

**BURROWING OWL FOCUSED SURVEY REPORT
FOR
CENTURY COMMUNITIES BUFFALO GROVE PROJECT,
CITY OF UPLAND,
SAN BERNARDINO COUNTY, CALIFORNIA**

Prepared for:

CENTURY COMMUNITIES
4695 MacArthur Court, Suite 300
Newport Beach, CA 92660

Prepared by:

HANA RESOURCES, INC.
20361 Hermana Circle
Lake Forest, CA 92630
(949) 680-4400



July 11, 2025

CERTIFICATION STATEMENT

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this report, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

July 11, 2025

Date



Sloane Sanchez
Senior Biologist

July 11, 2025

Date



Jose Olvera
Associate Biologist

July 11, 2025

Date



Miranda Scolaro
Staff Biologist

TABLE OF CONTENTS

SECTION 1. INTRODUCTION	2
1.1. SITE LOCATION.....	2
1.2. PROJECT DESCRIPTION.....	2
1.3. SPECIES OVERVIEW	4
SECTION 2. REGULATORY OVERVIEW	5
2.1. REGULATORY BACKGROUND.....	5
2.1.1. Federal Statutes, Regulations, and Executive Orders.....	5
2.1.2. State Statutes and Regulations.....	5
SECTION 3. METHODOLOGY	8
3.1. LITERATURE REVIEW	8
3.2. FIELD METHODS.....	8
3.2.1. Burrowing Owl Survey Protocol.....	8
3.2.1.1. Phase I Habitat Assessment	9
3.2.1.2. Phase II Burrow Survey	9
3.2.1.3. Phase III Burrowing Owl Surveys, Census, and Mapping.....	10
SECTION 4. RESULTS	13
SECTION 5. CONCLUSIONS AND RECOMMENDATIONS.....	14
SECTION 6. REFERENCES	15
 EXHIBITS	
Exhibit I. Project Area.....	3
Exhibit II. Transect Path	12
 TABLES	
Table 1. Burrowing Owl Survey Conditions.....	10
 APPENDICES	
APPENDIX A Site Photographs	
APPENDIX B Focused Burrowing Owl Survey Field Forms	

SECTION 1. INTRODUCTION

This report presents the findings of focused burrowing owl (BUOW) surveys conducted by HANA Resources, Inc. (HANA) for Century Communities' proposed Buffalo Grove Project. Following completion of the focused burrowing surveys, HANA prepared this report that: 1) summarizes habitat assessment and focused survey findings, including: number of owls or nesting pairs, number and location of occupied burrows, presence of potential burrows, burrowing owl sign, and behaviors of detected owls; 2) assesses potential project impacts on BUOW; 3) recommends, as appropriate, best management practices (BMPs), avoidance and protection measures, and mitigation measures to avoid, eliminate, and/or reduce BUOW impacts to less than significant levels; and 4) identifies biological permits or approvals that the project may need. The study includes: 1) methods and results of the literature review and field surveys; 2) figures depicting the size and location of the BUOW habitat within the BSA in addition to any occupied burrows; 3) field forms and site photographs. The survey area includes the proposed project site and a 500-foot zone out from the proposed project site. This survey area is referred to as the Biological Study Area (BSA). The proposed project will impact the entire BSA.

1.1. Site Location

The site covers 4.57 acres in the City of Upland, San Bernardino County, and is located east of the intersection of CA State Route 66 and Central Avenue and is on the APNs 1007-061-23 and 1007-061-08 (**Exhibit I, Project Area**). The site is located on the United States Geological Survey (USGS) Ontario Quadrangle, 7.5-Minute Topographic map. The surface elevation of the site ranges from approximately 1,324 to 1,368 feet above mean sea level (MSL). The site is located within Section 11 in Township 1 South-Range 8 West, San Bernardino Meridian.

1.2. Project Description

The proposed project involves construction of a 72 detached unit residential subdivision in the City of Upland at 1814 W Foothill Blvd. This will require removal of the structures still standing from The Buffalo Inn, which occupied the lot previously. Further identified necessary improvements for the proposed project include removal of existing trees and vegetation, moderate grading operation, construction of retaining walls, wet/dry utilities, street work, landscaping, and flatwork.

1.3. Species Overview

The western burrowing owl (*Athene cunicularia hypugaea*) is a small, primarily terrestrial owl found across most of western North America. In California, localized and statewide declines of BUOW populations have been observed, particularly due to significant habitat loss, habitat degradation and modification, and loss of suitable burrows due to eradication of ground squirrels (CDFW 2012). Suitable habitat for the BUOW typically consists of annual and perennial grasslands, and less commonly, coastal dunes, deserts, and arid scrublands. These habitats are generally characterized by low-stature vegetation and sparse shrub cover, providing the open visibility and ground access necessary for the species' life history requirements. An essential component of BUOW habitat is the availability of burrows, which the species relies upon for both roosting and nesting.

BUOWs exhibit a strong ecological association with fossorial mammals, due to their dependence on burrows. In California, ground squirrels (*Otospermophilus beecheyi*) are the most common providers of suitable burrow structures; however, dens created by coyotes (*Canis latrans*), foxes (*Vulpes* spp.), and badgers (*Taxidea taxus*) may also be used opportunistically. Notably, BUOWs have demonstrated a capacity to persist in anthropogenically altered landscapes, including agricultural fields and urbanized areas, where they may establish nests along roadsides, levees, and within water conveyance infrastructure such as culverts and drainage ditches. In these highly disturbed landscapes, debris piles and abandoned concrete structures may also be utilized as burrows. BUOW are year-round residents in much of California, but often migrate locally, alternating between distinct breeding and overwintering burrows (Shuford and Gardali 2008).

SECTION 2. REGULATORY OVERVIEW

2.1. Regulatory Background

The western BUOW is currently recognized as a candidate species for listing under the California Endangered Species Act (CESA) and is considered a California Species of Special Concern, Bureau of Land Management (BLM) designated sensitive species, and U.S. Fish and Wildlife Service (USFWS) Bird of Conservation Concern. In October of 2024, the California Fish and Game Commission accepted a petition to formally list the species, prompting a 12-month status review by the California Department of Fish and Wildlife (CDFW). This review will determine if the species warrants listing under CESA, and a decision is expected by spring of 2026 (CDFW 2024). During this period, the species will continue to receive full CESA protections. The western BUOW is also protected under the federal Migratory Bird Treaty Act and CDFW Codes 3503, 3503.5, and 3513. To determine the presence or potential absence of this species and its habitat within the BSA, focused burrowing owl surveys were conducted in the spring of 2025. The results of these surveys will be used to determine whether and to what extent this species would be affected by the proposed project.

2.1.1. Federal Statutes, Regulations, and Executive Orders

Migratory Bird Treaty Act (MBTA)

The Migratory Bird Treaty Act (MBTA) of 1918 (Title 16, U.S.C. sections 703 - 712), as amended, implements various treaties and conventions between the United States (U.S.) and Canada, Japan, Mexico, and the former Soviet Union for the protection of migratory birds. The MBTA makes it unlawful to pursue, hunt, take, capture, kill, possess, sell, purchase, barter, import, export, or transport any migratory bird, or any part, nest, or egg or any such bird, unless authorized under a permit issued by the Secretary of the Interior. Some regulatory exceptions apply. Take is defined in regulations implementing the MBTA as “to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to carry out these activities.” The MBTA prohibits the collection and destruction of a migratory bird, its nest, and birds or eggs contained in the nest. The USFWS’ Migratory Bird Permit Memorandum (MBPM-2) dated April 15, 2003, clarifies that destruction of most unoccupied bird nests is permissible under the MBTA; exceptions include nests of federally listed threatened or endangered migratory birds, bald eagles, and golden eagles. Take under the MBTA does not include habitat destruction or alteration, as long as there is not a direct taking of birds, nests, eggs, or parts thereof. The USFWS has statutory authority and responsibility for enforcing the MBTA.

2.1.2. State Statutes and Regulations

California Endangered Species Act (CESA)

The California Endangered Species Act (CESA) (California Fish and Game Code § 2050 et seq.) was enacted in 1984 to parallel the federal ESA and allows the Fish and Game Commission to designate species, including plants, as “threatened” or “endangered.” The CESA states that all native species of fishes, amphibians, reptiles, birds, mammals, and plants, and their habitats, threatened with extinction and those experiencing a significant decline which, if not halted, would lead to a threatened or endangered designation, will be protected or preserved. Unlike the ESA, the CESA does not include listing provisions for invertebrate species.

CESA makes it illegal to import, export, take, possess, purchase, sell, or attempt to do any of those actions

to species that are designated as threatened, endangered, or candidates for listing, unless permitted by CDFW. Section 2080 of the California Fish and Game Code prohibits take of any species that the Commission determines to be an endangered species or a threatened species. "Take" is defined in section 86 of the California Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

Under section 2081 of CESA, CDFW may permit take or possession of threatened, endangered, or candidate species for scientific, educational, or management purposes, and may also permit take of these species that is incidental to otherwise lawful activities if certain conditions are met. Some of the conditions for issuance of permits allowing incidental take are that the adverse effects of the take must be minimized and fully mitigated, adequate funding must be ensured for implementation of identified mitigation, and that the activity shall not jeopardize the continued existence of the listed species. CESA emphasizes early consultation to avoid potential impacts on candidate and listed endangered and threatened species, and to develop appropriate mitigation to offset project-caused losses of listed species populations and their essential habitats.

California Department of Fish and Game (CDFW) Codes 3503, 3503.5, and 3513

Native Bird Protection

Sections 3503, 3503.5, and 3513 protect native birds. Mitigation for avoidance of impacts to nesting birds are typically necessary to comply with these Sections of the Fish and Game Code in CEQA and other permitting documents.

Section 3503

"It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto."

Section 3503.5

"It is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto."

Section 3513

"It is unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Treaty Act."

Changes in Western Burrowing Owl Legal Protections

Prohibition of "Take"

With its designation as a candidate species under CESA, the western burrowing owl is now legally protected from "take," which includes actions such as hunting, pursuing, catching, capturing, or killing. This immediate extension of protections ensures that any direct harm to the species is prohibited without proper authorization, emphasizing the importance of compliance with state conservation laws. The take of western burrowing owl without a permit is prohibited by CDFW in Sections 3503, 3503.5 and 3513 of California Fish and Game Code (Jeffers 2024).

Incidental Take Permits (ITP)

Activities or projects that may incidentally harm or disturb the western burrowing owl now require an ITP from CDFW. No ITP will be issued if CDFW determines that a project would "jeopardize the continued

existence” of the listed species covered by the permit. This regulatory measure ensures that potential impacts on the species are carefully evaluated, with mitigation measures implemented to minimize harm and support population sustainability.

Review of Mitigation Practices

Traditional mitigation measures, such as relocating burrowing owls from development sites, are being reexamined due to their limited success in supporting population recovery. Under CESA, such practices may no longer be deemed adequate, prompting a shift toward more effective conservation strategies to address the species' decline. The designation of the western burrowing owl as a candidate species under the CESA has strengthened its legal protections, underscoring the need for thorough planning and permitting for activities that may impact the species. The following recommendations have been identified to address changes in the regulatory framework and ensure that future project activities comply with the updated requirements.

Preconstruction Surveys

Surveys must adhere to requirements under CESA (within 14 days and 24 hours prior to ground disturbance). If the BUOW is observed within the disturbance area, immediate consultation with the CDFW is required to obtain appropriate permits and implement mitigation measures. The CDFW's 2012 Staff Report on Burrowing Owl Mitigation provides standardized guidelines for conducting surveys to assess BUOW occupancy, evaluating project impacts, and determining appropriate mitigation measures. These guidelines outline avoidance, minimization, and mitigation strategies, including pre-construction surveys, standardized buffer setbacks, take avoidance measures, translocation efforts (active relocation offsite), and the construction of artificial burrows, to effectively address potential impacts on the species.

Prohibition of Take and Mitigation Measures

The designation of the western BUOW as a candidate species prohibits any “take” without proper authorization. Construction activities near occupied burrows during the nesting season (February 1–August 31) must not occur within 500 feet of active burrows until a qualified biologist confirms nesting completion. Outside of the nesting season, passive relocation of BUOW using one-way doors and burrow collapse remains permissible but must be conducted in consultation with CDFW and consistent with current CESA guidelines.

The recent legal changes necessitate obtaining an ITP from CDFW for any activities that could harm western burrowing owls. This ensures that all potential impacts are evaluated, and effective mitigation measures are implemented. Traditional mitigation practices, such as passive relocation, may no longer be deemed sufficient under CESA, as relocation has the potential to result in take. Therefore, alternative conservation strategies should be developed in coordination with CDFW to promote population recovery.

It is recommended that any ITPs issued during the BUOW candidacy period explicitly state that the permit, along with its associated obligations for the permittee, will expire prior to the stated termination date if the BUOW is no longer a candidate species and is not listed for protection under CESA. ITPs solely covering take of the BUOW would consequently be terminated, while ITPs encompassing both the BUOW and other CESA-listed species could be amended by CDFW in accordance with applicable regulations (Jeffers 2024).

SECTION 3. METHODOLOGY

3.1. Literature Review

Prior to performing the field surveys, a desktop literature review was performed to review existing BUOW documentation relevant to the Biological Study Area (BSA). The most recent records of the Information for Planning and Consultation (IPaC) database, managed by the U.S. Fish and Wildlife Service (USFWS 2025), and California Natural Diversity Database (CNDDDB), managed by the California Department of Fish and Wildlife (CDFW 2025) were reviewed within a 5-mile radius. These databases contain records of reported BUOW occurrences and that of other federal- or state-listed endangered or threatened species, proposed endangered or threatened species, former Federal Special of Concern (FSC), California Species of Special Concern (CSC), or otherwise special-status species or sensitive habitat that may occur within or in the immediate vicinity of the BSA. Additionally, modern (<20 years) BUOW observations from citizen science platforms such as eBird (2025) and iNaturalist (2025) were consulted. The *Staff Report on Burrowing Owl Mitigation* (CDFW 2012) and survey guidelines by the California Burrowing Owl Consortium (CBOC) outlined in *Burrowing Owl Survey Protocol and Mitigation Guidelines* (CBOC 1997) were further reviewed for pertinent information on BUOW distribution, habitat requirements, and survey protocol.

3.2. Field Methods

Following a general reconnaissance survey, a habitat assessment survey, burrow survey, and a series of BUOW focused surveys were conducted within the project site and its 500-foot buffer. These assessments involved searching for suitable habitat, potential burrows, and BUOW presence or sign, according to survey guidelines outlined in the aforementioned 2012 *Staff Report on Burrowing Owl Mitigation* (CDFW 2012) and *Burrowing Owl Survey Protocol and Mitigation Guidelines* (CBOC 1997). Photographs of suitable habitat and potential burrows were recorded to document existing conditions (**Appendix A, Site Photographs**). Data forms from this field survey can be found in **Appendix B, Burrowing Owl Protocol Survey Field Forms**.

3.2.1. Burrowing Owl Survey Protocol

Survey protocols are outlined below:

Phase I: Habitat Assessment – “The first step in the survey process is to assess the presence of burrowing owl habitat on the Project site including a 150-meter (approx. 500 feet) buffer zone around the project boundary.” (CBOC 1997)

“The Phase II burrow survey is required if burrowing owl habitat occurs on the site. If burrowing owl habitat is not present on the project site and buffer zone, the Phase II burrow survey is not necessary.” (CBOC 1997)

Phase II: Burrow Survey – “A survey for burrows and owls should be conducted by walking through suitable habitat over the entire project site and in areas within 150m (approx. 500ft) of the project impact zone. This 150-m buffer zone is included to account for adjacent burrows and foraging habitat outside the

project area and impacts from factors such as noise and vibration due to heavy equipment which could impact resources outside the project area.” (CBOC 1997)

“Pedestrian survey transects should be spaced to allow 100% visual coverage of the ground surface. The distance between transect center lines should be no more than 30 m (approx. 100 ft.) and should be reduced to account for differences in terrain, vegetation density, and ground surface visibility. To efficiently survey projects larger than 100 acres, it is recommended that two or more surveyors conduct concurrent surveys. Surveyors should maintain a minimum distance of 50 m (approx. 160 ft.) from any owls or occupied burrows.” (CBOC 1997)

Phase III: Owl Presence – “If the project site contains burrows that could be used by burrowing owls, then survey efforts should be directed toward determining owl presence on the site. Surveys in the breeding season are required to describe if, when, and how the site is used by burrowing owls.” (CBOC 1997)

“Conduct 4 survey visits: 1) at least one site visit between 15 February and 15 April, and 2) a minimum of three survey visits, at least three weeks apart, between 15 April and 15 July, with at least one visit after 15 June. Note: many burrowing owl migrants are still present in southwestern California during mid-March, therefore, exercise caution in assuming breeding occupancy early in the breeding season.” (CDFG 2012)

Each survey should be conducted either two hours before sunset to one hour after or from one hour before to two hours after sunrise. Surveys must occur on separate days during weather conducive to observing owls outside of their burrows (CBOC 1997).

During these surveys, all owl sightings, occupied burrows, and burrows with owl sign should be documented and mapped.

3.2.1.1. Phase I Habitat Assessment

Phase I and Phase II surveys were conducted by qualified biologists Jose Olvera and Miranda Scolaro on April 8th, 2025. During the survey, the presence and general condition of any suitable habitat within the project area and buffer were recorded. The Phase I habitat assessment, conducted concurrently with the initial general habitat reconnaissance survey, detected suitable BUOW habitat within the BSA. A complete description of all habitat, suitable and unsuitable, that can be found on site is presented in HANA’s Biological Resource Evaluation for the Buffalo Grove project (HANA 2025). Suitable habitat, as described by CBOC, includes annual and perennial grasslands, deserts, and scrublands characterized by low-growing vegetation, where tree and shrub canopy covers less than 30% of the ground surface and suitable burrows are present. The southern portion of the BSA, devoid of tree canopy and characterized by loose soil, grasses and low-growing vegetation, was determined to consist of suitable BUOW habitat. This area has a high concentration of ground squirrel burrows, with several reaching the minimum diameter (>11 cm) and depth (>150 cm) for BUOW occupancy. Occurrence of BUOW habitat within the BSA necessitated deployment of Phase II burrow surveys. Phase II burrow surveys were conducted shortly after the Phase I habitat assessment.

3.2.1.2. Phase II Burrow Survey

In accordance with Phase II burrow survey protocol, pedestrian survey transects were conducted to assess presence of BUOW and potential BUOW burrows. Pedestrian surveys were conducted to achieve complete visual coverage, with transect lines walked 20 meters apart. This distance was reduced as needed to account for variations in vegetation and topography that limited visibility. Adhering to CDFW guidelines, a minimum distance of 50 meters was maintained from any observed BUOW or burrows occupied by owls. The presence and location of observed BUOW, owl signs, occupied burrows, non-occupied potential burrows, and potential man-made surrogate shelters (e.g., culverts, pipes, debris piles) were documented. Buffer areas inaccessible by pedestrian survey were thoroughly scanned for burrows and presence or sign of BUOW via binoculars.

This search yielded several potential burrows: abandoned ground squirrel burrows in the southern, grassy portion of the BSA and man-made structures such as debris piles and openings within the northeastern portion of the BSA. BUOW occupancy of burrows is verified by observation of at least one BUOW, or its molted feathers, cast pellets, prey remains, eggshell fragments, or excrement at or near a burrow entrance. Neither the presence nor sign of BUOW was detected during Phase II Burrow surveys. However, presence of suitable BUOW burrows necessitated further Phase III BUOW surveys and census to accurately assess BUOW presence.

3.2.1.3. Phase III Burrowing Owl Surveys, Census, and Mapping

Qualified biologists conducted four (4) surveys to determine BUOW presence within the BSA. Owl surveys adhered to the same transect protocol as the aforementioned burrow surveys, with lines walked 20 meters apart. The entire BSA was assessed (via survey or binoculars) to ensure detection of any BUOW present.

Surveys were conducted during nesting season, with a majority of them occurring within peak breeding season. Phase III surveys were conducted at least three weeks apart, with each survey beginning one hour before sunrise and lasting for a total of three hours. BUOW are crepuscular, meaning they are most active during dawn and dusk. During these periods, they are more likely to be observed vocalizing, hunting, or perching near their burrows. As the day progresses, rising temperatures and increased predator activity typically drive them to retreat underground. By aligning our surveys with these early morning activity patterns, we increased the likelihood of detecting BUOW within the BSA. Below, **Table 1. Burrowing Owl Survey Conditions** provides an overview of survey timing and weather conditions across all surveys.

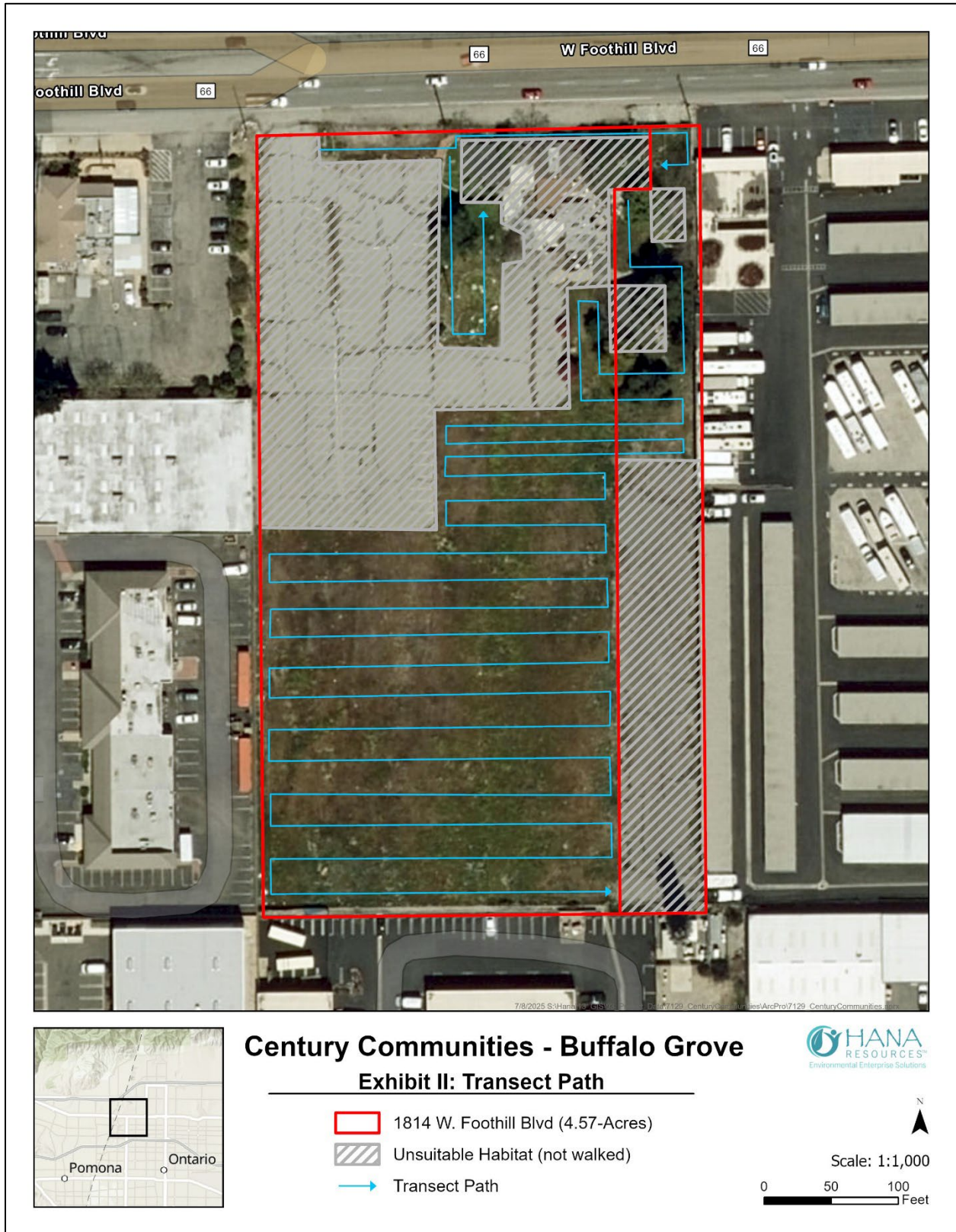
Table 1. Burrowing Owl Survey Conditions

Survey	Date	Survey Times	Temperature (°F)		Cloud Cover (%)	Wind Speed (mph)	Surveyor
			Start	End			
Phase I/Phase II	April 8, 2025	0630-0915	54	62	0	1-2	J. Olvera, M. Scolaro
Phase III a	April 10, 2025	0530-0840	58	68	0	1-2	M. Scolaro, K. Bridgette
Phase III b	May 12, 2025	0450-0750	57	59	60-70	4-5	M. Scolaro, K. Bridgette
Phase III c	June 5, 2025	0445-0745	56	61	100	1-2	M. Scolaro, A. Walker
Phase III d	June 26, 2025	0445-0745	59	63	100	2-3	M. Scolaro, K. Bridgette

Surveys were conducted by qualified HANA biologists, under the direction of biologists Jose Olvera and Miranda Scolaro. Both Mr. Olvera and Ms. Scolaro have extensive experience conducting burrowing owl (BUOW) surveys across Southern California and are trained in BUOW survey protocols and species-specific life history. They were assisted by biologists Kaelyn Bridgette and Ash Walker, each of whom brings substantial experience in nesting bird clearance surveys and are fully qualified to support BUOW survey efforts.

In accordance with protocol, surveys did not occur under extreme weather conditions that would affect observable BUOW behavior and negatively impact potential sightings. Specifically, weather conditions ranged from 54 to 68 degrees Fahrenheit with cloud cover ranging from 0 to 100 %, and (light) winds of 1 to 5 mph present during surveys. No fog or precipitation of any intensity was present during the surveys and visibility was 100%. Typical weather conditions to avoid when surveying include the presence of precipitation, dense fog, high winds (>20 mph), and temperatures of over 90 degrees Fahrenheit. The first two phase III surveys (a and b) were conducted by Miranda Scolaro and Kaelyn Bridgette on April 10th and May 12th, 2025. Subsequent surveys (c and d) occurred on June 5th and June 26th, 2025, and were conducted by Miranda Scolaro with assistance from Ash Walker for Phase III survey (c), and assistance from Kaelyn Bridgette for Phase III survey (d). Surveyors mapped any BUOW or sign observed, if found. Below, **Exhibit II. Transect Path** illustrates the survey area and the transect paths followed during these surveys.

Exhibit II. Transect Path



SECTION 4. RESULTS

Throughout the four focused surveys, biologists did not detect any BUOW or sign. Despite these findings, the BSA contains suitable habitat for this species. It is unclear why BUOW have not occupied this site at the present or in the recent past, but it may be due to the BSA's fragmented location within an urban setting or high human disturbance, including frequent visitation by unauthorized individuals. Factors such as disease, predation, drought, high rainfall or site disturbance may preclude presence of BUOW in any given year. During surveys, red-shouldered hawks (*Buteo lineatus*) were detected visually and aurally within the BSA; though no evidence of BUOW predation was detected, raptors pose significant predatory threat to BUOW and their presence within the BSA should be noted.

Failure to locate burrowing owls during one field season does not constitute evidence that the site is no longer occupied, and visits to the site in more than one year increase the likelihood of detection. Visits to other nearby known occupied sites can affirm whether the survey timing is appropriate (CDFW 2012). Several modern BUOW observations have been recorded in the general area, with one sighting occurring approximately three miles southwest of the BSA. Thus, regardless of the lack of current occupation, it is possible that BUOW could inhabit this site in the future due to the presence of suitable habitat.

SECTION 5. CONCLUSIONS AND RECOMMENDATIONS

As a result of a comprehensive Phase I habitat assessment, Phase II burrow protocol survey, and four rounds of Phase III focused burrowing owl surveys, HANA biologists did not detect presence, occupied burrows, or sign of BUOW. Despite these findings, future BUOW nesting or presence on site cannot be ruled out entirely due to the availability of potential habitat on site. As a result, the following mitigation and survey protocols address the on-going potential for BUOW after the conclusion of surveys covered in this report, including those for the pre-construction and construction phase if BUOW are indeed encountered.

A focused BUOW take avoidance pre-construction survey must be conducted prior to the initiation of ground-disturbing or vegetation-removing construction activities within the BSA. This survey must occur fourteen (14) days prior to planned initiation of construction activities. This survey will follow the same protocol as detection surveys as described above in “Field Methods”, and a BUOW Pre-Construction Survey Report will detail this survey’s findings and pertinent mitigation recommendations, if any. Due to the BUOW’s known behavior of rapidly recolonizing burrows and the species’ ongoing status review for potential listing under CESA, time lapses in project activities will trigger subsequent surveys including, but not limited to, a final survey within twenty-four (24) hours prior to ground disturbance.

If pre-construction surveys are positive for BUOW, the Project will be required to consult with CDFW and implement a BUOW Management Plan consistent with the guidance in the CDFW *Staff Report on Burrowing Owl Mitigation* (CDFW 2012). This plan must describe proposed avoidance, minimization, mitigation, and monitoring actions. This plan must also include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures if avoidance is proposed.

SECTION 6. REFERENCES

California Burrowing Owl Consortium (CBOC)

1997. *Burrowing Owl Survey Protocol and Mitigation Guidelines*. Pages 171-177 in Lincer, J. L. and K. Steenhof (editors). *The burrowing owl, its biology and management*. Raptor Research Report Number 9.

California Department of Fish and Wildlife (CDFW)

2012. *Staff Report on Burrowing Owl Mitigation*. State of California, Natural Resources Agency, Department of Fish and Wildlife.

2024. CDFW Seeks Public Comment Related to Western Burrowing Owl. Available URL: <https://wildlife.ca.gov/News/Archive/cdfw-seeks-public-comment-related-to-western-burrowing-owl> [accessed 15 April 2025].

2025. California Natural Diversity Database (CNDDDB). RareFind Version 5. Database Query for the *Ontario, Glendale, Mount Baldy, Cucamonga Peak, San Dimas*, Guasti, Yorba Linda, Prado Dam, Corona North, California, USGS 7.5- minute quadrangles. Wildlife and Habitat Data Analysis Branch. Available URL: <https://apps.wildlife.ca.gov/rarefind/view/RareFind.aspx> [accessed 15 April 2025].

City of Upland

2015. City of Upland General Plan. Upland, CA.

Available URL: <https://www.uplandca.gov/general-plan-map> [accessed 15 April 2025].

eBird

2025. eBird: An online database of bird distribution and abundance. eBird, Cornell Lab of Ornithology, Ithaca, New York. Available URL: <http://www.ebird.org> [accessed 15 April 2025].

HANA Resources, Inc.

2025. *Biological Resource Evaluation for Century Communities Buffalo Grove Project, City of Upland, San Bernardino County, California*. Prepared for Century Communities.

iNaturalist.

2025. Available URL: <https://www.inaturalist.org> [accessed 16 April 2025].

Jeffers, J.

2024. Commission Grants Burrowing Owls Candidate Species Protections Under California ESA. *The National Law Review*, vol. 14, no. 337, 19 Oct. 2024, Available URL: <https://natlawreview-com.cdn.ampproject.org/c/s/natlawreview.com/article/commission-grants-burrowing-owls-candidate-species-protections-under-california?amp> [accessed 3 December 2024].

Shuford, W. D., and Gardali, T., editors. 2008. *California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California*. Studies of Western Birds 1. Western Field Ornithologists, Camarillo, California, and California Department of Fish and Game, Sacramento.

U.S. Fish and Wildlife Service (USFWS)

2025. Information for Planning and Consultation (IPAC) database. U.S. Fish and Wildlife Service, Atlanta GA. Available URL: <https://ecos.fws.gov/ipac/location/index> [accessed 16 April 2025].



APPENDIX A
SITE PHOTOGRAPHS



Photo 1: Site overview. View of the site from the northwest corner of the parcel, facing south towards West 11th Street.



Photo 2: Site overview. View of the site from the northeastern section of the parcel, facing south towards West 11th Street.



Photo 3: Site overview. View of the site from the southeastern corner of the parcel, facing north towards West Foothill Blvd.



Photo 4: Site overview. View of the site from the southwestern corner of the parcel, facing north towards West Foothill Blvd.



Photo 5: Potential BUOW burrow. A potential burrow of appropriate sizing located on the western portion of the site, in close vicinity to existing ground squirrel site population.



Photo 6: Site overview. View of the site from the western edge of the parcel, facing east towards North Benson Avenue.



Photo 7: Potential BUOW burrow. An abandoned ground squirrel burrow, with clear entrance free of vegetation.



Photo 8: Site overview. View of the site, facing north. Abandoned structures and ornamental trees constituting largely unsuitable habitat pictured here.



Photo 9: Unsuitable habitat. View of the abandoned structures and refuse onsite, facing north.



Photo 10: Potential burrow refuge. View of portion of manmade refuse located on site near abandoned structures surveyed for potential burrows, facing north.



Photo 11: Unsuitable habitat. View of abandoned structures and various non-native *Poaceae* spp. growing in adjacent disturbed area, facing west. Predominately a high human visited area.

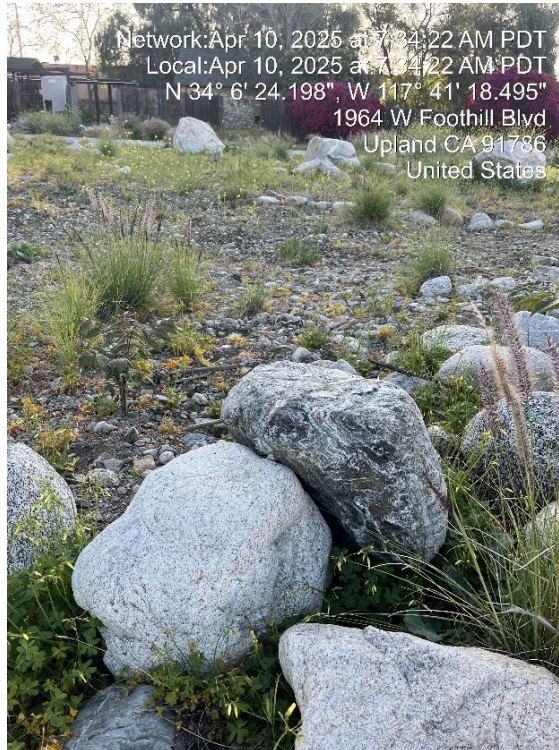


Photo 12: BUOW habitat feature. The presence of cobble and small boulders provide perching substrates.



Photo 13: Site habitat. View of ruderal herbaceous scrub, facing the southeastern corner of the parcel. Native common fiddleneck (*Amsinckia menziesii*) and various *Brassica* spp. shown here.



Photo 14: Unsuitable habitat. View of paved area on eastern edge of parcel with unsuitable habitat, facing the northwestern corner.



Photo 15: Site habitat. Additional example of ruderal herbaceous scrub layer and cobble, facing southeast corner of parcel.



Photo 16: Active ground squirrel burrow.



Photo 17: Example of one of the larger mammal burrows seen on site.



Photo 18: Example of old patio deck on eastern portion of site with potential to serve as a man-made refuge for BUOW.



APPENDIX B
FOCUSED BURROWING OWL SURVEY FIELD FORMS



Pre-Con Bird/BUOW Survey Field Form

Date: 4/10/2025 Project Name: Century Communities protocol Burrowing owl survey

Job #: 7129-00 Client: Century Communities

Surveyor(s): Miranda Scolaro, Kaelyn Bridgette

LOCATION DESCRIPTION

Site Address: 1814 W Foothill Blvd City, State: Upland, CA

Habitat Types Present: Disturbed grasses

Current Land Uses: undeveloped lot

Start (time) 5:30 AM
Temp (°F) 58°F
Cloud Cover (%) 0
Precipitation 0
Wind (mph) 2 mph

End (time) 8:40 AM
Temp (°F) 68°F
Cloud Cover (%) 0
Precipitation 0
Wind (mph) 1

NOTES: (Nest locations and species behavioral notes, disturbances, habitat conditions, etc.)

No nests or suitable burrows found.
Ground squirrel activity present; burrows in use by squirrels but not large enough for BUOW nor any owl signs present (no scat, wash signs)
All trees checked for nests & breeding activity, none found
Habitat poor, only small sections with exposed soil & low veg. Most areas covered in dense weeds. site is heavy with ground squirrel burrows. suitable perching materials available including medium rocks & refuse materials. Large portion of lot covered in concrete. Areas close to structures have dense veg and no man-made materials present satisfy suitable burrow requirements.
little buffer is present; small strip in north-west corner inspected via pedestrian survey & deemed non-suitable due to veg growth.

NOTES

- Buffer zones to the north & south-east evaluated via binoculars due to lack of access. The northern property is an active construction site w/ dense vegetation adjacent to work zones & the south-east buffer is a small, densely vegetated strip along a commercial area. Both buffer zones deemed unsuitable habitat.
- remainder of BSA is paved/commercial buildings/roads.
- Entire property walked once during transects, & suitable habitat walked twice, once before sunrise & once after sunrise.
- Some cobble near structures could provide man-made burrows, but dense veg not suitable & no signs found.

Nesting Birds

- No signs of nesting in trees/buildings in BSA. No behaviors observed (material collection, defense, etc)
- Perimeter of site walked to evaluate nearby trees/buildings & no nesting/behavior detected

Habitat dominated by fountain grass, common fiddlehead, brassica spp., horse hand, telegraph weed, & non-native grasses. Some areas littered w/ debris, property likely used as temporary housing & subject to loitering. one individual noted in building on property

Biologist Signature: M. ScabreDate: 4/10/2025



Pre-Con Bird/BUOW Survey Field Form

Date: 5/12/2025 Project Name: 7129 Buffalo Grove Project

Job #: 7129-00 Client: Century Communities, Inc

Surveyor(s): Miranda Scolaro, Katelyn Bridgette

LOCATION DESCRIPTION

Site Address: 1814 W. Foothill Blvd. City, State: Upland, CA

Habitat Types Present: Ruderal grassland, disturbed

Current Land Uses: vacant lot, abandoned

Start (time) 4:50 AM
Temp (°F) 57
Cloud Cover (%) 70
Precipitation
Wind (mph) 4

End (time) 7:50 am
Temp (°F) 59
Cloud Cover (%) 60
Precipitation
Wind (mph) 5

NOTES: (Nest locations and species behavioral notes, disturbances, habitat conditions, etc.)

Mowing of taller weeds observed, trash & debris removed
- Tire tracks present
- clean-up initiative started

Several previously unidentified burrows observed, now visible after veg. removal & trimming
- no Buow sign, not large enough to accommodate Buow

- no sign of nesting birds
- just foraging behavior (SAPH, HOFI, MODO)

• No signs/Buow detected. No nesting birds

Note: About 2 hours into survey, 2 landscaping crew members entered property & began to mow weeds

Biologist Signature: M. Scolaro



Pre-Con Bird/BUOW Survey Field Form

Date: 6/5/2025 Project Name: Buffalo Grove

Job #: 7129-00 Client: Century Communities

Surveyor(s): Miranda Scolaro, Ash Walker

LOCATION DESCRIPTION

Site Address: 1814 W. Foothill Blvd. City, State: Upland, CA

Habitat Types Present: Ruderal grassland, disturbed

Current Land Uses: vacant lot

Start (time) 4:45 AM
Temp (°F) 56 °F
Cloud Cover (%) 100%
Precipitation Ø
Wind (mph) 2 mph

End (time) 7:45 AM
Temp (°F) 61 °F
Cloud Cover (%) 100%
Precipitation Ø
Wind (mph) 1 mph

NOTES: (Nest locations and species behavioral notes, disturbances, habitat conditions, etc.)

- NO BUOW sign, presence, or occupied burrows found
- No nesting birds present
 - just foraging behavior (MODO, SAPH, CALT, LEGO, HOPI, AMCR)
- Property recently mowed
- 1 unauthorized individual with a dog seen leaving site, likely camping in abandoned structures

Biologist signature: M. Scolaro



Pre-Con Bird/BUOW Survey Field Form

Date: 6/26/2025 Project Name: Buffalo Grove

Job #: 7129-00 Client: Century Communities

Surveyor(s): Miranda Scolaro

LOCATION DESCRIPTION

Site Address: 1814 Foothill Blvd City, State: Upland, CA

Habitat Types Present: Ruderal, disturbed

Current Land Uses: Vacant lot

Start (time) 4:45 AM
Temp (°F) 59
Cloud Cover (%) 100
Precipitation X
Wind (mph) 3

End (time) 7:45
Temp (°F) 63
Cloud Cover (%) 100
Precipitation X
Wind (mph) 2

NOTES: (Nest locations and species behavioral notes, disturbances, habitat conditions, etc.)

No burrowing owl sign or presence detected.
No nesting birds present or behavior detected
-other species observed: MODO, AMCP, RSHA, HoFI, LEGO, AKI, SAPH
More refuge observed in southern area of BSA
-no trespassers present

Biologist signature: MScolaro