

November 18th, 2015



The True Life Companies, LLC

c/o Mr. Bob Garrison
Managing Director - Southern California Region
23 Corporate Plaza, Suite 150
Newport Beach, CA 92660

Re: Results of Due Diligence Biological Constraints Assessment for the Fireman's Circle/Mitchell Road Properties, APN's 392-220-013, 017, and 018 (14 acres) in the City of Murrieta, Riverside County, California

Dear Mr. Garrison:

This report presents the findings of a biological constraints assessment conducted for the approximately 14-acre Fireman's Circle/Mitchell Road Properties project site ("Project Site"), APN's 392-220-013, 017, and 018 in the City of Murrieta, California as shown in Figure 1, *Project Site Boundaries*. The purpose of this study, conducted by Cadre Environmental, is to document the existing biological resources, identify general vegetation types, and assess the potential biological constraints associated with the proposed development as outlined and required by the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), City of Murrieta General Plan/Municipal Codes, and California Environmental Quality Act (CEQA) guidelines.

METHODS OF STUDY

Approach

Prior to visiting the Project Site, a review of all available and relevant data on the biological characteristics, sensitive habitats, and species potentially present on or adjacent to the Project Site was conducted. Also, as required by the MSHCP, and during the initial property assessment process, all Project Site APN's were searched using the Conservation Report Summary Generator to determine if the properties fall within a "Criteria Area" and if additional surveys for endemic plant species or wildlife not adequately covered by the MSHCP may be required.

During the initial survey, the Project Site's habitat was characterized, preliminary vegetative communities and primary topographic features potentially subject to MSHCP jurisdiction mapped, and the potential to support sensitive species as required by the guidelines of the MSHCP evaluated. Data, which contain digital images derived from aerial photography with orthographic projection properties, were used in conjunction with Cadre Environmental's in-house geographic information system (GIS) database as an important base layer to identify vegetation communities, drainage features, and United States Fish and Wildlife Service (USFWS) designated critical habitat boundaries. Vegetation communities were then "ground-truthed" during field observations to obtain characteristic descriptions.

Literature Review

The study was initiated with a review of relevant literature and previous environmental documents describing the biological resources of the Project Site and vicinity. The MSHCP list of covered species potentially occurring onsite was also examined (MSHCP Table 2-2 Species Considered for Conservation Under the MSHCP Since 1999, 2004). In addition, federal register listings, protocols, and species data provided by USFWS were reviewed in conjunction with anticipated

federally listed species potentially occurring at the Project Site. The California Natural Diversity Database (CNDDDB),¹ a review of the California Native Plant Society sixth inventory (Tibor 2001), and Roberts et al. (2004) were also reviewed for pertinent information regarding the location of known occurrences of sensitive species in the vicinity of the property. In addition, numerous regional floral and faunal field guides were utilized in the identification of species and suitable habitats.

Field Investigation

The Project Site was surveyed on November 10th 2015. The survey included complete coverage of the Project Site, with special attention focused toward sensitive species or those habitats potentially supporting sensitive flora or fauna that would be essential to efficiently implementing the terms and conditions of the MSHCP, and drainage/depression features potentially subject to MSHCP jurisdiction (Section 6.1.2). Aerial photography of the Project Site and vicinity was utilized to accurately locate and survey the properties. General plant communities were preliminarily mapped directly on the aerial photo using visible landmarks in the field.

A jurisdictional assessment was also conducted throughout the Project Site. The following report provides a summary of features observed onsite that may be subject to the United States Army Corps of Engineers (USACE) jurisdiction pursuant to Section 404 of the Clean Water Act, California Department of Fish and Wildlife (CDFW) jurisdiction pursuant to Division 2, Chapter 6, Section 1600 of the CDFW Code, and the Santa Ana Regional Water Quality Control Board (RWQCB).

Accordingly, this report includes, but is not limited to an overview of potential USACE, CDFW, RWQCB, MSHCP riparian/riverine/vernal pool jurisdictional resources and a habitat assessment for species that may require additional focused surveys as outlined by the MSHCP.

BIOLOGICAL CONSTRAINTS, REQUIREMENTS & RECOMMENDATIONS

The purpose of this report is to document the potential biological and regulatory constraints associated with development of the Project Site as outlined by the Western Riverside County MSHCP, City of Murrieta General Plan/Municipal Codes, and CEQA guidelines. Specifically, the report and following section is intended to assist the potential project applicant with an understanding of environmental requirements/schedule associated with achieving project approval. The report also represents a comprehensive list of items the City of Murrieta will review during the MSHCP consistency analysis and adoption of a CEQA Mitigated Negative Declaration (MND) or certification of an Environmental Impact Report (EIR).

MSHCP Criteria Areas

The Project Site does not occur within a MSHCP Criteria Area/Cell (RCIP Conservation Summary Report Generator 2015). Therefore submittal of a Habitat Evaluation and Acquisition Negotiation Strategy (HANS) application to the City of Murrieta or Joint Project Review (JPR) with the Regional Conservation Authority (RCA) are not required.

¹ California Natural Diversity Data Base, Department of Fish and Wildlife. November 2015. Natural Heritage Program: RareFind, Murrieta Quadrangle.

MSHCP Criteria Area Species Survey Area

The Project Site does not occur within a MSHCP survey area for criteria area plant species; therefore, no surveys are required (RCIP Conservation Summary Report Generator 2015).

The project is consistent with MSHCP Section 6.3.2.

MSHCP Narrow Endemic Plant Species Survey Area

The MSHCP has determined that all of the sensitive species potentially occurring onsite have been adequately covered (MSHCP Table 2-2 Species Considered for Conservation Under the MSHCP Since 1999, 2004). However, additional surveys may be required for narrow endemic plants if suitable habitat is documented onsite and/or if the property is located within a predetermined "Survey Area" (MSHCP 2004). The northeastern region of the Project Site (APN 392-220-018) occurs within a predetermined Survey Area for six (6) narrow endemic plant species as outlined below and as shown in Figure 2, *MSHCP Boundaries* (RCIP Conservation Summary Report Generator 2015).

- California Orcutt grass (*Orcuttia californica*) (ne) – FE, SE, CRPR 1B.1
- Many-stemmed dudleya (*Dudleya multicaulis*) (ne) – CRPR 1B.2
- Munz's onion (*Allium munzii*) (ne) – FE, ST, CRPR 1B.1
- San Diego Ambrosia (*Ambrosia pumila*) (ne) – FE, CRPR 1B.1
- Spreading navarretia (*Navarretia fossalis*) (ne) – FT, CRPR 1B.1
- Wright's trichocoronis (*Trichocoronis wrightii* var. *wrightii*) (ne) – CRPR 2.1

Based on the presence of marginally suitable habitat documented in the northeastern region of the Project Site (APN 392-220-018) during the biological constraints assessment, focused MSHCP surveys for narrow endemic plant species will be required. Specifically, suitable habitat for the many-stemmed dudleya, Munz's onion and San Diego ambrosia was documented within and adjacent to the chamise chaparral and Riversidean sage scrub vegetation communities.

An MSHCP Section 6.3.2 consistency determination would be made following the completion of the narrow endemic sensitive plant surveys.

Amphibian Species Survey Area

The Project Site does not occur within a MSHCP Amphibian Species Survey Area; therefore, no surveys are required (RCIP Conservation Summary Report Generator 2015).

The project is consistent with MSHCP Section 6.3.2.

MSHCP Mammal Species Survey Area

The Project Site does not occur within a MSHCP Mammal Species Survey Area; therefore, no surveys are required (RCIP Conservation Summary Report Generator 2015).

The project is consistent with MSHCP Section 6.3.2.

MSHCP Burrowing Owl Survey Area

The MSHCP has determined that all of the sensitive species potentially occurring onsite have been adequately covered (MSHCP Table 2-2 Species Considered for Conservation Under the MSHCP Since 1999, 2004). However, additional surveys may be required for specific wildlife species if suitable habitat is documented onsite and/or if the property is located within a predetermined "Survey Area" (RCIP Conservation Summary Report Generator 2015).

The Project Site occurs within a predetermined Survey Area for the burrowing owl (APN 392-220-018) as shown in Figure 2, *MSHCP Boundaries*. Based on the presence of suitable habitat documented onsite during the biological constraints assessment, focused MSHCP surveys will be required. Specifically, the northern region of APN 392-220-018 represents suitable foraging and burrowing habitat for the species.

Also, at a minimum, a 30-day preconstruction survey will be required immediately prior to the initiation of construction to ensure protection for this species and compliance with the conservation goals as outlined in the MSHCP. If burrowing owls are detected onsite during the 30-day preconstruction survey, a burrowing owl mitigation plan will be developed for the passive/active relocation of individuals to Regional Conservation Authority (RCA) lands. This requirement will be included as a condition of approval by the City of Murrieta.

An MSHCP Section 6.3.2 consistency determination would be made following the completion of the burrowing owl surveys.

MSHCP Riparian, Riverine, Vernal Pool Resources

No MSHCP riparian, riverine or vernal pool resources were documented within or adjacent to the Project Site. The potential jurisdictional feature identified in the northeast region of the Project Site does not lead from or to an MSHCP riparian or riverine resource and therefore does not meet the definition of Section 6.1.2 features as shown in Figure 3, *Biological Resources*, and outlined in Table 1, *Project Site Vegetation Communities*.

Table 1. Project Site Vegetation Communities

Vegetation Community	Acres
Coastal Sage Scrub	
<i>Riversidean Sage Scrub</i>	1.20
<i>California Buckwheat Scrub</i>	0.14
Chaparral	
<i>Chamise Chaparral</i>	1.90
Disturbed/Developed	
<i>Disturbed</i>	6.12
<i>Ornamental</i>	1.65
<i>Nursery</i>	1.38
<i>Developed</i>	1.18
<i>Ruderal</i>	0.05
TOTAL	13.62

Source: Cadre Environmental 2015

The project is consistent with MSHCP Section 6.1.2.

MSHCP Urban/Wildlands Interface Guidelines

The Project Site is not located adjacent to an existing or proposed MSHCP Conservation Area; therefore, compliance with Urban/Wildlands Interface guidelines is not required.

The project is consistent with MSHCP Section 6.1.4.

MSHCP Fuels Management Guidelines

The Project Site is not located adjacent to an existing or Proposed MSHCP Conservation Area; therefore, compliance with fuels management guidelines is not required.

The project is consistent with MSHCP Section 6.4.

Stephens' Kangaroo Rat Fee Area

The Project Site falls within the Stephens' kangaroo rat (SKR) Fee Area outlined in the Riverside County SKR Habitat Conservation Plan (HCP).

The project applicant shall pay the fees pursuant to County Ordinance 663.10 for the SKR HCP Fee Assessment Area as established and implemented by the County of Riverside.

MSHCP Local Development Mitigation Fees

The Project Site is located completely within the MSHCP Plan Area.

The project applicant shall pay MSHCP Local Development Mitigation Fees as established and implemented by the City of Murrieta.

Tree Preservation Ordinance

As required by the City of Murrieta Municipal Code 16.42, Tree Preservation Ordinance, a certified arborist shall prepare a tree report addressing impacts to protected trees. A single coast live oak (*Quercus agrifolia*) tree including numerous mature non-native (Ornamental) trees are documented throughout the Project Site as shown in Figure 3, *Biological Resources*.

A certified arborist, horticulturist, or registered landscape architect familiar with the City of Murrieta's Tree Preservation Ordinance will be required to conduct an assessment of mature trees documented onsite and acquire a tree removal permit, as warranted.

Jurisdictional Resources

A single potential jurisdictional feature was documented in the northeast region of the Project Site as shown in Figure 3, *Biological Resources*. Although the feature appears to dissipate within a ruderal slump, CDFW has recently begun claiming jurisdiction of similar features including "swales". In an effort to ensure compliance with regulatory agency guidelines, a formal jurisdictional delineation should be conducted onsite to determine if the feature is regulated by the CDFW, USACE, or RWQCB.

If the feature is determined to be jurisdictional, prior to issuance of a grading permit and as a condition of approval, the project applicant will be required to obtain a 1602 Streambed Alteration Agreement from CDFW, a 401 certification issued by the RWQCB pursuant to the California Water Code Section 13260, and 404 permit issued by the USACE, as warranted.

BIOLOGICAL RESOURCES TASKS & SCHEDULE

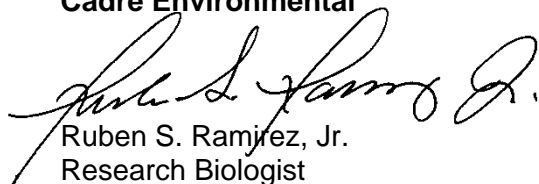
Based on the results of the biological constraints analysis conducted for the Project Site, the following table (Table 2. *Biological Resources Tasks & Schedule for Project Approval*) presents a comprehensive list of biological resource tasks which will be required to comply with MSHCP and CEQA guidelines needed for project approval and issuance of conditions of approval from the City of Murrieta.

Table 2. Biological Resources Tasks & Schedule for Project Approval

Task Description	Schedule
Jurisdictional Delineation <i>A formal jurisdictional delineation will determine the presence/absence of regulated resources onsite. If no resources are detected, the report and findings will be submitted with the MSHCP Habitat Assessment Report or Biological Resources Technical Report, as warranted. Also, if regulated resources are detected, all applicable permits from the USACE, CDFW, and RWQCB will be obtained prior to issuance of grading permits.</i>	Year-round
MSHCP Burrowing Owl Surveys	March-April 2016
MSHCP Narrow Endemic Sensitive Plant Surveys	March-July 2016
Protected Tree Study <i>As required by the City of Murrieta's Municipal Code 16.42, Tree Preservation Ordinance, a certified arborist, horticulturist, or registered landscape architect shall prepare a tree report addressing impacts to protected trees.</i>	Year-round
MSHCP Habitat Assessment Report <i>A formal MSHCP Habitat Assessment Report will be required by the City of Murrieta during the development of an Initial Study (IS)/Mitigated Negative Declaration (MND). If an EIR is required, a Biological Resources Technical Report will be required and prepared following completion of the focused survey efforts listed above.</i>	Year-round

Please forward any questions or comments to Ruben Ramirez at 949-300-0212 or r.ramirez@cadreenvironmental.com.

Sincerely,
Cadre Environmental



Ruben S. Ramirez, Jr.
Research Biologist

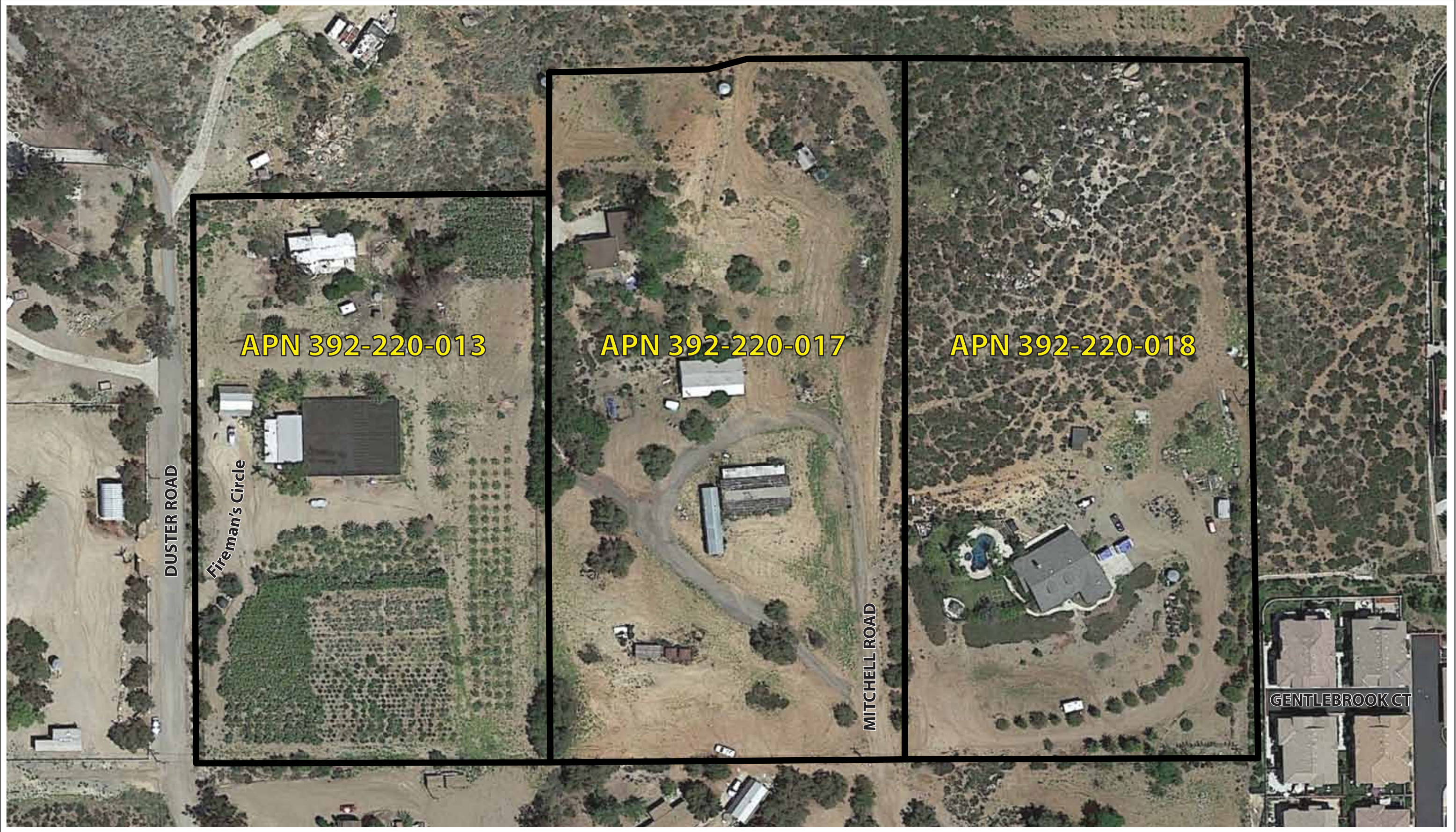


Figure 1 Project Site Boundaires
Biological Constraints Assessment - Fireman's Circle/Mitchell Road
City of Murrieta, California

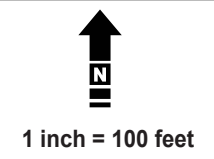
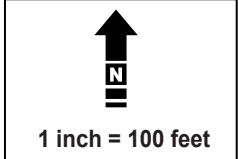




Figure 2 MSHCP Boundaries
Biological Constraints Assessment - Fireman's Circle/Mitchell Road
 City of Murrieta, California



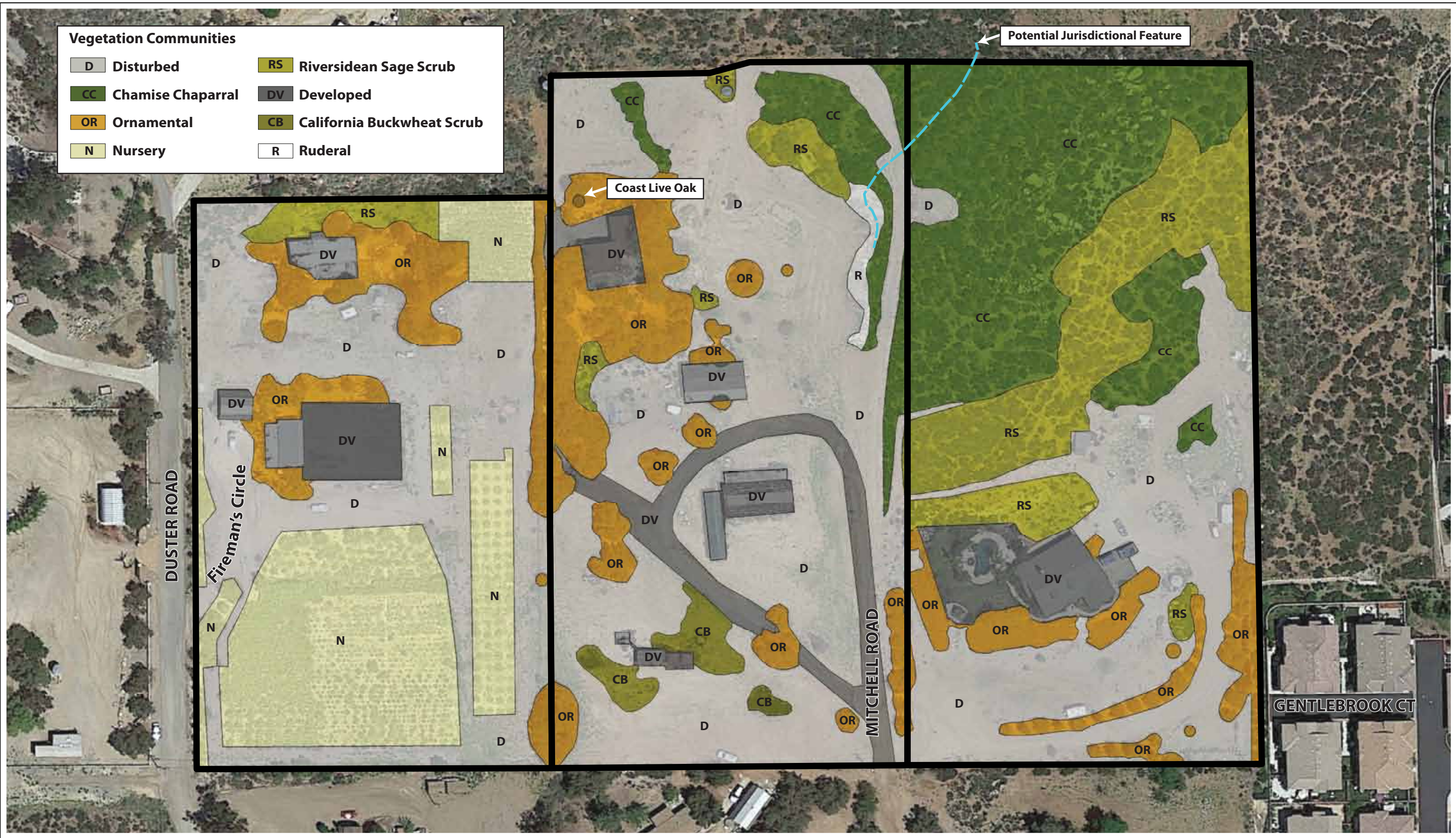


Figure 3 Biological Resources
 Biological Constraints Assessment - Fireman's Circle/Mitchell Road
 City of Murrieta, California