to the west, and existing commercial developments to the south. The parcel lies within the United States Geological Survey (USGS), Victorville, California quadrangle.

Land uses surrounding the project site consist of paved roadways, major highways and commercial development. The project site consists of a vacant lot, dominated by ruderal vegetation and non-native grasses. According to aerial imagery, the lot was cleared of vegetation and graded between 2006 and 2009. The parcel is surrounded by existing roadways and commercial development. Additional commercial development is located approximately 2,000 to 3,000 feet south of the parcel.

The proposed project will consist of a 4,909 square foot sales building, 1,197 square foot presentation area, 4,309 square foot service building, and a 936 square foot car wash and associated parking lots and landscaping.



# Methodology

## **Regulatory Overview**

Regulated or sensitive resources studied and analyzed herein include special-status plant and wildlife species, nesting birds, sensitive plant communities, jurisdictional waters and wetlands, wildlife movement, and locally protected resources, as applicable.

### **Environmental Statutes**

For the purpose of this report, potential impacts to biological resources were analyzed based on the following statutes:

- California Environmental Quality Act (CEQA)
- Federal Endangered Species Act (ESA)
- California Endangered Species Act (CESA)
- Federal Clean Water Act (CWA)
- California Fish and Game Code (CFGC)
- Migratory Bird Treaty Act (MBTA)
- The Bald and Golden Eagle Protection Act
- Porter-Cologne Water Quality Control Act
- City of Victorville Ordinances
- City of Victorville General Plan
- West Mojave Plan
- Desert Renewable Energy Conservation Plan

## **Guidelines for Determining CEQA Significance**

The following threshold criteria, as defined by the CEQA Guidelines Appendix G Initial Study Checklist, were used to evaluate potential environmental effects. Based on these criteria, the proposed project would have a significant effect on biological resources if it would:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.
- c) Have a substantial adverse effect on federally protected wetlands, as defined by Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, coastal areas, etc.) through direct removal, filling, hydrological interruption, or other means.
- d) 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.



- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- f) Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional or state habitat conservation plan.

## Literature/Database Review

A review of readily available literature and databases was conducted to obtain comprehensive information regarding state and federally listed species, sensitive communities and federally designated Critical Habitat known to, or considered to have potential to occur within the vicinity of the project site.

The reviewed literature and databases included:

- United States Department of Agriculture (USDA) Soil Survey for each of the project sites (USDA 2018)
- United States Fish and Wildlife Service (USFWS) Environmental Conservation Online System (ECOS):
   Information, Planning and Conservation System (IPAC) (USFWS 2018b)
- USFWS Critical Habitat Portal (USFWS 2018a)
- USFWS National Wetland Inventory (NWI) (USFWS 2018c)
- California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB) (CDFW 2018a)
- CDFW Biogeographic Information and Observation System (BIOS) (CDFW 2018b)
- California Native Plant Society (CNPS) Online Inventory of Rare, Threatened and Endangered Plants of California (CNPS 2018)
- Aerial photographs, topographic maps, and soil survey maps

The potential for occurrence of sensitive species herein presented is based on a literature review and a reconnaissance site visit only. The reconnaissance survey was designed to assess habitat suitability, and not to determine the presence or absence of any specific species. Protocol surveys to confirm the presence or absence of special-status species were beyond the scope of this analysis, and were not performed. As such, the findings and opinions conveyed in this report are based on the literature review and site visit, and resulting habitat assessment.

# Reconnaissance Field Survey

A reconnaissance site visit was conducted by Rincon Biologist Lily Sam between 0900 and 1000 on May 3, 2018 at the proposed project location. Weather conditions during the survey included a temperature of 66 degrees Fahrenheit with 10% cloud cover and no wind. Focused protocol surveys were not conducted. Habitats onsite were mapped at a general level of scale. Specifically, the surveys focused on documenting existing conditions and biological resources, evaluating the study area for potential to support special-status plant and wildlife species, and identifying special-status vegetation communities and potentially jurisdictional resources. Prior to conducting the survey, Rincon biologists reviewed aerial photographs and database search results for special-status species records in the vicinity of the project. The reconnaissance survey consisted of meandering pedestrian transects throughout the entire project site. Results of the surveys were used to identify suitable habitat for special-status species that may require focused protocol surveys or other more involved analyses, and to develop an approach for evaluating existing biological resources in the study area. Plants and wildlife observed during surveys are



listed under *Existing Conditions* below. Representative photographs were taken to document vegetation communities, species sign, or other notable biological resources observations. Photographs are included in Attachment B.

# **Existing Conditions**

## **Physical Characteristics**

The project site is located on a vacant 4.98-acre parcel surrounded by existing paved roads and urban development. The parcels are located at an elevation of 2,942 feet above mean sea level and soils onsite are classified as Bryman loamy fine sand, 2 to 5 percent slopes, Cave loam, dry, 0 to 2 percent slopes, and Helendale loamy sand, 2 to 5 percent slopes (USDA 2018). The project site is located within a highly travelled urban area surrounded on all sides by existing development and heavily utilized transportation corridors, including Interstate 15. The site's proximity to existing development has resulted in high levels of human-related disturbance including scattered trash which indicates that the site is likely subject to frequent dumping.

# Vegetation and Wildlife Observed

The project site consists of a patchy, ruderal vegetation community dominated by non-native Russian thistle (*Salsola tragus*), with lower abundances of the following non-native, weedy plant species: red brome (*Bromus madritensis*), cheatgrass (*Bromus tectorum*), redstem filaree (*Erodium cicutarium*), short podded mustard (*Hirschfeldia incana*), foxtail barley (*Hordeum murinum*), and Mediterranean grass species (*Schismus* ssp.). Sparse occurrences of native plants include freckled milk vetch (*Astragalus lentiginosus* var. *varibilis*), rubber rabbitbrush (*Ericameria nauseosa*), and little-leaved Mojave indigo bush (*Psorothamnus arborescens* var. *minutifolius*).

As would be expected from the timing of the reconnaissance survey and location adjacent to existing development, wildlife activity was low on the site, and only four species of wildlife were observed during the survey: rock pigeon (*Columba livia*), common raven (*Corvus corax*), horned lark (*Eremophila alpestris*), and house sparrow (*Passer domesticus*). Due to the site's location within a heavily travelled urban transportation corridor and high levels of existing disturbance as evidenced from scattered trash, low vegetative cover, presence of invasive plant species, the site is likely subject to high levels of noise and human activity which would likely deter most wildlife from long-term use of the project site. In addition, the site is surrounded by development and completely isolated from larger expanses of habitat to the west and north which would further inhibit use of the project site by transient wildlife.

# Sensitive Biological Resources

# Special Status Species

Local, state, and federal agencies regulate special status species and generally require an assessment of their presence or potential presence to be conducted prior to the approval of a proposed project. Assessments for the potential occurrence of special status species are based upon known ranges, habitat preferences for the species, species occurrence records from the CNDDB, species occurrence records from other sites in the vicinity of the survey area, and previous reports for the project site. The



potential for each special status species to occur in the survey area was evaluated according to the following criteria:

- **No Potential.** Habitat on and adjacent to the site is clearly unsuitable for the species requirements (foraging, breeding, cover, substrate, elevation, hydrology, plant community, site history, disturbance regime).
- Low Potential. Few of the habitat components meeting the species requirements are present, and/or the majority of habitat on and adjacent to the site is unsuitable or of very poor quality. The species is not likely to be found on the site.
- Moderate Potential. Some of the habitat components meeting the species requirements are
  present, and/or only some of the habitat on or adjacent to the site is unsuitable. The species has a
  moderate probability of being found on the site.
- High Potential. All of the habitat components meeting the species requirements are present and/or
  most of the habitat on or adjacent to the site is highly suitable. The species has a high probability of
  being found on the site.
- **Present.** Species is observed on the site or has been recorded (e.g., CNDDB, other reports) on the site recently (within the last 5 years).

### **Special Status Plant Species**

The literature review identified five special-status plant species recorded within five miles of the project site (Attachment C, Table 1): white pygmy-poppy (*Canbya candida*), Booth's evening-primrose (*Eremothera boothii* ssp. *boothii*), beaver dam beadroot (*Pediomelum castoreum*), southern mountains skullcap (*Scutellaria bolanderi* ssp. *austromontana*), and San Bernardino aster (*Symphyotrichum defoliatum*). None of the species have potential to occur onsite due to a lack of habitat or soil requirements or known distribution/elevation ranges. These species are known to occur in woodland and forest habitats found in the surrounding San Bernardino Mountains as well as within mesic areas or within desert washes and areas with more vegetative cover such as Joshua tree and pinyon-juniper woodlands which are not present on the project site. In addition, the habitat present onsite is highly disturbed as evidenced by scattered trash, low vegetative cover, and presence of invasive plant species which further reduces the potential for these species to occur onsite.

The CNDDB contained no records of any special-status plant species occurring on the project site. No special-status plant species were observed during the reconnaissance survey.

## **Special-Status Wildlife Species**

The literature review identified 27 special-status animal species recorded within five miles of the project site (Attachment C, Table 1). None of the 27 species are expected to occur onsite. The following 18 species are not expected to occur based on the lack of suitable habitat onsite: Victorville shoulderband (Helminthoglypta mohaveana), San Emigdio blue butterfly (Plebulina emigdionis), Mohave tui chub (Siphateles bicolor mohavensis)(FE/SE), arroyo toad (Anaxyrus californicus)(FT, SSC), California redlegged frog (Rana draytonii)(FT), western pond turtle (Emys marmorata)(SSC), coast horned lizard (Phrynosoma blainvillii)(SSC), Cooper's hawk (Accipiter cooperii)(WL), tricolored blackbird (Agelaius tricolor)(CE), western yellow-billed cuckoo (Coccyzus americanus occidentalis)(FT/SE), southwestern willow flycatcher (Empidonax traillii extimus)(FE/SE), yellow-breasted chat (Icteria virens)(SSC), summer tanager (Piranga rubra)(SSC), yellow warbler (Setophaga petechial)(SSC), LaConte's thrasher (Toxostoma lecontei)(SSC), least Bell's vireo (Vireo bellii pusillus)(FE/SE), pallid San Diego pocket mouse (Chaetodipus



fallax pallidus) (SSC), and Mohave river vole (Microtus californicus mohavensis) (SSC). These species are known to occur in riparian areas and desert washes which are not present on the project site. Golden eagle (Aquila chrysaetos) (FP, WL), Swainson's hawk (Buteo swainsoni) (ST), prairie falcon (Falco mexicanus) (WL), Loggerhead shrike (Lanius ludovicianus) (SSC), Townsend's big-eared bat (Corynorhinus townsendii) (SSC), and hoary bat (Lasiurus cinereus) are not expected to occur onsite due to the absence of suitable nesting and/or roosting habitat on the project site as well as the heavy disturbance and surrounding development which make it poor quality for foraging. Since the site is dominated by hardpan soils and lacking desert scrub habitat and burrows desert tortoise (Gopherus agassizii) (FT/ST), burrowing owl (Athene cunicularia), and Mohave ground squirrel (Xerospermophilus mohavensis) (ST) are not expected to occur onsite. No burrows were observed by the biologist during the survey. Furthermore, the site is highly disturbed and completely isolated by existing urban development, with no connectivity to expanses of suitable habitat and known desert tortoise or Mohave ground squirrel populations.

## **Nesting Birds**

Sparse herbaceous desert vegetation onsite and ornamental trees located on adjacent properties could provide suitable nesting habitat for at least one common avian species that occurs within the project site. Nesting birds are protected by California Fish and Game Code (CFGC) 3503 and the Migratory Bird Treaty Act (MBTA). Common species such as horned larks, which are ground nesters, have the potential to nest in habitats containing sparse vegetation, even in highly disturbed urban settings.

### Sensitive Plant Communities

No sensitive plant communities as defined by the CNDDB or local ordinances are present onsite.

### Jurisdictional Waters and Wetlands

Based on aerial review, including review of the USFWS NWI (2018c) and onsite observations, no potentially jurisdictional drainages or wetlands are present on the project site.

#### Wildlife Movement

The project site is located adjacent to existing development and heavily travelled transportation corridors, including Interstate 15. Additionally, the project site is not located within a mapped wildlife movement corridor recorded in BIOS (CDFW 2018b). Therefore, the project site is not expected to serve as a significant migratory wildlife corridor.

## Resources Protected by Local Policies and Ordinances

No resources protected by local ordinances or policies are present on site.

#### Conservation Plans

The project site is located within the West Mojave Plan (WMP) Area, however, the City of Victorville is not a signatory to the WMP (City of Victorville 2018). The project site is also located within the area covered under the Desert Renewable Energy Conservation Plan (DRECP), however, because the project does not include development of renewable energy, the DRECP is not applicable to this project.



# Impact Analysis and Mitigation Measures

## Special Status Species

There are five sensitive plant species and 27 sensitive wildlife species known to occur or with potential to occur within the vicinity of the project site. None were identified on the project site or expected to occur due to the lack of suitable habitat on site. In addition, the project site has a history of frequent disturbance and is surrounded by existing development and heavily travelled transportation corridors which would further reduce the potential for transient individuals to be present onsite.

As described above, the project site contains low-lying desert vegetation that could provide suitable nesting habitat for at least one common avian species. In order to avoid impacts to nesting birds, the following mitigation measure shall be implemented:

■ Preconstruction Nesting Bird Survey. If project activities must occur during the avian nesting season (February to September), a survey for active nests must be conducted by a qualified biologist, one to two weeks prior to the activities. If active nests are identified and present onsite, clearing and construction within 50-250 feet of the nest, depending on the species involved (50 feet for common urban-adapted native birds and up to 250 feet for raptors), shall be postponed until the nest is vacated and juveniles have fledged, and there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest site shall be established in the field by a qualified biologist with flagging and stakes or construction fencing. Construction personnel shall be instructed regarding the ecological sensitivity of the fenced area. If construction must occur within this buffer, it shall be conducted at the discretion of a qualified biological monitor to assure that indirect impacts to nesting birds are avoided.

#### Sensitive Plant Communities

The project site does not contain riparian habitat or other sensitive natural communities. Therefore, the project would have no effect to sensitive plant communities.

#### Jurisdictional Waters and Wetlands

The project site does not contain any jurisdictional drainages or wetlands. Therefore, the project would have no effect to jurisdictional waters and wetlands.

#### Wildlife Movement

The project site is not located within a mapped wildlife movement corridor according to the BIOS (2018b) nor is it expected to serve as a significant migratory wildlife corridor. Therefore, no effects to wildlife movement corridors would occur.

# Resources Protected by Local Policies and Ordinances

As noted above, no resources protected by local policies or ordinances were observed within the project site.



## Conservation Plans

The project site is located within a parcel covered under the West Mojave Plan; however, the City of Victorville is not a signatory to this habitat conservation plan. The project site is also located within the area covered under the Desert Renewable Energy Conservation Plan (DRECP), however, because the project does not include development of renewable energy, the DRECP is not applicable to this project. As such, the project would not conflict with existing conservation plans.

Thank you for the opportunity to provide this Biological Resources Assessment. Please contact the undersigned with any questions.

Sincerely,

Rincon Consultants, Inc.

Lily Sam

**Associate Biologist** 

Steven J. Hongola

Principal/Senior Ecologist

#### **Attachments**

Attachment A Figures
Attachment B Site Photos
Attachment C Species Tables



## References

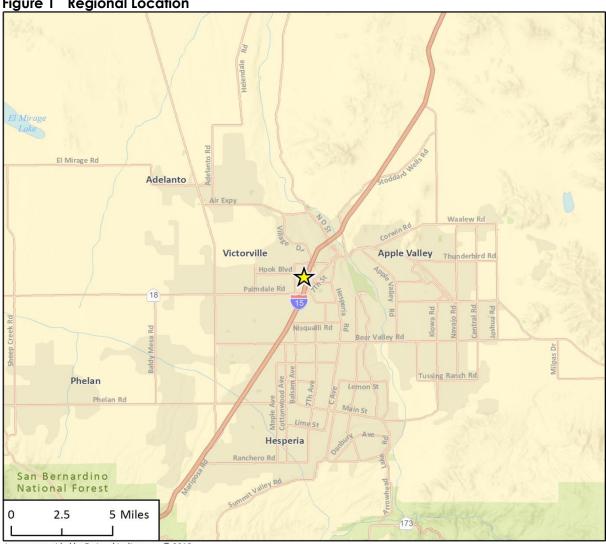
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- Victorville, City of. 2018. Personal communication with Daisy Mahoney, City Planner. May 17, 2018.

# Attachment A

Figures



Figure 1 Regional Location



Imagery provided by Esri and its licensors © 2018.







Figure 2 Project Location





Site Photographs



Photograph 1. Northeast corner of project site, facing south.



Photograph 2. Eastern perimeter of project site, facing west.



Photograph 3. Northeast corner of project site, facing west.



Photograph 4. Northeast corner (eastern perimeter) of project site, facing south.



Photograph 5. Middle of project site, facing east.



Photograph 6. Western perimeter of project, facing south.

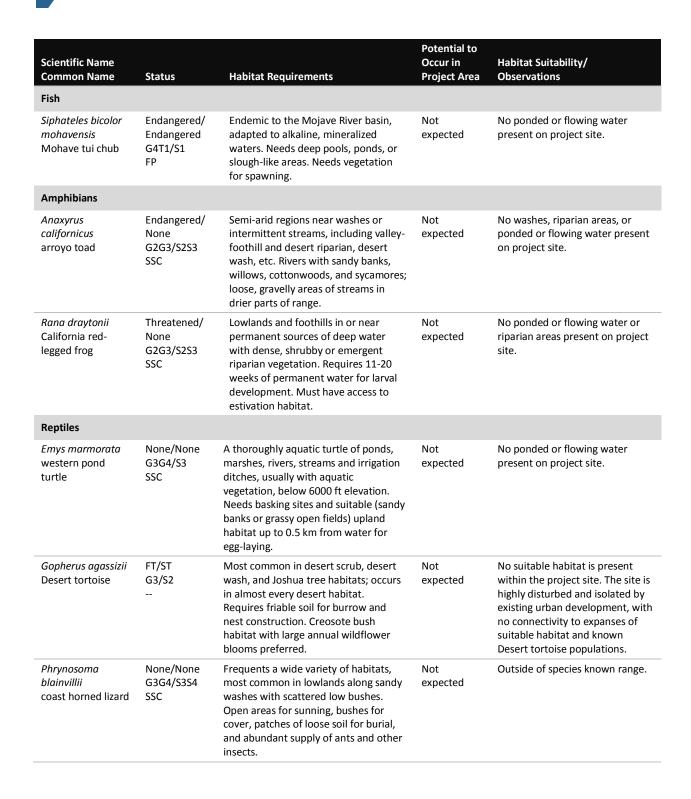
# Attachment C

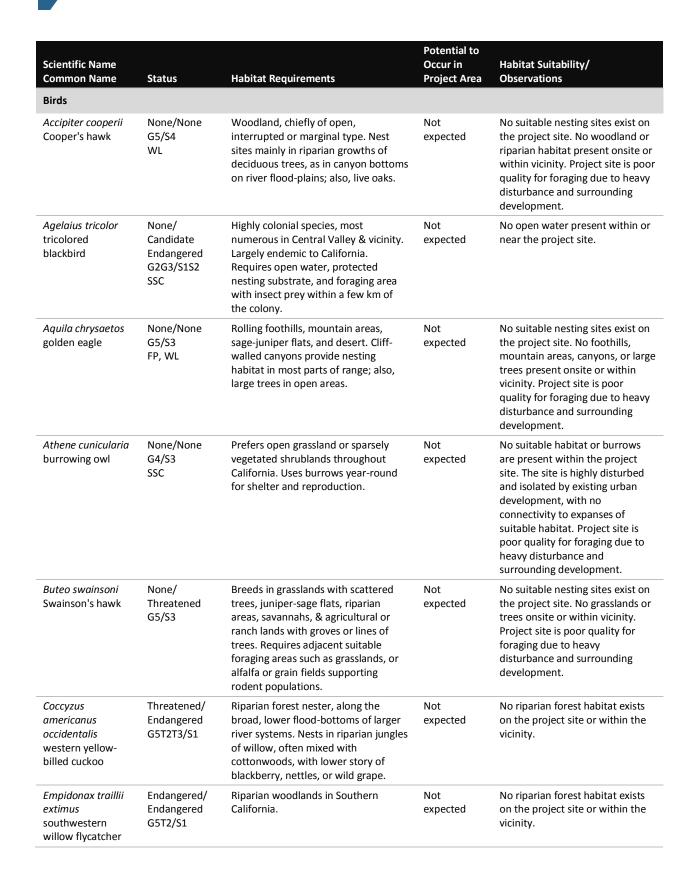
Species Tables

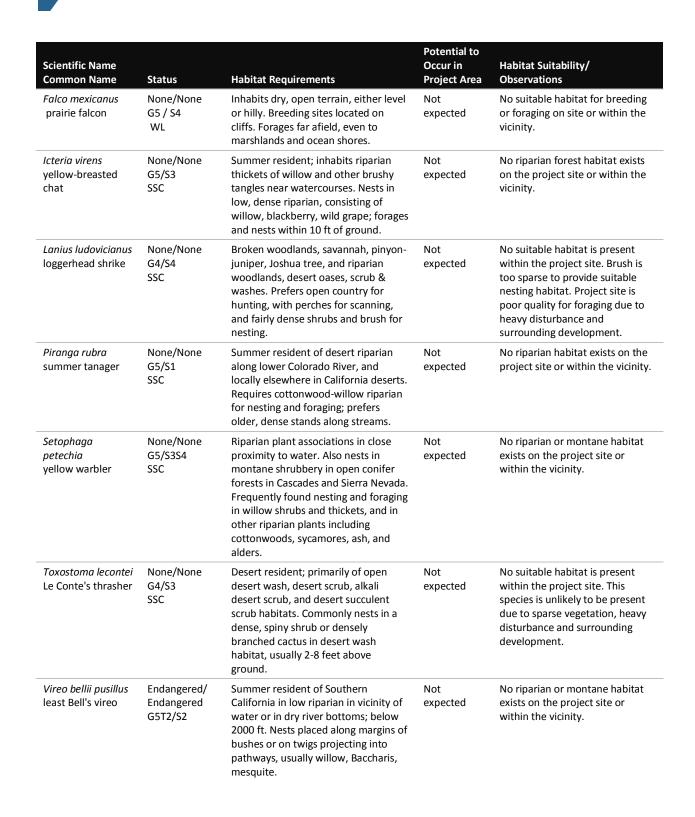


Table 1 Special-Status Species Known or with Potential to Occur in Vicinity of Project Site

•				, ,
Scientific Name Common Name	Status	Habitat Requirements	Potential to Occur in Project Area	Habitat Suitability/ Observations
Plants				
Canbya candida white pygmy- poppy	None/None G3G4/S3S4 4.2	Joshua tree woodland, Mojavean desert scrub, pinyon and juniper woodland. Gravelly, sandy, granitic places. 600-1460 m. annual herb. Blooms Mar-Jun	Not expected	No Joshua tree woodland, Mojavean desert scrub, or pinyon and juniper woodland habitat present on project site.
Eremothera boothii ssp. Boothii Booth's evening- primrose	None/None G5T4/S2 2B.3	Joshua tree woodland, pinyon and juniper woodland. 290-2410 m. annual herb. Blooms Apr-Sep	Not expected	No Joshua tree woodland or pinyon and juniper woodland habitat present on project site.
Pediomelum castoreum Beaver Dam breadroot	None/None G3/S2 1B.2	Joshua tree woodland, Mojavean desert scrub. Sandy soils; washes and roadcuts. 610-1065 m. perennial herb. Blooms Apr-May	Not expected	No Joshua tree woodland or Mojavean desert scrub present on project site.
Scutellaria bolanderi ssp. austromontana Southern mountains skullcap	None/None G4T3/S3 1B.2	Chaparral, cismontane woodland, lower montane coniferous forest. In gravelly soils on streambanks or in mesic sites in oak or pine woodland. 425-2000 m. perennial rhizomatous herb. Blooms Jun-Aug	Not expected	No chaparral, cismontane woodland, or lower montane coniferous forest habitat present on project site.
Symphyotrichum defoliatum San Bernardino aster	None/None G2/S2 1B.2	Meadows and seeps, cismontane woodland, coastal scrub, lower montane coniferous forest, marshes and swamps, valley and foothill grassland. Vernally mesic grassland or near ditches, streams and springs; disturbed areas. 2-2040 m. perennial rhizomatous herb. Blooms Jul-Nov	Not expected	No meadows/seeps, cismontane woodland, coastal scrub, lower montane coniferous forest, marshes/swamps, or valley and foothill grassland habitat present on project site.
Invertebrate				
Helminthoglypta mohaveana Victorville shoulderband	None/None G1/S1	Known only from along the Mojave River in San Bernardino County. Found among granite boulders and at the base of rocky cliffs.	Not expected	Project site not located along the Mojave River. No granite boulders or rocky cliffs present on project site.
Plebulina emigdionis San Emigdio blue butterfly	None/None G1G2/S1S2	Found in desert canyons & along riverbeds in Inyo, Kern, Los Angeles, and San Bernardino counties. Host plant is <i>Atriplex canescens</i> ; maybe <i>Lotus purshianus</i> also.	Not expected	No desert canyons, riverbeds or host plants present on project site.







Scientific Name Common Name	Status	Habitat Requirements	Potential to Occur in Project Area	Habitat Suitability/ Observations
Mammals				
Chaetodipus fallax pallidus pallid San Diego pocket mouse	None/None G5T34/S3S4 SSC	Desert border areas in eastern San Diego County in desert wash, desert scrub, desert succulent scrub, pinyon-juniper, etc. Sandy, herbaceous areas, usually in association with rocks or coarse gravel.	Not expected	No desert wash, desert succulent scrub, pinyon-juniper woodland or rocky/gravelly areas present on project site.
Corynorhinus townsendii Townsend's big- eared bat	None/None G3G4/S2 SSC	Throughout California in a wide variety of habitats. Most common in mesic sites. Roosts in the open, hanging from walls and ceilings. Roosting sites limiting. Extremely sensitive to human disturbance.	Not expected	No mesic areas or suitable roosting sites present on project site. Project site is poor quality for foraging due to heavy disturbance and surrounding development.
Lasiurus cinereus hoary bat	None/None G5/S4	Prefers open habitats or habitat mosaics, with access to trees for cover and open areas or habitat edges for feeding. Roosts in dense foliage of medium to large trees. Feeds primarily on moths. Requires water.	Not expected	No trees, dense foliage, or water present on project site. Project site is poor quality for foraging due to heavy disturbance and surrounding development.
Microtus californicus mohavensis Mohave river vole	None/None G5T1/S1 SSC	Occurs only in weedy herbaceous growth in wet areas along the Mojave River. May be found in some irrigated pastures. Burrows into soft soil. Feeds on leafy parts of grasses, sedges and herbs. Clips grasses to form runways from burrow.	Not expected	No wet areas or soft soils present on project site.
Xerospermophilus mohavensis Mohave ground squirrel	None/ Threatened G2G3/S2S3	Open desert scrub, alkali scrub & Joshua tree woodland. Also feeds in annual grasslands. Restricted to Mojave Desert. Prefers sandy to gravelly soils, avoids rocky areas. Uses burrows at base of shrubs for cover. Nests are in burrows.	Not Expected	No suitable habitat is present within the project site. The site is highly disturbed and isolated by existing urban development, with no connectivity to expanses of suitable habitat and known MGS populations.

#### Status: Federal/State

FE = Federal Endangered

FT = Federal Threatened

PFT = Proposed Federal Threatened

FDL = Federal Delisted

SE = State Endangered

ST = State Threatened

SR = State Rare

SDL = State Delisted

SSC = CDFW Species of Special Concern

FP = CDFW Fully Protected

WL = CDFW Watch List

#### CRPR (CNPS California Rare Plant Rank):

1A = Presumed Extinct in California

1B = Rare, Threatened, or Endangered in California and elsewhere

2 = Rare, Threatened, or Endangered in California, but more common elsewhere

3 = Need more information (a Review List)

4 = Plants of Limited Distribution (a Watch List)

#### **CRPR Threat Code Extension:**

- .1 = Seriously endangered in California (>80% of occurrences threatened/high degree and immediacy of threat)
- .2 = Fairly endangered in California (20-80% of occurrences threatened)
- .3 = Not very endangered in California (<20% of occurrences threatened)



			Potential to	Potential to		
Scientific Name			Occur in	Habitat Suitability/		
<b>Common Name</b>	Status	Habitat Requirements	Project Area	Observations		

#### Other Statuses:

G1 or S1 Critically Imperiled Globally or Subnationally (state)

G2 or S2 Imperiled Globally or Subnationally (state)

G3 or S3 Vulnerable to extirpation or extinction Globally or Subnationally (state)

G4/5 or S4/5 Apparently secure, common and abundant

GH or SH Possibly Extirpated – missing; known from only historical occurrences but still some hope of rediscovery

Additional notations may be provided as follows:

T – Intraspecific Taxon (subspecies, varieties, and other designations below the level of species)

Q – Questionable taxonomy that may reduce conservation priority

? – Inexact numeric rank