

MEMORANDUM

DATE: June 21 2022

To: Paul Loubet
First Industrial, L.P.
898 North Pacific Coast Highway, Suite 175
El Segundo, CA 90245

FROM: Jeremy Rosenthal, Biologist, LSA

SUBJECT: Round 3 Peer Review of the Biological Resources Assessment (June 13, 2022) for the Tamarind Ave 2-Lot Redevelopment Project in Fontana for CEQA Compliance (LSA Project No. FRT2202)

LSA has reviewed the following revised biological report relative to California Environmental Quality Act (CEQA) requirements for assessment of impacts to biological resources: *Biological Assessment Report for Tamarin Ave 2-Lot Redevelopment Project* (Blue Consulting Group June 13, 2022).

LSA's third evaluation of the revised report is based on a review of the revised report (January 28, 2022, April 29, 2022, and June 13, 2022), a review of aerial photographs and United States Geological Survey (USGS) topographic maps, and a literature review, including a search of the California Natural Diversity Database (CNDDDB). This letter report summarizes LSA's review findings. The project site is on the southwest corner of the intersection of Tamarin Avenue and Tamarin Court in Fontana, San Bernardino County, on Assessor's Parcel Numbers 256-011-03 and 256-011-04.

Results of the peer review of the revised report are presented below by report section.

EXISTING CONDITIONS (5)

Botany (5.3)

Confirmed that those species observed on site were highlighted in Sections 5.3.1 and 5.3.2 and differentiated from representative species that Blue Consultants may typically find in those land cover types but may not be present at this project location. The tree species documented in the arborist report (LSA, April 22, 2022) were added to the list of plant species. Scientific names are generally italicized.

Sensitive Biological Resources (5.5)

A paragraph that addresses the Delhi Sands Flower-Loving Fly Jurupa Recovery Unit was added.

The City Tree Preservation Ordinance (5.5.6)

The revised report references the City of Fontana's (City) Tree Preservation Ordinance, adopted August 16, 1994 (*City of Fontana Urban Tree Protection Requirement*), which controls the removal and preservation of heritage, significant, or specimen trees, but the report overlooked Sec. 28-67(c), which states:

All other trees which are not heritage, significant, or specimen tree shall be replaced. The size of the replacement tree(s) shall be based on a scale of ten percent to 100 percent. Staff may require that the ratings be performed by a certified arborist. The arborist report will be approved by staff.

Although there are no trees on the site that qualify as heritage, significant, or specimen tree, the City's ordinance requires replacement for all trees. The revised report notes the requirement for the replacement of all trees and states that LSA will conduct an arborist study pursuant to Chapter 28, Article III, Section 28-67(c) of the Fontana Tree Preservation ordinance to document the sizes and conditions of the trees so replacement requirements can be determined. Although changes have been made throughout the report, one statement on page 11 remains that still needs to be updated to be consistent.

The Property supports no Heritage, Significant, Specimen and Windrow trees covered by the City tree protection ordinance. No impacts to City protected trees is proposed. No mitigation is required.

BURROWING OWL MITIGATION MEASURE

Make sure the nesting survey adequately addresses confirming burrow inactivity and collapsing burrows or relocation if necessary, as described in the 2012 staff report on burrowing owl survey protocols.

REFERENCES

The references section continues to not match the document.