
**Rincon Consultants, Biological Resources Assessment for 80-Acre
Lost Canyon Property, Santa Clarita, California (2005)**

December 12, 2005
Rincon Project #05-B57871

Mr. James S. Backer
JSB Development
27441 Tourney Road, Suite 260
Valencia, California 91355

Subject: DRAFT - Biological Resources Assessment for 80-Acre Lost Canyon Property, Santa Clarita, California

Dear Mr. Backer:

Rincon Consultants has completed a biological resources assessment of the approximately 80 acre Lost Canyon site proposed for potential residential development in an unincorporated area of the City of Santa Clarita, Los Angeles County, California. The site consists of four parcels (APNs: 2840-004-036, 2840-005-057, 2840-005-058 and 2840-004-017; and tentatively APN 903, 905, 912) located north of the railroad tracks, south of the Antelope Valley Freeway, west of Sand Canyon Road, and between the east and west termini of Lost Canyon Road in the northeast quadrant of the City. The purpose of this analysis is to generally characterize the existing biological resources on the site, determine the potential for special-status species, and assess biological constraints and regulatory compliance requirements that may be associated with the proposed future development of a single-family home residential area.

INTRODUCTION

The site lies within and directly south of the Santa Clara River and its floodplain. Vegetation on-site is characterized primarily by ruderal grass/scrubland, with southern riparian scrub bordering the river, and coastal sage scrub on the hill located towards the southwest corner of the site. A number of coast live oak (*Quercus agrifolia*) trees are interspersed throughout the site. The majority of the oaks are concentrated towards the eastern portion of the project site, creating an oak woodland habitat area.

The City of Santa Clarita is surrounded by the Santa Susana and San Gabriel Mountain ranges on the south, east, and west, and the Sierra Pelona Mountains on the north. Due to these physiographic features and its general proximity to coastal and desert influences, the City is in a transitional microclimatic zone that includes two climatic types termed "valley marginal" and "high desert." As it is located far enough from the coast to escape damp air and fog, summers are generally hot and winters normally mild. Annual precipitation in the valley is around 13 inches, most of which occurs between October and early April.

Due to the proximity of the site to the Santa Clara River, it lies partially within the boundary of the Santa Clara River Significant Ecological Area (SEA-23) as defined by Los Angeles County. Los Angeles County's Conservation/Open Space Element of its General Plan includes language stating the need to protect watersheds, streams, and riparian vegetation in an effort to minimize water pollution, soil erosion, sedimentation of natural habitats, and to aid in groundwater recharge. The entire Santa Clara River within Los Angeles County has been designated as SEA-23, primarily due to its distinction as the last unchannelized waterway within the County with numerous stretches of relatively undisturbed riparian habitat, as well as the presence of ecologically sensitive species such as the unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*). This boundary is currently under review for revision (County of Los Angeles, 2004), the adoption of which would result in the entire project site being included within an SEA. The revised boundary has been designed to maintain a narrow wildlife corridor through the site under the railroad tracks, with the intent on connecting the Santa Susana/San Gabriel Mountains to the south to the Santa Clara River to the north. The City of Santa Clarita's policies regarding SEAs are discussed as they relate to issues associated with this project in the "Conclusions" section of this report.

METHODS

Prior to conducting field surveys of the subject parcels, Rincon Consultants reviewed the Mint Canyon U.S.G.S. 7.5-minute topographic maps, aerial photography of the study area (Stewart Geo Technologies, August 2004), and consulted the California Natural Diversity Data Base (CNDDDB, 2005) for information on special-status species occurrences within a five-mile radius of the study area.

Rincon Consultants' biologist Rocky Brown visited the study area on October 27, 2005 to identify any areas potentially containing sensitive biological resources. Plant and wildlife species observed during the survey were noted. The assessment was performed by walking transects of convenience as allowed by topography and vegetative cover to generally characterize the existing biological resources. The on-site habitat types were also evaluated to determine their potential to support special-status species or otherwise be of concern to the United States Fish and Wildlife Service (USFWS), the California Department of Fish and Game (DFG), the U.S. Army Corps of Engineers (Corps), and the Los Angeles Regional Water Quality Control Board (RWQCB). The work performed was at a reconnaissance level and no specific surveys for special-status plants or wildlife were conducted. The need for additional more intensive surveys for sensitive biological resources has been assessed and is included in the Conclusions and Recommendations Section of this report.

The vegetation classification systems referred to in this report to describe the onsite habitat types are described by the DFG's California Wildlife Habitat Relationships - Version 8.0 (CWHR) database and by Sawyer and Keeler-Wolf's *A Manual of California Vegetation* (1995).

RESULTS

Four main general habitat types were observed within the study area: riparian/wetland, non-native grassland, oak woodland, and coastal scrub.

A more detailed description of habitat types identified in the study area based on general structure and composition of the dominant vegetation is provided below. The following discussion also includes a brief review of common wildlife species that were observed or can be expected to occur within each habitat type, as well as a more detailed analysis of special-status species potentially occurring on-site.

Habitat Types

Riparian/Wetland: The riparian habitat in and directly adjacent to the Santa Clara River is described generally as a “riverine” habitat by the CWHR, while more specific designations can be interpreted from the Sawyer/Keeler-Wolf classification system. The Sawyer/Keeler-Wolf riparian habitat descriptions vary within the project site based on the abundance of water and position within the river channel.

Flowing surface water was observed on the east side of the site towards the southern bank of the river, possibly a result of runoff from landscape irrigation from the adjacent homes and schools. Habitat in this area most closely corresponds to a mixed willow series. This area was characterized by riparian vegetation typical of perennial streamcourses, such as willows (*Salix spp.*), mulefat (*Baccharis salicifolia*), water cress (*Rorippa sp.*), rush species (*Juncus spp.*), and hoary stinging nettle (*Urtica dioica ssp. holosericea*). A few larger Fremont cottonwood (*Populus fremontii*) trees were present on the eastern boundary of the site, as well as a number of saplings that lined the active stream channel.

Riparian habitat in the region provides shelter for a variety of songbirds, including common yellowthroat (*Geothlypis trichas*), Swainson’s thrush (*Catharus ustulatus*), oak titmouse (*Baeolophus inornatus*), and song sparrow (*Melospiza melodia*), as well as amphibians and reptiles such as the Pacific treefrog (*Hyla regilla*) and western fence lizard (*Sceloporus occidentalis*). However, because the site contains a limited area with this type of habitat and no well-developed, contiguous perennial stream exists, this section of the project site is not expected to have the diverse wildlife assemblage typically found in well-established riparian areas. Instead, the small stream area most likely supports a reduce riparian species composition along with other species present in the adjacent grassland and coastal scrub habitat types.

In dry areas of the river channel and the adjacent flood plain, shrub species such as scalebroom (*Lepidospartum squamatum*) and annual bursage (*Ambrosia acanthincarpa*), and forbs such as turkey mullein (*Eremocarpus setigerus*) dominate the landscape. While this area still lies within the higher flood plain terrace, the riparian habitat is beginning the transition to upland scrub. The vegetation type observed here is best described by Sawyer/Keeler-Wolf’s scalebroom series.

The scrub vegetation and the streambed’s rocky substrate in the flood plain zone provide cover and foraging habitat for a number of reptiles, birds, and, to a lesser extent, small mammals, which generally prefer softer soil in which to dig burrows. Numerous passerine birds and western fence lizards (*Sceloporus occidentalis*) were observed in this area, as well as a black-tailed jackrabbit (*Lepus californicus*).

In the central portion of the site, just east of the sage scrub hillslopes, lies an area that appears to have some wetland characteristics. It is evident that water has been flowing into

and possibly pooling for a period of time in this area, giving rise to certain hydrophytic plants, such as mulefat and curly dock (*Rumex crispus*). This area requires further study to determine if it is, in fact, a wetland, man-made or otherwise.

Non-native Grassland: The grassland habitat type observed on the property corresponds to the CWHR annual grass habitat type and the California annual grassland series as defined by Sawyer/Keeler-Wolf. This habitat type, the dominant vegetation community observed within the project boundary, consisted of several different species of non-native annual grasses, such as bromes (*Bromus spp.*), oats (*Avena spp.*), and foxtails (*Hordeum spp.*), among others. Non-native broad-leaved plants such as shortpod mustard (*Hirschfeldia incana*), castor bean (*Ricinus communis*), yellow star thistle (*Centaurea solstitialis*), tumbleweed (*Amaranthus albus*) and Russian thistle (*Salsola kali*) were abundant, interspersed with occasional native plants such as thickleaf yerba santa (*Eriodictyon crassifolium*), lupines (*Lupinus spp.*), and various species of the sunflower (Asteraceae) family.

The grassland habitat within the study area provides foraging habitat for small mammals and birds which in turn serve as a prey base for a variety of animals, including snakes, raptors (“birds of prey”), bobcats (*Lynx rufus*), and coyotes (*Canis latrans*). Numerous invertebrate species (such as grasshoppers, spiders, crickets, lacewings, flies, aphids, and beetles), many of which provide a food source for larger animals such as lizards, birds, and some small mammals, would also be expected to occur within this type of grassland habitat. Additionally, the inhabitants of a number of ground squirrel (*Spermophilus beecheyi*) burrows observed within the grassland would likely provide a food source for coyotes and other larger mammals.

Coastal Scrub: The coastal scrub habitat type present on-site can be described by the CWHR database as coastal scrub and more specifically by Sawyer/Keeler-Wolf as a California sagebrush – California buckwheat series. This habitat type was observed in varying densities mixed with grassland and at the edges of the riparian floodplain habitat, but was most prevalent on the upland area in the southwest portion of the site. The coastal scrub habitat type occurring within the study area was characterized as a mixture of shrubs, but dominated by California sagebrush (*Artemisia californica*) and California buckwheat (*Eriogonum fasciculatum*). Other prominent native plant species included chamise (*Adenostoma fasciculatum*) and chaparral yucca (*Yucca whipplei*). Non-native, weedy plant species such as shortpod mustard and yellow star thistle were also well represented within this habitat.

Coastal scrub communities typically provide cover and nesting habitat for a variety of wildlife such as western fence lizard, western rattlesnake (*Crotalus viridis*), blue-gray gnatcatcher (*Polioptila caerulea*), wrentit (*Chamae fasciata*), and California mouse (*Peromyscus californicus*). Although the area of the project site covered by coastal scrub plant cover is relatively small, it does provide quality wildlife habitat. During the site visit, a variety of species were observed including rabbit (*Sylvilagus sp.*), California quail (*Callipepla californica*), and greater roadrunner (*Geococcyx californianus*).

Oak Woodland: The Oak Woodland habitat present in the eastern portion of the property corresponds to the coastal oak woodland described by the CWHR database and Coast live oak series described by Sawyer/Keeler-Wolf. This plant community is comprised of a few

widely spaced coast live oak (*Quercus agrifolia*) trees forming an open woodland, but scattered individuals are also present in other areas of the site. Coast live oak was the sole oak species observed during the site visit. The understory of this habitat type is composed primarily of the same types of annual grasses that are found in the neighboring grassland habitat type. Additional plant species occurring in the understory included toyon (*Heteromeles arbutifolia*), jimson weed (*Datura wrightii*), and a number of individuals belonging to the sunflower family. Along the fringe of the oak woodland, as the habitat transitioned to sage scrub, thick-leaved yerba santa (*Eriodityon crassifolium*) and California sagebrush dominated.

Oak woodlands, in general, provide quality habitat for a large variety of wildlife species. Oaks provide nesting sites and cover for birds and many mammals. Dead and decaying oak trees with few branches and/or no leaves provide “hawking sights” for raptors and perches for other bird species. They also contribute woody debris to the duff in the woodland understory, which provides foraging areas for small mammals and microclimates suitable for amphibians, reptiles, and fungi. Acorns are a valuable food source for many animal species, including acorn woodpecker (*Melanerpes formicivorus*), scrub jay (*Aphelocoma corulescens*), western gray squirrel (*Sciurus griseus*), and deer (*Odocoileus sp.*). Scrub jay, acorn woodpecker, red-tailed hawk (*Buteo jamaicensis*), and numerous California ground squirrel burrows were observed on-site within the oak woodland area. One raptor nest was identified at the top of a coast live oak and a medium-size, woven passerine nest in another.

Special-Status Species

For the purpose of this report, special-status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the USFWS under the federal Endangered Species Act (ESA); those considered “species of concern” by the USFWS; those listed or proposed for listing as rare, threatened, or endangered by the DFG under the California Endangered Species Act (CESA); animals designated as “Species of Special Concern” by the DFG; and the DFG *Special Vascular Plants, Bryophytes, and Lichens List* (April 2004). This latter document includes the California Native Plant Society (CNPS) *Inventory of Rare and Endangered Vascular Plants of California, Sixth Edition* (Tibor, 2001) as updated online. Those plants contained on CNPS Lists 1B, 2, and 4 are considered special status species in this study. Per the CNPS code definitions: List 1A species include those presumed extinct in California, 1B those considered by the CNPS as rare, threatened, or endangered in California and elsewhere, and List 2 includes plants rare, threatened, or endangered in California, but more common elsewhere. List 3 is a review list for which information necessary to assign species to one list or another or to reject them is lacking. Nearly all of these plants are taxonomically problematic. List 4 species are of limited distribution or infrequent throughout a broader range of California and their vulnerability or susceptibility to threat appears low at this time.

Rincon Consultants developed a target list of special-status plant and animal species that occur in the study area vicinity based on our review of the CNDDDB, ongoing studies in the vicinity of the subject property, and other sources, including our own knowledge of the area. Field reconnaissance to identify habitat types and an evaluation of the on-site soils

helped refine the target list of species and focus our assessment on the actual or potential for occurrence of special-status species.

Special-Status Plants and Plant Communities of Special Concern: The CNDDDB contains records of a number of special-status plant species and plant communities of special concern that are known from occurrences within a five-mile radius of the study area. Species with specific habitat requirements such as spreading navarretia (*Navarretia fossalis*) and California Orcutt grass (*Orcuttia californica*), both of which are highly aquatic and associated with vernal pools, are not expected to occur onsite due to the lack of suitable habitat. Although the majority of special-status plants known from this region of Los Angeles County are unlikely to occur within the study area because of the limited suitable habitat and the high level of past and current disturbance, the following plant species do have some potential to occur on the property:

- Greata's aster (*Aster greatae*);
- slender mariposa lily (*Calochortus glavatus var. gracilis*);
- Plummer's mariposa lily (*Calochortus plummerae*);
- slender-horned spineflower (*Dodecahema leptoceras*); and
- short-joint beavertail cactus (*Opuntia basilaris var. brachyclada*).

Because the site visits were conducted at a reconnaissance level outside of the blooming period and focused floristic surveys were not conducted, the occurrence of these species onsite cannot be dismissed at this time. The following species accounts briefly present relevant ecological and range information and legal status for the special-status plant species that have the potential to occur on the subject property:

- **Greata's aster** – Perennial herb of the sunflower family (Asteraceae) included on the CNPS List 1B. This species blooms from July through October and is endemic to California. It primarily inhabits damp areas in canyon chaparral communities between 800 and 1,500 meters. This species was not observed during the survey and is not expected to exist on-site due to the absence of suitable habitat and the fact that the site lies outside of its preferred elevation range.
- **Slender mariposa lily** – Perennial bulbiferous herb in the lily family (Liliaceae) listed by the CNPS as 1B. This species, endemic only to California, inhabits shaded rocky slopes below 1,000 meters in chaparral or sage scrub habitats. Its blooming period extends from March through June. While no sign of this species (ie. residual stalks) was observed during the site visit, some suitable habitat is present on the hillslopes in the southwest portion of the site, so it is possible that it is present within the project boundary.
- **Plummer's mariposa lily** – Perennial bulbiferous herb in the lily family and, as with the slender mariposa lily, this species is also endemic to California and listed as 1B by the CNPS. Its preferred habitat consists of dry, rocky slopes, brushy areas, and openings in chaparral below 1,500 meters, though it also occasionally found in habitats ranging from coastal sage scrub to yellow pine forest. It blooms from May to July. Although none were observed during the assessment and ideal conditions for this lily are not represented on-site, due to the presence of the coastal scrub

habitat present on the hilly area previously mentioned, it is possible that this species is present on the site.

- **Slender-horned spineflower** - Annual herb in the buckwheat family (Polygonaceae). This species is listed both by the state of California and federally as endangered and is on the CNPS List 1B. It is associated with cryptobiotic crust in flood plains in coastal scrub, chaparral, and cismontane woodland areas between 200 and 760 meters. The spineflower blooms from April to June. Due to the fact that it has been documented in the Santa Clara River within five miles of the project site and favorable habitat conditions exist on-site in the river floodplain area, this species may exist within the project boundary. A more detailed survey is needed to confirm its presence/absence.
- **Short-joint beavertail** - This succulent in the cactus family (Cactaceae) is listed as 1B by the CNPS. It flowers from April through June and inhabits chaparral and desert scrublands or “woodlands” between 425 and 1,800 meters. Although not observed during this survey, this cactus has been documented at least three times within a five-mile radius of the project site. While no *Opuntia* species were noted at the site, the reconnaissance-level survey conducted for this report did not thoroughly cover all possible locations. Therefore, a more comprehensive botanic survey is required to confirm presence/absence.

One plant community of special concern identified by the CNDDDB was observed within the study area. This was the Southern Riparian Scrub habitat discussed in the Riparian/Wetland habitat description above.

Special-Status Wildlife: The CNDDDB contains a number of recorded occurrences of special-status wildlife species within a five-mile radius of the project site. Some of these species listed require specific habitat types not ideally represented on the property. Special-status fish species such as the Santa Ana sucker (*Catostomus santaanae*), unarmored threespine stickleback, and arroyo chub (*Gila orcutti*) require perennial streams or creeks, and no suitable habitat for these species is present onsite.

The following species may occur on-site as they are known to occur in within a five-mile radius of the study area and potentially suitable habitat was identified onsite:

- **Silvery Legless Lizard** (*Anniella pulchra pulchra*) is a DFG species of concern that occurs in sandy friable soils typically associated with coastal scrub habitat types. It can most commonly be found in sandy or loose loamy soils under sparse scrub vegetation. An essential requirement is sufficient soil moisture levels, which is regulated for the most part by a thick layer of leaf litter. An adequate prey base, such as ants, is also an important component to maintain this species. The CNDDDB reports one occurrence of this species within a five-mile radius of the project site. Based on this information, it is possible that this lizard is present within the on-site coastal scrub habitat type, as well as in open areas within the oak woodland. More detailed surveys would be needed to determine this species' presence or absence from the site.

- **Burrowing Owl** (*Athene cunicularia*) is listed by the CDFG as a species of special concern. It is a small, ground-nesting owl and, unlike other owls, is active during the daytime. The burrowing owl often uses ground squirrel burrows as nest sites and forages widely in grassland and agricultural habitats. They prefer areas with low vegetation on hills that provide a vantage point of the surrounding areas. The CNDDDB reports one occurrence of this species approximately two miles west of the site. Although no burrowing owls were observed during field reconnaissance, suitable habitat in the form of ground squirrel colonies in grassland habitat is present onsite.
- **Arroyo Toad** (*Bufo californicus*), listed as federally endangered and a CDFG species of special concern, inhabits areas around seasonal pools and streams with sandy channels bordered by sandy terraces. This is a highly sensitive species with very specialized habitat requirements. The arroyo toad must have shallow breeding pools with a minimum of silt and an absence of predatory fish for the successful development of tadpoles. This species has been documented within a five-mile radius of the project site. The Santa Clara River area downstream of the site was formerly proposed for critical habitat under the federal endangered species act, but no portion of the river was so designated in the final rule (April 13, 2005). Suitable habitat for this species is lacking in the vicinity of the site. Given known upstream and downstream populations, there is a possibility that the alluvial floodplain could serve as a migratory route for this species.
- **Coast (San Diego) Horned Lizard** (*Phrynosoma coronatum [blainvillei]*) (CHL) is a CDFG species of concern that utilizes a wide variety of habitat types. It is most common in lowlands along sandy washes with scattered low bushes and open areas for sunning. This species has been observed in coastal scrub habitat similar to that observed within the project boundary and adjacent areas. This species requires bushes for cover, patches of loose soil for burial and an abundant supply of ants and other insects. The CNDDDB documents two CHL occurrences within a five-mile radius of the site. The study area contains coastal scrub, grassland and oak woodland habitat types that are characterized by open sandy patches which may provide suitable habitat for this species. Therefore, this species likely occurs on site.
- **Western Spadefoot Toad** (*Scaphiopus hammondi*) (WST), a federal species of concern, occurs primarily in grassland habitat types and requires temporary ponds (i.e.: vernal pools, etc.) for breeding and larval development. This species spends most of the year in underground burrows up to 0.9 meters (36 inches) deep which they construct themselves, although some individuals also utilize small mammal burrows. Breeding and egg laying occur almost exclusively in vernal pools. However, this species has also been known to use agriculture irrigation and stock ponds, as well as small areas of ponded water within natural drainage features for this purpose. Permanent water features such as irrigation or stock ponds could provide suitable habitat for this species, but not as ideal as vernal pool habitat or other short-lived areas of ponded water, especially if fish, bullfrogs or other predators were present. Although it would have been unlikely to directly observe WSTs during the survey of the study area, suitable breeding habitat for this species

may have been present in the potential wetland area in the central portion of the site. Furthermore, WSTs may use the on-site drainages as temporary habitat and movement corridors due to their known proximity to the study area as reported to the CNDDDB. Focused surveys for WST conducted during the winter and spring would be required to determine its presence or absence from the study area.

- **Two-striped Garter Snake** (*Thamnophis hammondi*) is listed by the CDFG as a species of special concern. This highly aquatic species is associated with permanent to semi-permanent streams in various habitats below 2,400 meters. Channels are usually densely populated by willow thickets or other riparian species which provide adequate cover for the snake. This species is known to occur in the Santa Clara River and has been documented within a five-mile radius of the project site. While the habitat on-site is not ideal, it is possible that the two-striped garter snake may be present within the project boundary.

While not listed by the CNDDDB as occurring within a five-mile radius of the project site, a number of special-status bird species could potentially occur within the study area. The California condor (*Gymnogyps californianus*), a federal and state endangered species recently re-released into the wild, requires vast expanses of open savannah, grasslands and chaparral in mountain ranges of moderate altitude. This species typically nests in deep canyons and can forage up to 150 miles from their nest site. If present at all, the California condor would be expected to occur on-site only as a rare transient.

Many birds of prey have extensive ranges that cover many habitats, and can be expected as rare to common transients at the study area, potentially nesting within the oak trees on-site. Other species, such as the northern harrier (*Circus cyaneus*), could potentially nest within the coastal scrub and grassland habitat types observed within the study area.

The coastal California gnatcatcher (*Poliophtila californica californica*) is another species that has a limited possibility of occurring on the site. This non-migratory species nests and forages exclusively in coastal sage scrub plant communities in southern California and northern Baja, Mexico. While there is limited coastal scrub habitat present on the site, it is not expected that the gnatcatcher would be a permanent resident within the project boundary due to the fact that this area is most likely too arid. Nonetheless, the project site does lie directly adjacent to previously adopted federal designated critical habitat for this species. However, as a result of a lawsuit, the US Fish and Wildlife Service agreed to revise California gnatcatcher critical habitat (though currently designated habitat was not rescinded). A revision to gnatcatcher critical habitat is currently proposed and, if adopted, would eliminate this area as designated critical habitat.

Though not identified during the site visit, it is also possible that bats reside within the project boundary. No caves are present on-site, but bats could roost in trees or other suitable areas. A large variety of bats that are listed as "special animals" by the Department of Fish and Game occur in this arid area and could potentially occur and forage in the project vicinity.

CONCLUSIONS

Special-Status Species and Habitats: The Lost Canyon property contains four principal habitat types: riparian, grassland, oak woodland, and coastal scrub. The site has some potential to support the five special-status plant species and six special-status wildlife species discussed above. In addition, it may also serve as nesting and foraging habitat for several special-status bird species known to occur in the region, but not identified by CNDDDB records. The habitat types within the study area may be considered biologically significant if they were found to support special-status species. Under such circumstances, impacts to these plant communities may be determined to be significant under the California Environmental Quality Act (CEQA) and therefore require mitigation during the environmental review process. Additionally, several policies relating to "Sensitive Habitat Areas" outlined in the Open Space and Conservation Element of the City of Santa Clarita's General Plan reiterate the desire of the City to maintain the wildlife corridor between the Santa Susana/San Gabriel Mountains and the Santa Clara River (Policies 3.3, 3.4, and 3.10 – pp. OS-27 and OS-28).

Four special-status plant species known from the area have the potential to occur on the property. As previously stated, special-status plant species surveys would need to be conducted to determine presence or absence.

The study area also has the potential to support six special-status wildlife species identified in the CNDDDB search of the project vicinity, including the western spadefoot toad, and California horned lizard. No specific survey protocol has been developed for either the western spadefoot or California horned lizard.

Jurisdictional Waters: Natural drainage features on-site include the Santa Clara River and adjacent floodplain and, if confirmed, the potential wetland area identified in the central portion of the site. Any riparian and wetland habitats occurring on-site are of special concern to the regulatory agencies, including the City of Santa Clarita and the County of Los Angeles. Policy 3.7 of the Open Space and Conservation Element of the City's General Plan states "[p]reserve to the extent feasible natural riparian habitat and ensure that adequate setback is provided between riparian habitat and surrounding urbanization" (p. OS-28).

Wetland and riparian habitat protection requirements have resulted from the extensive loss of these habitat types in the region and the State of California as a whole. The DFG considers these two habitat types as plant communities of special concern and, as such, they strongly encourage that they be protected during planning and future development. Consequently, any activity that would remove or otherwise alter riparian and wetland habitat types is closely scrutinized by the regulatory agencies through the CEQA review process and subsequently through the DFG and Corps permitting processes. Even the reaches of the waterways that contain very little vegetation may be subject to this type of review because of the "no net loss" policy for waters of the U.S. and riparian and wetland habitat types maintained by the regulatory agencies.

If impacts were to occur to any area identified as a waters of the U.S., whether it contained riparian or wetland habitat types or not, the Corps would require compensatory mitigation at a minimum ratio of 2:1 (acres replaced to acres lost). The DFG and RWQCB would likely

require a higher ratio. A Streambed Alteration Agreement from the DFG and RWQCB Section 401 certification and possible Waste Discharge Requirements are likely to be needed for impacts to natural drainage features for the development of the site.

Oak Trees: Oak trees, both live and dead, and oak woodland communities provide habitat for vegetation and wildlife and are protected under the City of Santa Clarita General Plan and Unified Development Code. Policy 3.2 in the Open Space and Conservation Element of the City's General Plan "[e]ncourage[s] the preservation of oak woodlands, oak savannahs and individually significant oak trees through enforcement and revisions to the Oak Tree Ordinance" (p. OS-27). Although individual oak trees can be replaced, habitat associated with oak woodlands cannot be fully restored; therefore, impacts associated with the loss of oak woodland habitat on-site would likely be considered significant.

Impacts to individual oak trees would require permitting from the City of Santa Clarita. Alteration of oak trees within the City requires specific permitting under the City's Oak Tree Ordinance (Section 17.17.090 of the Development Code) and associated mitigation. The ordinance requires an oak tree permit to be obtained prior to cutting, pruning, removing, relocating, endangering, damaging, or encroaching into the protected zone (5 feet beyond the dripline) of any oak tree. There are some exemptions from this ordinance under certain strict conditions. Standard conditions of the oak tree permit require the replacement or relocation of trees either onsite or offsite coupled with a certification of compliance with permit conditions. Replacement and relocated trees are required to be healthy both initially and two years after planting. A fee equivalent to the value of the trees removed from the site or a donation of equivalent-value boxed trees to the City may also be required. In some cases, the fee may also be satisfied by donation of property to the City.

RECOMMENDATIONS

The following is recommended to further evaluate biological resources on-site.

- Specific surveys for western spadefoot toad and California horned lizard should be performed to determine presence/absence. No specific survey protocol has been developed for the western spadefoot or California horned lizard. While the CHL can be difficult to observe (they are cryptically colored to avoid predation), surveys should be conducted for this species during the most active season and should occur on more than one occasion to ensure thorough coverage of the specific study area. Should either of these or other special-status animal species be encountered, a report should be prepared documenting the results, including a map identifying locations in which special-status species were found.
- Seasonally-timed, focused botanical surveys of the site should be conducted to evaluate the botanical resources, and determine the presence/absence of special-status species that may occur on-site. For planning purposes, it would be prudent to conduct at least three focused surveys of the site during the spring and summer blooming period to facilitate identification and to ensure that a thorough investigation of the property's botanical resources has been conducted. If any special-status plant species are identified, the documentation of the species' location

and the number of individuals would provide valuable baseline information with which to formulate appropriate mitigation measures should any of these species be affected by the proposed development.

- A formal wetland delineation should be conducted to define the regulated boundary of the Santa Clara River and to determine the status of the potential wetland area in the central portion of the site. Those areas identified as jurisdictional waters should be mapped onto a current topographic base map and/or aerial photograph of the specific site. Of importance in any future permitting process is to highlight the regional scale of the proposed development and the amount of property and similar habitat types that would be preserved and protected in perpetuity by the proposed project.
- An oak tree survey should be conducted to determine the number of coast live oak and scrub oak trees that would be removed or potentially removed to accommodate the proposed project. The numbers, locations, size and health of oak trees present on-site should be recorded to accurately formulate appropriate mitigation measures in the event of their removal.
- The trees on site include one occupied by a raptor nest. Because raptor nests are protected under the California Fish and Game Code, if the tree in which the nest is located is proposed for removal, it would need to avoid the raptor nesting season (February through October). If active nests are within the site, DFG typically requires that all construction work must be conducted at least 500 feet from the nest until the adults and young are no longer dependent upon the nest site.

In summary, the primary biological constraints associated with the site are the Santa Clara River floodplain, other drainage features that may be jurisdictional, previous designation of wildlife corridor through the site, and the oak trees. While no specific “fatal flaws” are present to future development at the site, the site is relatively more complex because of the jurisdictional and planning issues involved. Development that is planned to avoid the Santa Clara River floodplain, preserve or revegetate oak trees into conserved lands, and maintenance of some wildlife movement linkage across the site (preferably along a jurisdictional drainage) would potentially reduce biological concerns of the regulatory and jurisdictional agencies.

LIMITATIONS, ASSUMPTIONS AND USER RELIANCE

This limited Biological Assessment was prepared for use solely and exclusively by the JSB Development. This report shall not be relied upon by or transferred to any other party without the express written authorization of Rincon Consultants. Mr. James Backer of JSB Development has requested this assessment and may use it to provide information to satisfy regulatory agency requirements. No other use or disclosure is intended or authorized by Rincon. JSB Development agrees to hold Rincon harmless for any inverse condemnation or devaluation of said property that may result if Rincon’s report or information generated is used for other purposes. Also, this report is issued with the understanding that it is to be used only in its entirety. It is intended for use only by the client, and no other person or

entity may rely upon the report without the express written consent of Rincon Consultants.

This work has been performed in accordance with good commercial, customary, and generally accepted biological investigation practices conducted at this time and in this geographic area. The biological investigations are necessarily limited by the scope of work performed, as discussed in the methodology section. In particular, the identification and mapping of potential special-status species habitat has been based on a suitability analysis level only and did not include definitive surveys for the presence or absence of the species that may be present. Definitive surveys for special-status wildlife and plant species generally require specific survey protocols requiring extensive field survey time to be conducted only at certain times of the year. No other guarantee or warranties, expressed or implied are provided.

Thank you for the opportunity to provide environmental consulting services for this project. Please call Duane Vander Pluym or Rocky Brown if you have any questions or concerns regarding our analysis or would like to discuss these issues further.

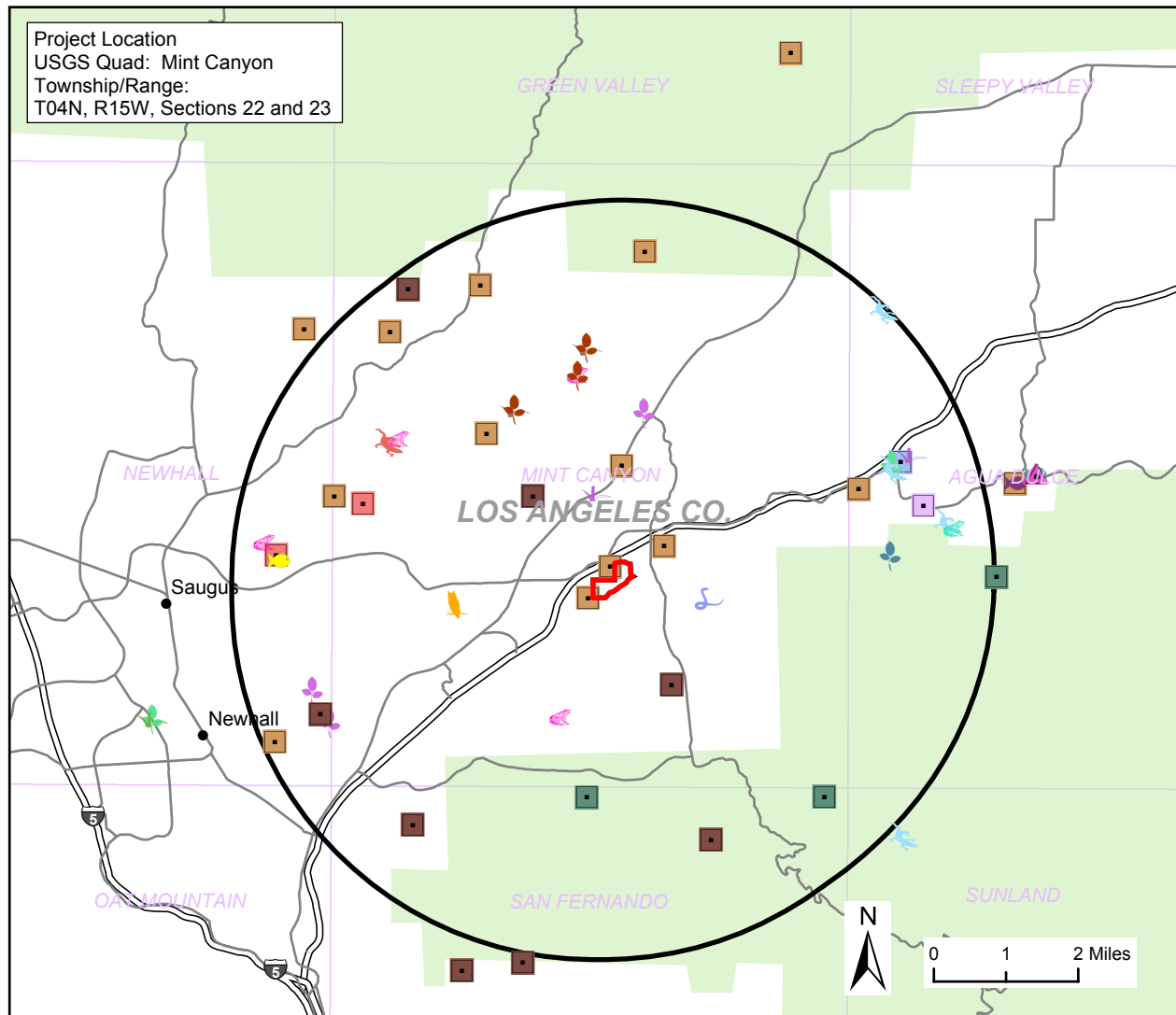
Sincerely,

RINCON CONSULTANTS, INC.

Rocky Brown
Associate Biologist

Duane Vander Pluym, D. ESE
Principal Biologist

Attachments: Figure 1 - Project Vicinity Map
Figure 2 - Site Location Map
Figure 3 - Aerial Photo of Project Site
Figure 4 - Sensitive Elements Reported by the CNDDDB
Figure 5 - Photo Plate of Project Site

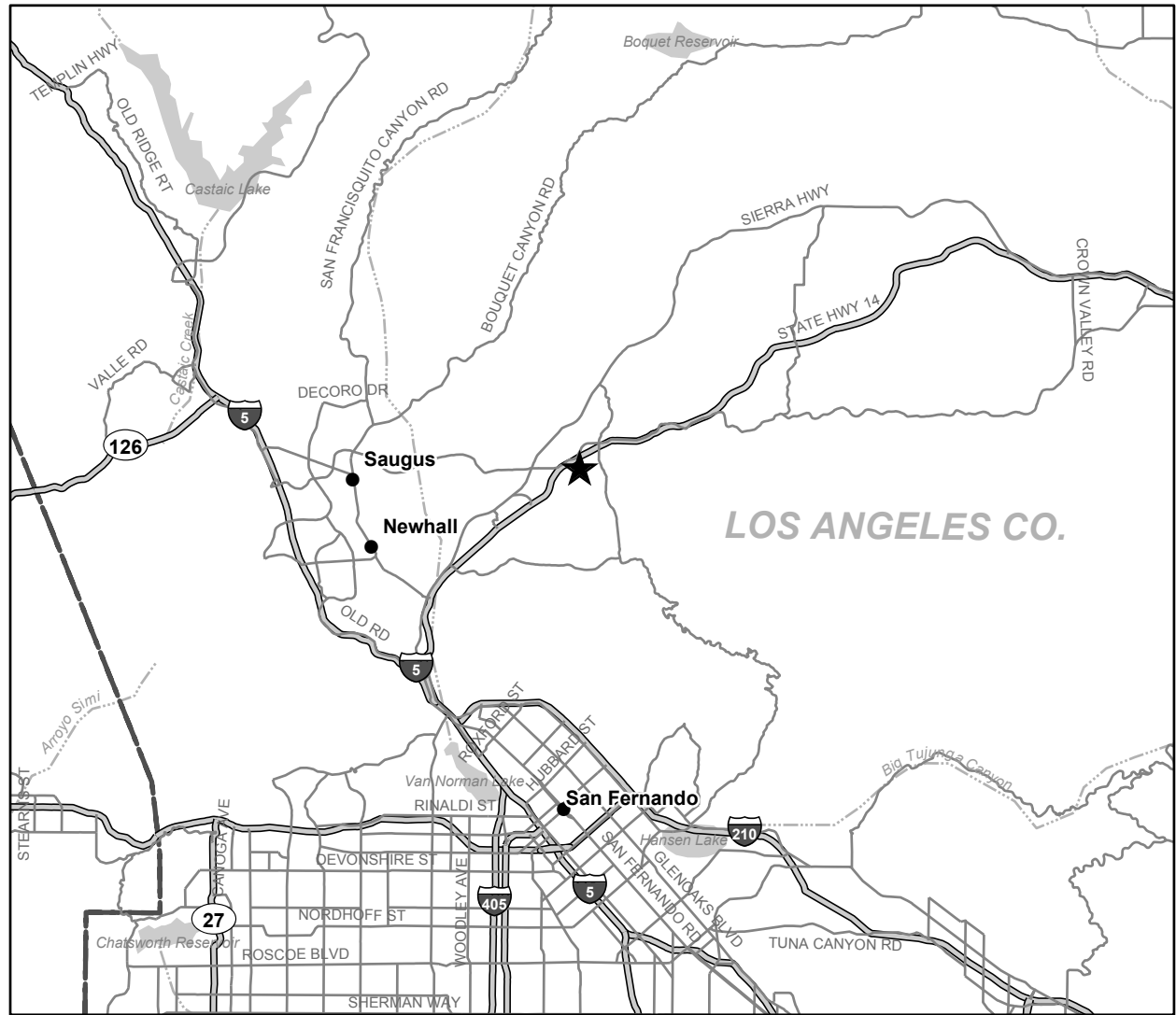


Legend

- ▭ Project Location
- 5-Mile Radius
- National Parks/Forests
- 🐸 AAABB01111, arroyo toad
- 🦎 AAABF01030, western spadefoot
- 🦉 ABNSB10010, burrowing owl
- 🐟 AFCJB13120, arroyo chub
- 🐟 AFCJC02190, Santa Ana sucker
- 🐟 AFCPA03011, unarmored threespine stickleback
- 🦎 ARACC01012, silvery legless lizard
- 🦎 ARACF12021, Coast (San Diego) horned lizard
- 🐍 ARADB36160, two-striped garter snake
- 🐟 CARE2320CA, Southern California Threespine Stickleback Stream
- 🏠 CTT32720CA, Riversidian Alluvial Fan Sage Scrub
- 🏠 CTT61310CA, Southern Coast Live Oak Riparian Forest
- 🏠 CTT61330CA, Southern Cottonwood Willow Riparian Forest
- 🏠 CTT62400CA, Southern Sycamore Alder Riparian Woodland
- 🏠 CTT63300CA, Southern Riparian Scrub
- 🏠 CTT63320CA, Southern Willow Scrub
- 🌿 PDAST0T1F0, Greata's aster
- 🌿 PDCAC0D053, short-joint beavertail
- 🌿 PDPGN0V010, slender-horned spineflower
- 🌿 PDPLM0C080, spreading navarretia
- 🌿 PMLIL0D096, slender mariposa lily
- 🌿 PMLIL0D150, Plummer's mariposa lily
- 🌿 PMPOA4G010, California Orcutt grass

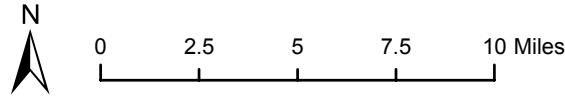
**Sensitive Elements Reported by the
 California Natural Diversity Database**

Figure 4



Source: US Bureau of the Census TIGER 2000 data.

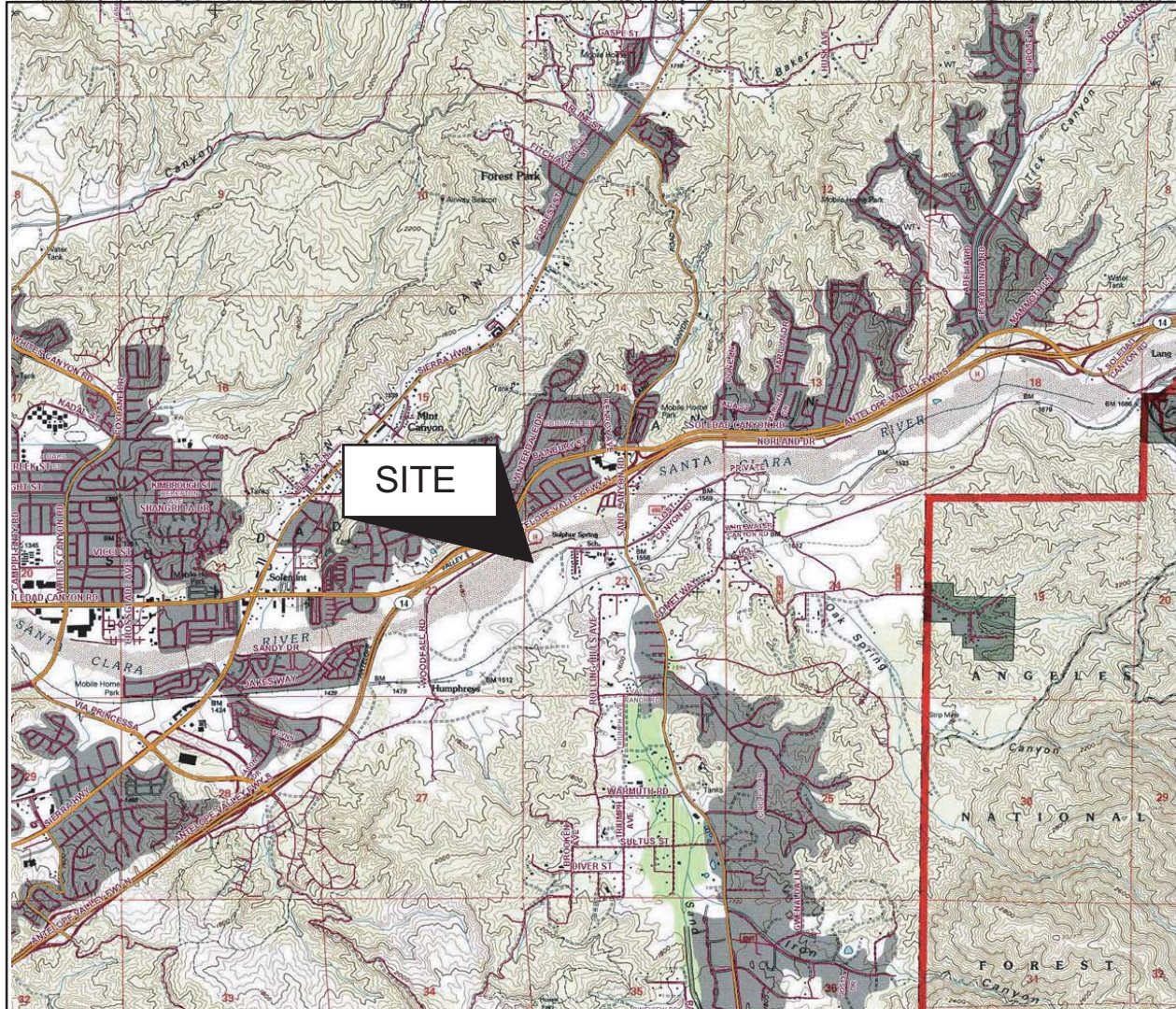
★ Project Location



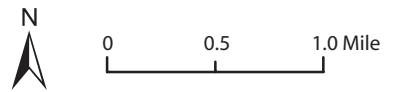
Project Vicinity Map

Figure 1



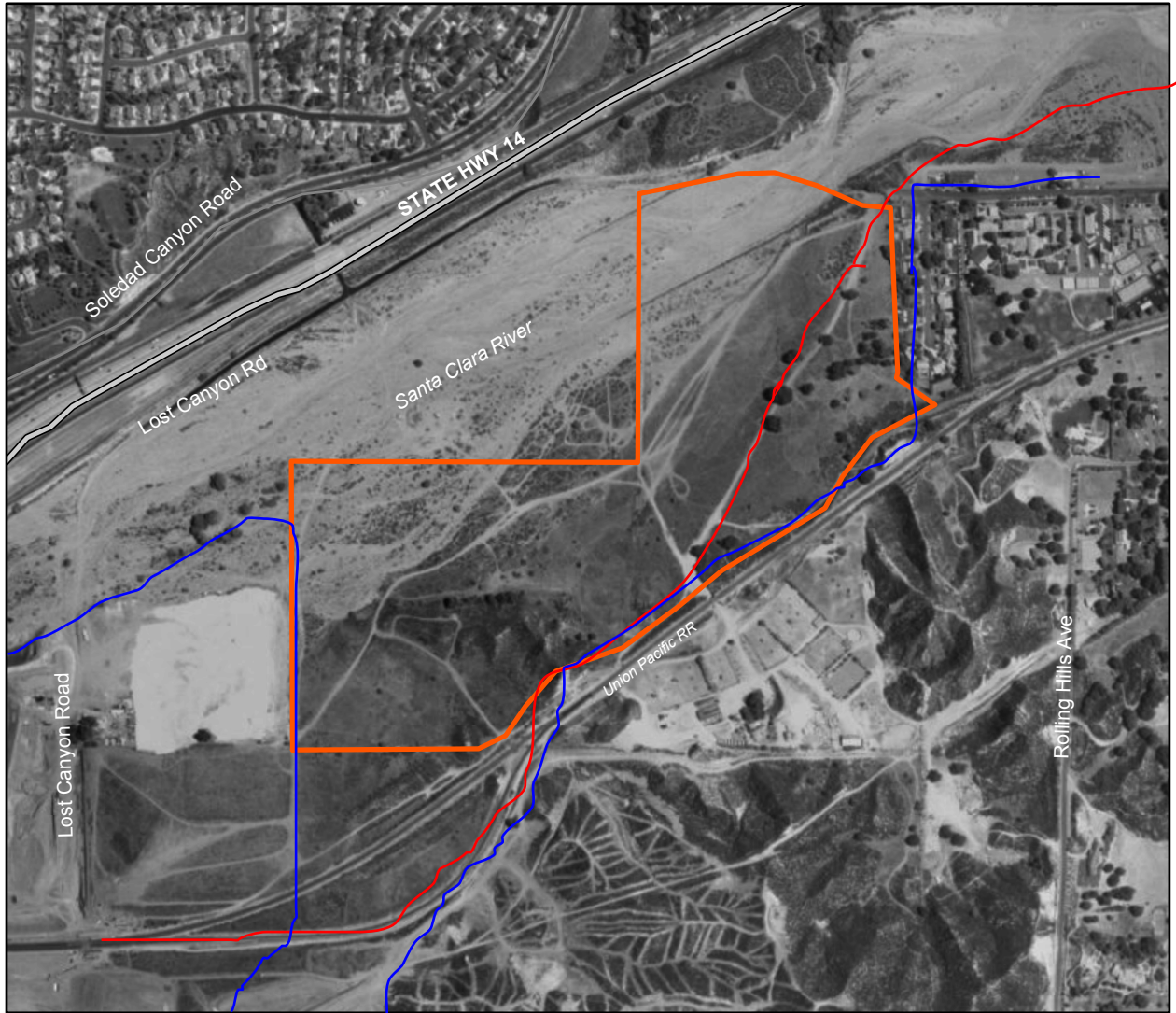


Source: National Geographic TOPOI, Mint Canyon Quad, CA, 1995.



Site Location Map

Figure 2



Source: U.S. Bureau of the Census TIGER 2000 data, and Terraserver. June 11, 2002.



Aerial Photo of Project Site

Figure 3





Photo 1 - Riparian area towards eastern border of site.



Photo 2 - Raptor nest (center of photo) in oak tree on east side of site.



Photo 3 - Non-native grassland/scalebroom scrub transition zone with oak woodland in background.



Photo 4 - Santa Clara River channel.

Photo Plate of Project Site





Photo 5 - Potential wetland area (center of photo) in central portion of site.



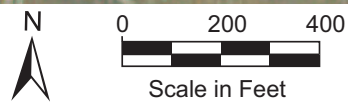
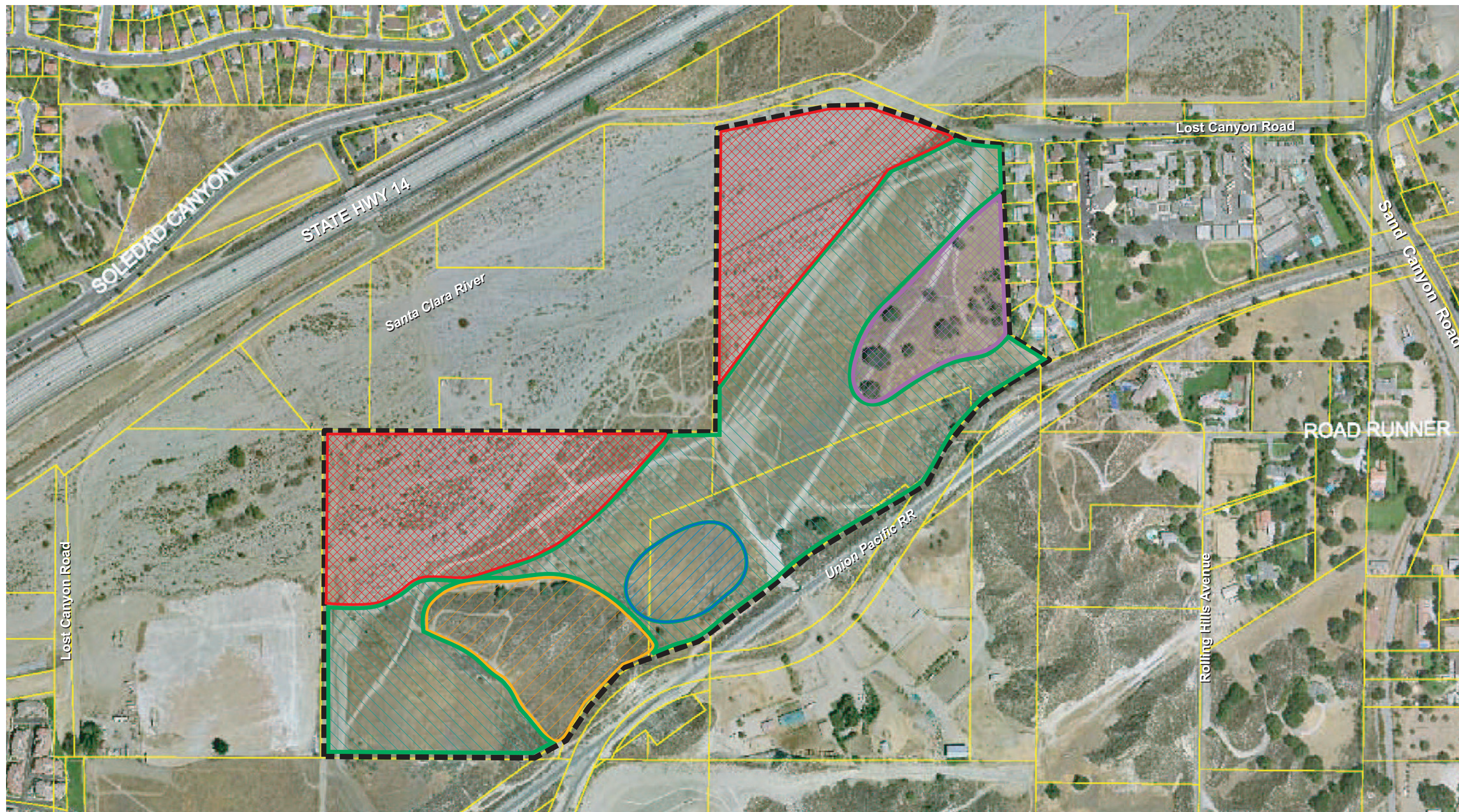
Photo 6 - Non-native grassland in western portion of site.









Photo 7 - Terminus of surface flow in river channel.

Photo Plate of Project Site





- | | | |
|---|--|---|
|  Project Boundary |  Potential Wetland Area |  Oak Woodland |
|  Santa Clara River Channel & Flood Plain |  Coastal Scrub |  Non-native Annual Grassland |

Habitat Map

Source: Aerial Photo: Stewart Geo Technologies, August 2004