

August 11, 2015

JN 146540

**HILLWOOD INVESTMENT PROPERTIES**Attn: *Ms. Kathy Hoffer*

901 Via Piemonte, Suite 175

Ontario, California 91764

**SUBJECT: Least Bell's Vireo (*Vireo bellii pusillus*) Presence/Absence Surveys for Hillwood Investment Properties' Sycamore Canyon Business Park Project Located in the City of Riverside, Riverside County, California**

Dear Ms. Hoffer:

Michael Baker International (Michael Baker) is pleased to submit this report to Hillwood Investment Properties documenting the results of least Bell's vireo (LBVI) presence/absence surveys for the Sycamore Canyon Business Park Project located in the City of Riverside, Riverside County, California. The survey effort consisted of eight surveys conducted between May 1 and July 14, 2015. All surveys were conducted by Michael Baker biologists Ryan S. Winkleman, Travis J. McGill, Thomas C. Millington, and/or Ashley M. Barton along the unnamed intermittent drainage that runs roughly north-south through the center of the proposed project site. The surveys were conducted in accordance with the 2001 Least Bell's Vireo Survey Guidelines published by the U.S. Fish and Wildlife Service (USFWS)<sup>1</sup>.

No LBVI were detected during the surveys. The only special-status species<sup>2</sup> incidentally detected during the surveys were willow flycatcher (*Empidonax traillii*, WIFL) and California horned lark (*Eremophila alpestris actia*). Mr. Winkleman detected the WIFL during the May 21, 2015 survey; he is experienced in the visual and aural identification of this species. The bird was lost in a large moving flock of house finches (*Haemorhous mexicanus*) and lesser goldfinches (*Spinus psaltria*) shortly after being detected and was not relocated. The bird did not vocalize and it was not conclusively determined if the bird was a southwestern willow flycatcher (*E.t. extimus*) or one of the northwestern subspecies (*E.t. brewsteri* and *E.t. adastus*), all of which can migrate through southern California. The project site does not present suitable breeding habitat for WIFL and the bird was not detected again during any subsequent surveys. Because the detection date was during the peak migration period for WIFL in southern California (generally the end of May and beginning of June) and the bird was not detected during any subsequent surveys, this bird

was ultimately determined to have been a transitory individual that happened to be passing through the site at the time of that particular LBVI survey. Brown-headed cowbird (*Molothrus ater*) and yellow-billed cuckoo (*Coccyzus americanus*) were not detected during any of the surveys.

### **Species Background**

The LBVI is a small, olive-gray migratory songbird that nests and forages almost exclusively in riparian woodland habitats. Bell's vireos as a group are highly territorial and are almost exclusively insectivorous. LBVI nesting habitat typically consists of well-developed over-story, understory, and low densities of aquatic and herbaceous plant cover. The understory frequently contains dense sub-shrub or shrub thickets. These thickets are often dominated by plants such as willow (*Salix* sp.), mulefat (*Baccharis salicifolia*), and one or more herbaceous species.

This small passerine species constructs open cup nests low in the riparian canopy, which may cause them to be more vulnerable to brood parasitism compared to larger passerines that nest higher in the canopy. The loss of and degradation of riparian habitats have both occurred due to urban and agricultural development, fire, water diversion and impoundment, channelization, livestock grazing, off-road vehicle use and recreation, replacement of native habitats by introduced plant species, and hydrological changes resulting from these and other land uses. LBVI was first proposed for listing as endangered by the USFWS on May 3, 1985 (50 FR 18968 18975), and was subsequently listed as federally endangered on May 2, 1986 (51 FR 16474 16482). Critical Habitat units were designated by the USFWS on February 2, 1994 (59 FR 4845 4867) and included reaches of ten streams in six counties in southern California and approximately 38,000 acres of surrounding habitat. The Critical Habitat units exist in the Santa Ynez River, Santa Clara River, Santa Ana River, Santa Margarita River, San Luis Rey River, Sweetwater River, San Diego River, Tijuana River, Coyote Creek, and Jamul-Dulzura Creek.

Although LBVI use a variety of riparian plant species for nesting, it appears that the structure of the vegetation is more important than other factors such as species composition or the age of the stand. LBVI begin to arrive at their breeding grounds in southern California riparian areas from mid-March to early April. Upon arrival, males establish breeding territories that range in size from 0.5 to 7.4 acres, with an average size of approximately two acres. After pair formation, vireos construct a hanging cup nest made up of dried plant material. Nests are usually placed in forks of branches between two and five feet from the ground. Females lay two to five eggs, on average three in California, with both parents incubating the clutch for approximately 14 days and the young fledging 10 to 12 days after hatching<sup>3</sup>. In a 22-year study in California, the earliest date where eggs were found in a LBVI nest was March 28, and the latest known fledging date was August 10<sup>3</sup>. The average time from nest building to fledging is thus from 34 to 37 days. The fledglings will remain in the parental territory for up to one month. LBVI leave the breeding grounds and migrate south mid- to late September. Although not common, a few LBVI have been found wintering in southern California<sup>4</sup>.

### **Project Location**

The project site is generally located north of Allesandro Boulevard, east of Canyon Crest Drive, south of State Route 60, and west of Interstate 215 in the City of Riverside, Riverside County, California. The project site is depicted on the Riverside East quadrangle of the United States Geological Survey's (USGS) 7.5-minute topographic map series within Section 4 of Township 3 south, Range 4 west. Specifically, the project site consists of vacant land in the northwest corner of the existing Sycamore Canyon Business Park, located to the north of River Ridge Drive, east of Sycamore Canyon Wilderness Park, south of the Sycamore Highlands residential neighborhood, and west of Sycamore Canyon Boulevard.

### **Existing Site Conditions**

Land uses in the vicinity of the proposed project include the Sycamore Canyon Wilderness Park and associated trails to the west, the Sycamore Highlands residential neighborhood to the north, and the existing Sycamore Canyon Business Park to the south and east. Some multiuse trails cross through the project site and the southeastern corner of the site is highly disturbed, but most of the site remains generally vacant. According to several years of aerial imagery via Google Earth, the site appears to be periodically mowed, contributing to the dominance of non-native grasses.

The project site is located in a mostly undeveloped field in western Riverside County, immediately adjacent to Sycamore Canyon Wilderness Park to the west but otherwise surrounded by existing development. The southeastern quadrant of the site is highly disturbed and has been mostly denuded of vegetation. It is currently being used as a storage area for discarded cement slabs and rock. The remainder of the project site is generally vegetated by a non-native grassland, particularly dominated by ripgut brome (*Bromus diandrus*), red brome (*Bromus madritensis ssp. rubens*), and star thistle (*Centaurea* sp.). A drainage channel crosses generally through the center of the project site, beginning in its northwest corner and passing generally north to south through the center of the site before exiting again in the southeast corner. The lower (southern) section of this drainage is vegetated with a mulefat scrub community that is dominated primarily by mulefat with some California buckwheat (*Eriogonum fasciculatum*) and tamarisk (*Tamarix* sp.), particularly in upland areas. However, approximately the northernmost 2/3 of the drainage is vegetated by a patchy willow scrub community, dominated by black willow (*Salix gooddingii*) and arroyo willow (*Salix lasiolepis*), with some scattered Fremont's cottonwood (*Populus fremontii*). The southwestern edge of the site and the area immediately adjacent to it has scattered olive (*Olea europaea*) trees. Some boulder outcrops are present in the southwestern quadrant of the site within the non-native grassland.

### **Methodology**

Prior to performing the surveys, available databases and documentation relevant to the project site were reviewed for known occurrences of LBVI in the area. The California Natural Diversity Database (CNDDB) Rarefind 5 online software was queried for reported locations of LBVI and

other sensitive species in the Riverside East USGS 7.5-minute quadrangle. This database is maintained by the California Department of Fish and Wildlife (CDFW) and contains records of reported occurrences of state and federally listed species or otherwise sensitive species and habitats that may occur within the vicinity of a subject property. In addition, eBird was queried as an informational tool to find recently documented occurrences of LBVI in the region. eBird is a database run jointly by the Cornell Lab of Ornithology and the National Audubon Society that logs user-submitted sightings of birds on a global scale.

The literature review included a review of standard field guides and texts on sensitive and non-sensitive biological resources, as well as the following sources:

- Final Determination of Critical Habitat for the Least Bell's Vireo (59 FR 4845 4867);
- Draft recovery plan for the least Bell's vireo<sup>5</sup>; and
- Least Bell's Vireo Survey Guidelines<sup>1</sup>.

In accordance with the USFWS least Bell's vireo survey guidelines<sup>1</sup>, all riparian areas and any other potential vireo habitats should be surveyed at least eight (8) times between April 10 and July 31 at least ten (10) days apart to maximize the detection of vireos. This timeframe encompasses the period during which most vireo nesting activity occurs. However, to reduce the risk of an unauthorized "take," surveys can extend to August 31 to reflect a broader extent to the riparian habitat and other adjacent habitat types that vireo typically utilize during the latter phase of the breeding season.

Michael Baker biologists Ryan S. Winkleman, Travis J. McGill, Thomas C. Millington, and/or Ashley M. Barton conducted eight focused LBVI surveys on May 1, May 11, May 21, June 1, June 11, June 22, July 2, and July 14, 2015. All surveys were conducted between the hours of 0700 and 1100. During each survey, the surveyor(s) slowly walked along the drainage listening for bird vocalizations and looking for bird movement. The surveys were mostly confined to the outside of the drainage but the surveyor(s) would occasionally cross through the riparian corridor where established trails were already present to look and listen for bird activity in the interior vegetation or to check the other side of the vegetation. The surveyor(s) frequently stopped to listen for bird vocalizations and to identify surrounding birds. Attempts to detect LBVI and other riparian nesters consisted primarily of quiet, unobtrusive observation.

A list was kept during each survey of all detected avian and non-avian species. During the LBVI presence/absence surveys, attention was also given to the potential presence of southwestern willow flycatcher, yellow-billed cuckoo, special-status species known to occur in the area, and brown-headed cowbird. The willow flycatcher detected during the surveys was recorded with a GPS and mapped per the requirements of the survey protocol<sup>1</sup>.

## **Results**

### **Previous Records**

LBVI has been documented in the general vicinity of the project site, in particular in the Santa Ana River, on the University of California, Riverside campus, and within Sycamore Canyon Wilderness Park directly to the west of the project site. The CNDDDB query documented thirteen (13) known occurrence records for LBVI in the Riverside East quadrangle, all of which are presumed extant<sup>6</sup>. Of these, ten (10) are located within a three-mile radius of the project site, and three (3) are located within one mile of the site to the northeast, south, and west. Because of the close proximity to Sycamore Canyon Wilderness Park, there are fourteen (14) eBird checklists documenting LBVI within 1.5 miles of the project site, all within or immediately outside of Sycamore Canyon Wilderness Park<sup>7</sup>.

### **2015 Focused Survey Results**

No LBVI were detected during any of Michael Baker's 2015 focused surveys, and no yellow-billed cuckoo were incidentally detected. California horned larks were detected in nearly every survey in large numbers, particularly foraging in the highly disturbed southeastern quadrant. A willow flycatcher was found in a dead black willow within the drainage on the project site on May 21, 2015. Photos were obtained, but the bird did not vocalize and was quickly lost in a large flock of roaming Fringillidae. Although the different western subspecies of willow flycatcher can exhibit slight differences in plumage coloration with *E.t. brewsteri* showing brownest on the back, *E.t. adastus* showing greenest on the back<sup>8</sup>, and *E.t. extimus* showing gray-green on the back<sup>9</sup>, due to several confounding visual factors (e.g. lighting, degree of plumage wear, reflection of light from nearby vegetation), visual identification of subspecies is not generally considered satisfactory. However, the different WIFL subspecies exhibit subtle but detectable differences in their "fitz-bew" songs, with the southwestern subspecies having a noticeably drawn-out and colorful "bew" relative to the rapid and buzzy "bew" of the other subspecies. As such, the most reliable method of determining WIFL subspecies is by hearing the target bird sing. Because the bird on-site did not vocalize, a reliable identification to subspecies could not be made. Regardless of subspecies, the bird was not detected again during the remaining surveys and was determined to be only transitory and using the project site as a brief stopover during migration. No other special-status species were detected during the surveys. No brown-headed cowbirds were detected during the surveys.

## **Conclusions**

According to eBird checklists, the first 2015 record of LBVI for Riverside County was on March 16, 2015 in Sycamore Canyon Wilderness Park<sup>7</sup>. There have been a large number of eBird checklists documenting LBVI in the county since that date, many of which were at the adjacent Sycamore Canyon Wilderness Park. LBVI appears to be present and thriving in the adjacent Sycamore Canyon Wilderness Park, but LBVI were not detected on the project site during the 2015 presence/absence surveys which were conducted between May 1 and July 14. As a result, LBVI are presumed to be absent from the riparian plant community on-site. It should be noted that

flows and riparian habitat associated with the on-site drainage have been cut off by surrounding development and no longer continue downstream off the project site. This lack of continuous riparian habitat may explain why LBVI does not occur on the project site.

### **Recommendations**

Construction activities are not expected to start until sometime in 2017. It is recommended that initial construction activities occur outside of the LBVI breeding season (March 15 through August 1) to avoid impacts to this species. If construction is slated to occur during the breeding season, a clearance survey for LBVI within suitable on-site riparian habitat should be conducted prior to the start of construction. Positive detections of LBVI on-site should be followed by efforts to determine whether an active nest is present on the project site. If nesting LBVI are found during the clearance survey, avoidance and mitigation measures will need to be developed and implemented in accordance with the Western Riverside County Multiple Species Habitat Conservation Plan and documented in an Equivalency Analysis. If LBVI is present and greater than 10% of the suitable habitat will be impacted, offsite mitigation will be required and its conservation value documented in a Determination of Biological Equivalent or Superior Preservation analysis.

Please do not hesitate to contact me at (909) 974-4907 or [tmcgill@mbakerintl.com](mailto:tmcgill@mbakerintl.com) or Ryan Winkleman at (909) 239-5381 or [ryan.winkleman@mbakerintl.com](mailto:ryan.winkleman@mbakerintl.com) should you have any questions regarding this report.

Sincerely,



Thomas J. McGill, Ph.D.  
Vice President  
Natural Resources



Ryan S. Winkleman  
Biologist  
Natural Resources

### Attachments:

- A. Exhibits
- B. Site Photographs
- C. Wildlife Compendium

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<sup>1</sup> U.S. Department of the Interior, Fish and Wildlife Service (USFWS). 2001. Least Bell's Vireo Survey Guidelines. Carlsbad Fish and Wildlife Office.

<sup>2</sup> "Special-status species" as used in this report refers to species that are federally or State listed, proposed, or candidates for listing or that are designated by the CDFW as fully protected, species of special concern, or watch list species.

<sup>3</sup> Kus, B., S.L. Hopp, R.R. Johnson, and B.T. Brown. 2010. Bell's Vireo (*Vireo bellii*), The Birds of North America

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Online (A. Poole, Ed.). Ithaca: Cornell Lab of Ornithology; Retrieved from the Birds of North America Online:  
<http://bna.birds.cornell.edu/bna/species/035>

<sup>4</sup> Hamilton, R.A. and D.R. Willick. 1996. *The Birds of Orange County California: Status and Distribution*. Sea & Sage Press, Irvine, CA.

<sup>5</sup> U.S. Department of the Interior, Fish and Wildlife Service (USFWS). 1998. Draft recovery plan for the least Bell's vireo. U.S. Fish and Wildlife Service, Portland, OR. 139 pp.

<sup>6</sup> California Department of Fish and Wildlife (CDFW). 2015. California Natural Diversity Database RareFind 5.

<sup>7</sup> eBird. 2014. Online at <http://ebird.org/content/ebird/>.

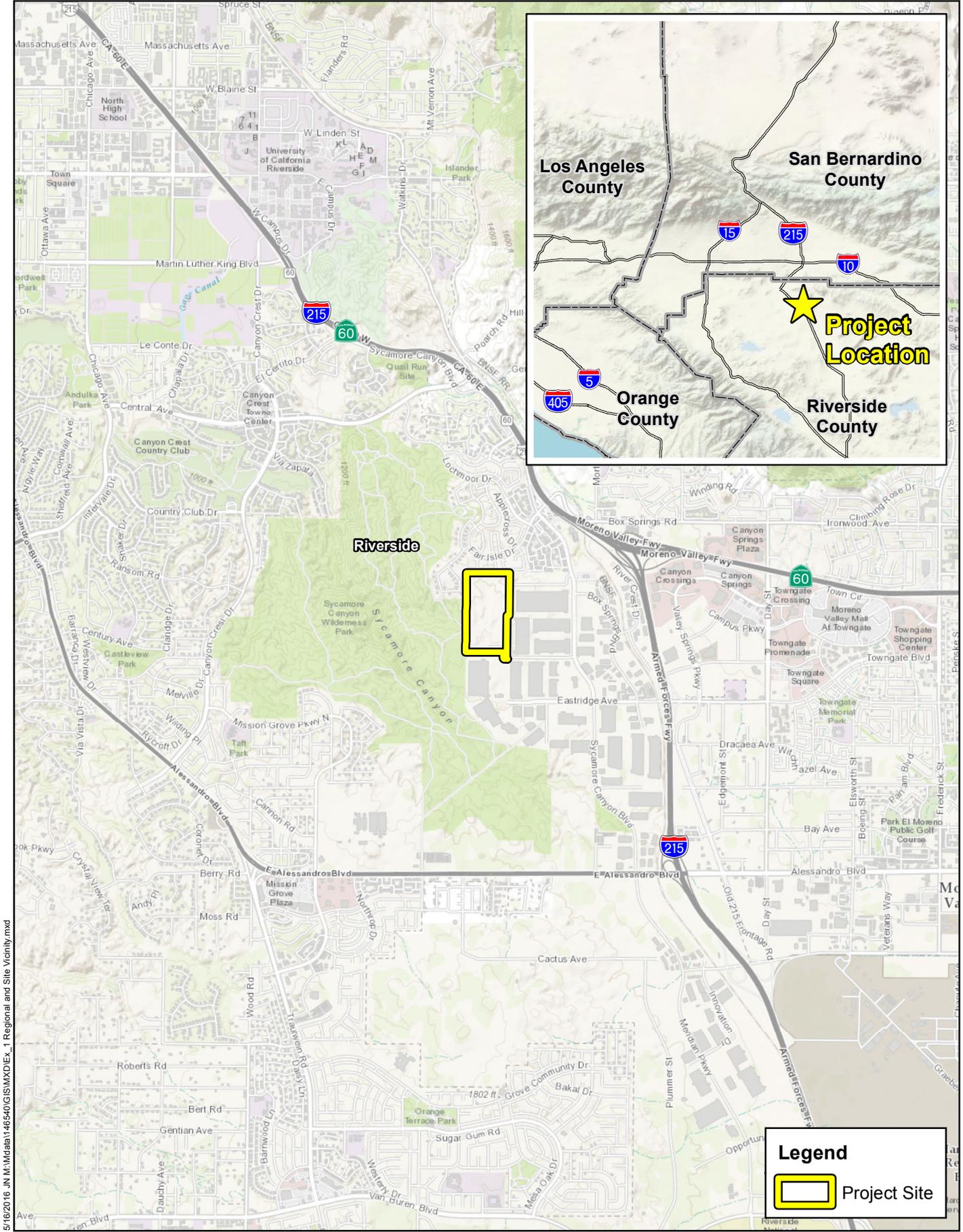
<sup>8</sup> Kaufman, K. 2011. *Kaufman Field Guide to Advanced Birding*. Houghton Mifflin Harcourt: New York, NY.

<sup>9</sup> USFWS. 2014. Southwestern Willow Flycatcher (*Empidonax traillii extimus*). Online at [http://www.fws.gov/nevada/protected\\_species/birds/species/swwf.html](http://www.fws.gov/nevada/protected_species/birds/species/swwf.html).

## **Attachment A**

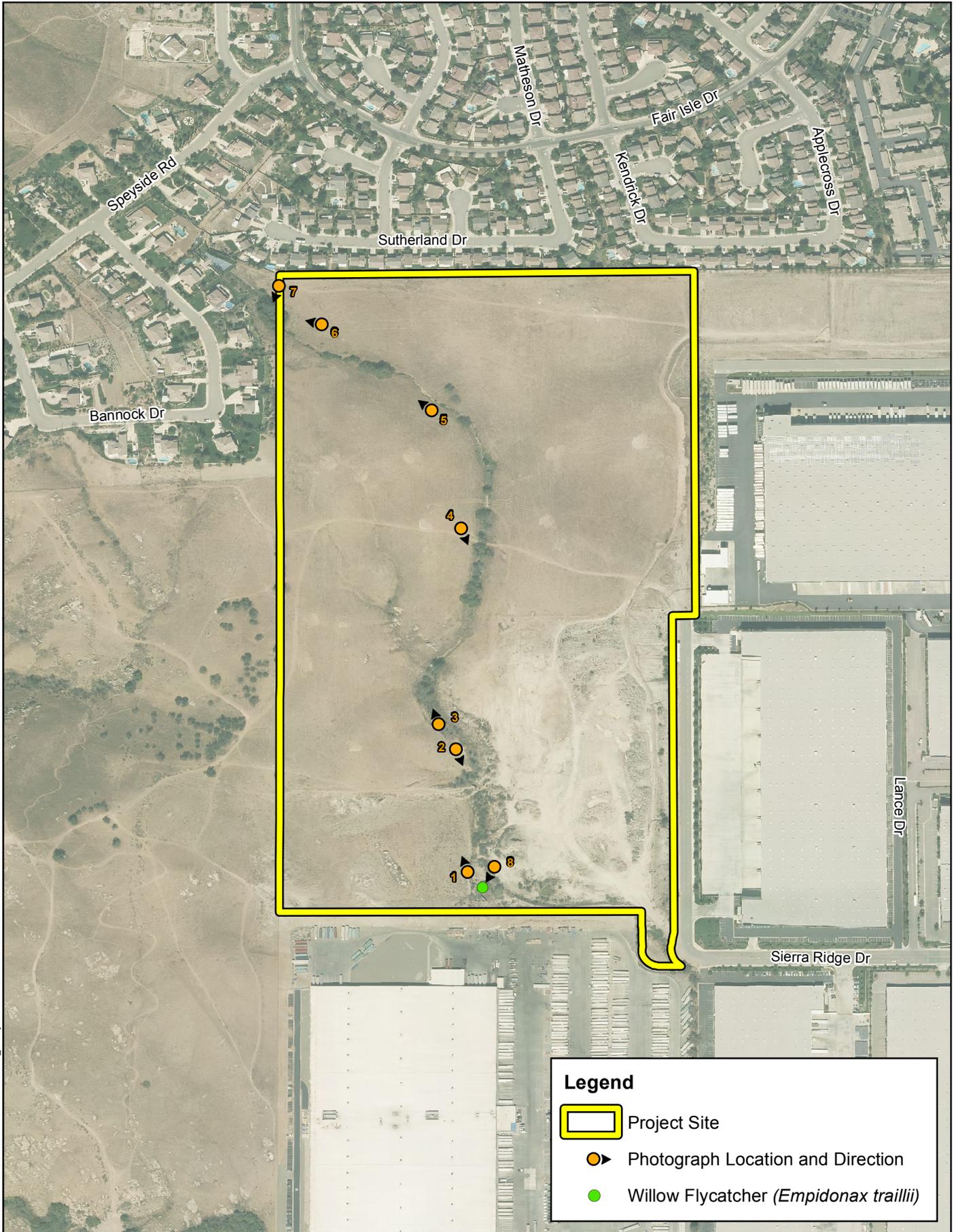
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Exhibits



5/16/2016 JN.M:\Mdata\146540GIS\WDX\Ex\_1 Regional and Site Vicinity.mxd

5/16/2016 JN.M:\Mdata\146540GIS\IMXDEx\_2 Project\_Site.mxd



**Legend**

- Project Site
- ▶ Photograph Location and Direction
- Willow Flycatcher (*Empidonax traillii*)

SYCAMORE CANYON BUSINESS PARK PROJECT  
 LEAST BELL'S VIREO PRESENCE/ABSENCE SURVEY  
**Project Site**

## **Attachment B**

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Site Photographs



**Photograph 1:** Looking north from the bottom of the drainage. The southernmost section of the drainage is primarily vegetated by mulefat (*Baccharis salicifolia*) scrub.



**Photograph 2:** Looking south, adjacent to the drainage, where there are recovering willows (*Salix* sp.) and tamarisk (*Tamarix* sp.).



**Photograph 3:** Looking north within the drainage. The drainage changes vegetation type from mulefat scrub (foreground) to willow scrub (background).



**Photograph 4:** Looking south. The vegetated drainage, while containing some large willows, is generally narrow with little vertical vegetative structure and only patches of willows.



**Photograph 5:** Looking north. The drainage is generally patchily vegetated, with varying patches of willow scrub mixed with un-vegetated areas.



**Photograph 6:** Looking northwest. The vegetated drainage ends in a large patch of black willow (*Salix gooddingii*) and arroyo willow (*Salix lasiolepis*).



**Photograph 7:** Looking south from the northern end of the site at the same willow patch from Photograph 6.



**Photograph 8:** A willow flycatcher (*Empidonax traillii*) was found on-site on May 21, 2015. It did not vocalize and was not identified to subspecies. The bird was not detected again during any subsequent surveys and was determined to have been a transitory individual migrating through the project site.

## **Attachment C**

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Wildlife Compendium

<b>WILDLIFE SPECIES</b>	
<b>Scientific Name</b>	<b>Common Name</b>
<b>AVES</b>	<b>BIRDS</b>
<i>Aeronautes saxatalis</i>	white-throated swift
<i>Bubo virginianus</i>	great horned owl
<i>Buteo jamaicensis</i>	red-tailed hawk
<i>Callipepla californica</i>	California quail
<i>Calypte anna</i>	Anna's hummingbird
<i>Calypte costae</i>	Costa's hummingbird
<i>Cardellina pusilla</i>	Wilson's warbler
<i>Charadrius vociferus</i>	killdeer
<i>Chondestes grammacus</i>	lark sparrow
<i>Columba livia*</i>	rock pigeon
<i>Corvus brachyrhynchos</i>	American crow
<i>Corvus corax</i>	common raven
<i>Empidonax traillii</i>	willow flycatcher
<i>Eremophila alpestris</i>	horned lark
<i>Falco sparverius</i>	American kestrel
<i>Haemorhous mexicanus</i>	house finch
<i>Icterus cucullatus</i>	hooded oriole
<i>Melospiza melodia</i>	song sparrow
<i>Melospiza crissalis</i>	California towhee
<i>Mimus polyglottos</i>	northern mockingbird
<i>Myiarchus cinerascens</i>	ash-throated flycatcher
<i>Passer domesticus*</i>	house sparrow
<i>Passerina caerulea</i>	blue grosbeak
<i>Petrochelidon pyrrhonota</i>	cliff swallow
<i>Picoides nuttallii</i>	Nuttall's woodpecker
<i>Pipilo maculatus</i>	spotted towhee
<i>Poliophtila caerulea</i>	blue-gray gnatcatcher
<i>Psaltriparus minimus</i>	bush tit
<i>Salpinctes obsoletus</i>	rock wren
<i>Sayornis nigricans</i>	black phoebe
<i>Sayornis saya</i>	Say's phoebe
<i>Selasphorus sasin</i>	Allen's hummingbird
<i>Spinus psaltria</i>	lesser goldfinch
<i>Spinus tristis</i>	American goldfinch
<i>Stelgidopteryx serripennis</i>	northern rough-winged swallow
<i>Sturnella neglecta</i>	western meadowlark
<i>Sturnus vulgaris*</i>	European starling
<i>Thryomanes bewickii</i>	Bewick's wren
<i>Troglodytes aedon</i>	house wren
<i>Tyrannus vociferans</i>	Cassin's kingbird
<i>Vireo gilvus</i>	warbling vireo
<i>Zenaida macroura</i>	mourning dove

<b>WILDLIFE SPECIES</b>	
<i>Scientific Name</i>	<b>Common Name</b>
<b>MAMMALIA</b>	<b>MAMMALS</b>
<i>Canus latrans</i>	coyote
<i>Lepus californicus bennettii</i>	San Diego black-tailed jackrabbit
<i>Sylvilagus audubonii</i>	desert cottontail
<b>REPTILIA</b>	<b>REPTILES</b>
<i>Aspidoscelis tigris stejnegeri</i>	coastal whiptail
<i>Sceloporus occidentalis longipes</i>	Great Basin fence lizard
<i>Uta stansburiana elegans</i>	western side-blotched lizard

\* non-native species