APPENDIX C

Biological Resources

APPENDIX C-1

General Biological Resources Assessment

General Biological Resources Assessment

Westpark Promenade
Wildomar, California

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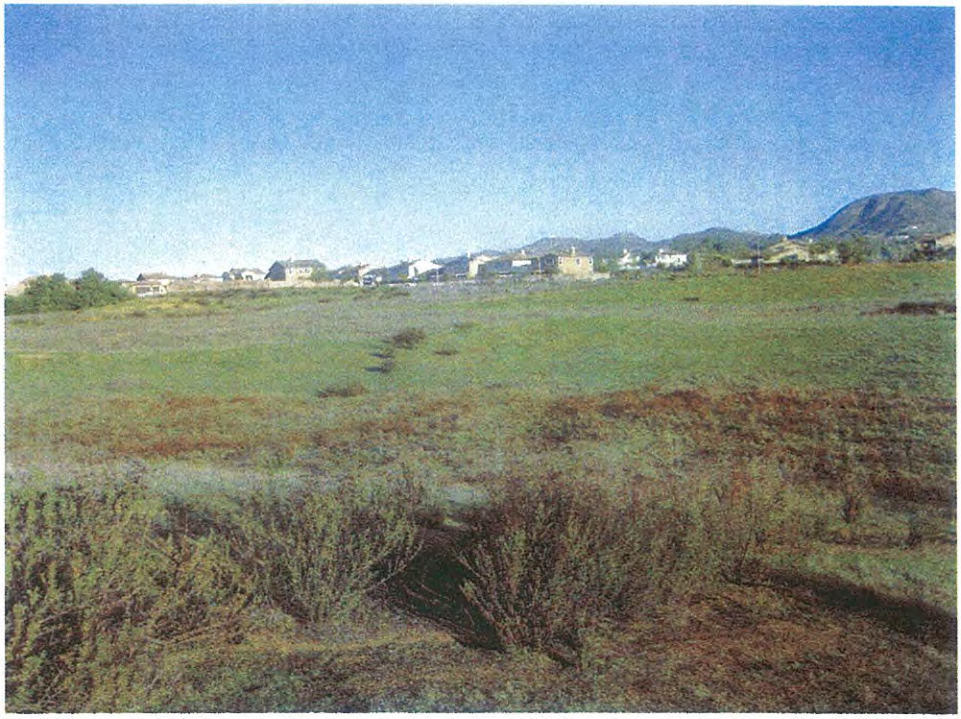

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RCA Associates LLC

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Plants and Animals

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Table 2 – Sensitive animals documented in the surrounding area.
Table 3 - Plants observed on the property site or in the immediate area.
Table 4 - Wildlife species observed on the property site and/or known to occur in the region.

1.0 SUMMARY AND PROPERTY DESCRIPTION

Comprehensive biological surveys were conducted on a 26-acre site (gross) located in the city of Wildomar, California, Riverside County, northeast of the intersection of Interstate 15 and Clinton Keith Road (Sections 1 & 36, Township 7 South, Range 4 West) (Figures 1, 2, and 3, Appendix A). The purpose of the biological surveys was to evaluate the existing biological resources on the site, and to determine if any sensitive species were likely to occur on the property, and to determine if any critical habitats were present. This report provides the results of the biological resources assessment as required by the Multiple Species Habitat Conservation Plan (MSHCP) for Western Riverside County. The assessment includes a review of pertinent literature, a review of the California Natural Diversity Data Base (CNDDB), field investigations, analysis of potential impacts to biological resources, and a focused survey for the burrowing owl (*Athene cunicularia*).

The majority of the property site has been significantly disturbed by past human activities over the last several decades (Figure 4). The site may not have been previously utilized for agricultural activities; although, some of the surrounding area appears to have been previously utilized for various agricultural uses based on historic photographs of the region. Currently, a disturbed grassland community covers the majority of the site with a few trees in the northwest portion of the site and a few trees along the eastern boundary in association with a drainage swale (Figure 4). The most common mammals seen during the field investigations included cottontails (*Sylvilagus auduboni*) and California ground squirrels (*Spermophilus beecheyi*). Other species known to occur in the general area which are likely to inhabit the site include deer mice (*Peromyscus maniculatus*) and pocket gophers (*Thomonys bottae*). Coyotes (*Canis latrans*) are the most common carnivore in the area and occasionally traverse the property during hunting activities. Side blotched lizards (*Uta stansburtiana*), western fence lizards (*Sceloporus occidentalis*), and granite spiny lizard (*Sceloprous orcuttii*) are common in the area and

were observed during the field investigations. Some of the birds identified included American crow (*Corvus brachyrhynchos*), common raven (*Corvus corax*), western meadowlark (*Sturnella neglecta*), mourning dove (*Zenaida macroura*), Anna's hummingbird (*Calypte anna*), California quail (*Callipepla californica*), roadrunner (*Geococcyx californianus*), and American robin (*Turdus migartorius*).

The project proponent is proposing to construct a mixed development consisting of residential units (apartments, condominiums, and townhouses), restaurants, and commercial office buildings. Development activities would occur within areas which have been previously disturbed by various human activities. The site is located within the Riverside County HCP fee area for the Stephen's kangaroo rat (Riverside County Habitat Conservation Agency, 1995). Any potential impacts to this species will be mitigated through participation in the HCP, and a per-acre fee will be required.

2.0 CALIFORNIA NATURAL DIVERSITY DATA BASE

As part of the environmental process, a search of the California Natural Diversity Database (CNDDB) search was performed for the Wildomar USGS Quadrangle and the surrounding eight quadrangles as required by the MSHCP. Based on this review, it was determined there are fifty one (51) special status plant species and thirty seven (37) special status wildlife species that have been documented in the surrounding area. Tables 1 and 2 (See Appendix B) provides data on each of these species and the potential presence of these species on the site. Of these sensitive species, only a few could potentially occur on the site and these are discussed in Section 4.5. Potential impacts to these species are also discussed in Section 4.0.

3.0 METHODOLOGY

3.1 General Vegetation and Wildlife

Pertinent environmental documents were reviewed prior to initiation of biological field surveys. Documents reviewed included, but were not limited to, sensitive species occurrence maps, Riverside County MSHCP, data from the California Natural Diversity Data Base, field guides, Soil Conversation maps (Map #135, US Dept. of Ag., 1971), and biological documents prepared for other projects (MBA, 2012) in the general area. Initial biological surveys were conducted on February 4, 2013 and on May 11, 2013 throughout the property to evaluate the existing biological conditions. Table 1 (Appendix A) provides a list of the plants identified during the surveys. The vegetation classification system used during the biological surveys and in this report is based on a classification system described by Holland (1986). No focused surveys were conducted on the site for special status plants due to the on-going drought conditions in the region. CDFW has indicated (CDFW, personal communications) that conducting focused surveys during the current drought conditions would not provide any useable data on the presence or absence of any sensitive plants given the fact that plants would be unlikely to germinate and be detectable.

Wildlife species observed were identified using several methods. Birds were identified by both visual observations and vocalizations. Visual observations of individual animals, as well as tracks, scats, etc. were also used to determine the mammal and reptile populations found on the site and in the surrounding area. Evaluation of habitats and review of existing documentation were also utilized to determine the types of large and small mammals that may occur on the property, either as permanent residents or transitory species.

3.2 Threatened, Endangered, and Species of Special Concern and Critical Habitats

3.2.1 Burrowing Owls

As a result of the initial surveys conducted in February and June 2013, it was determined that suitable habitat for the burrowing owl was present and numerous suitable burrows were also located throughout the site. Therefore, a focused breeding season survey was conducted to determine the presence/absence of the species and the presence/absence of any owl sign (i.e., whitewash, castings, etc.). As per protocol requirements, the CDFG Staff Report on Burrowing Owl Mitigation (March 7, 2012) was consulted to determine the guidelines for conducting the surveys during the breeding season (i.e., March – August). The focused survey for owls and burrows was conducted by biologists from

RCA Associates, LLC on May 17th, June 6th, and June 27th, 2013 to definitely determine the presence/absence of owls and/or owl sign. The survey was conducted by walking transects throughout the site with the transects spaced at approximately 100-foot intervals. The entrances of all fossorial burrows were evaluated during each site visit for the presence of owls and any sign (i.e., whitewash, castings, etc.). As noted above, abandoned fossorial burrows are frequently utilized by owls.

3.2.2 MSHCP Consistency

The project site lies north of the Southwest Area outlined in the MSHCP and is subject to the fees and other provisions of the MSHCP. The site is not located within any cell critical area and is not subject to a HANS process review; however, the property was reviewed for consistency with the following issues according to the MSHCP:

* Protected species associated with riparian/riverine areas;

* Protected species associated with vernal pools and vernal pool guidelines;

* Protected narrow endemic plant species; and

* Habitat for the burrowing owl.

The following section provides a discussion of the proposed project with regard to the above-noted MSHCP consistency items.

Riparian/Riverine & Vernal Pools

Based on a review of the Murrieta (1953) and Wildomar (1997) USGS Quadrangles, there are two blueline stream channels located in the immediate area. One of the stream channels, which is oriented in a north-south direction, is located along George Avenue and appears to originate north of the residential community at Porras Road and La Estrella Street about 0.5 miles northeast of the Westpark Promenade Project. This channel daylights at the southeast corner of George Avenue and La Estrella Street, and also daylights near the intersection of Clinton Keith Road and Interstate 15 where some riparian habitat is present. This stream channel may also have a sub-surface hydrological connection with Murrieta Creek which is located about one mile southwest of the project site. A second blueline stream channel is located north of the existing residential development which borders the Westpark Promenade Project along its northern boundary. This blueline stream channel, which may also have a hydrological connection with Murrieta Creek, appears to have a nexus with one of the channel present on the project site (See Figure 4, Channel "A").

In addition a separate channel (Channel "B") bisects the project site in a east-west direction and connects to Channel "A" along the western boundary of the site. Water flows from both channels under Interstate 15 via large culverts and connect to a drainage swale directly west of the Interstate. This drainage swale also appears to connect with a channel to the southwest which may have a hydrological connection with Murrieta Creek. A small riparian habitat (~ 800 square feet) is also associated with the eastern part of Channel "B" and has been created by water flows from a retention pond associated with a

residential development located directly east of the Westpark site. Water from the retention pond over flows onto the project site during storm events, and has resulted in the formation riparian habitat. This small riparian area supports various plant species typical of mesic areas. These species included Pacific willow (*Salix lasiandra*), cattails (*Typha latifolia*), broom baccharis (*Baccharis sarothroides*), brickelbush (*Brickella californica*), mugwort (*Artemisia douglasiana*), and salt cedar (*Tamarix ramosissima*).

Based on the connectivity between the channels (Channels "A" and "B") on the Westpark site and existing blueline streams in the surrounding area, and the presence of riparian habitat in the eastern portion of the site, a Determination of Biological Equivalent or Superior Preservation (DBESP) was deemed necessary for the project. Therefore, a DBESP report was prepared in order to address mitigation which will be required to compensate impacts to riparian/riverine habitat present on the project site. The DBESP report is being submitted under separate cover.

Vernal Pools. The site is relatively flat with minimal elevation change; however, no depression areas or other areas which might pond during major rain events were observd. No detailed soil analyses were performed as part of the biological investigations; however, the soil maps were reviewed and soils present on the site appear to be monserate sandy loam, placentia fine sandy loam, and cieneba sandy loam. These soils are not consistent with those known to support vernal pools; although, the flat topography could potentially support vernal pool formation.

Narrow Endemic Plant Species. Narrow endemic plant species are sensitive species which are highly restricted by their habitat requirements or other ecological factors, and as such have specific conservation measures that need to be applied if an endemic plant is present or expected to be present on a site (Dudek & Associates, 2003). Based on a review of existing data, there is a narrow endemic plant species (Spreading navarretia

[*Navarretia fossalis*]) which has been documented within about five miles of the property (Dudek & Associates, 2003 and CNDDB, 2014). A historic population of spreading navarretia was documented about 2-miles northeast of the property in association with a vernal pool. This particular species is dependent upon marshes and vernal pool, and this plant species is not expected to occur on the site given the absence of vernal pools.

The smooth tarplant species (*Centromadia pingens ssp. Laevis*) and round leaved filaree (*California macrophylla*) has also been documented in the area. These two species are typically associated with native grasslands. The site currently supports a disturbed grassland community which could support populations of smooth tarplants or round leaved filaree; although, there is a low probability either species occurs on the site. Although, as noted above, no focused sensitive plant surveys were conducted on the property given the drought conditions the region has been experiencing over the last few years.

4.0 RESULTS

A description of the plant and animal communities which occur on the site are described in the following sections. Plant surveys were conducted during a time of year (i.e. May and June) when most plant species are readily identifiable. Mammalian and reptilian species inhabiting the site and/or occurring in the surrounding region are also discussed below as are the various bird species which utilize the site either as resident or seasonal species.

4.1 General Vegetation Resources

Most of the site has been disturbed due to past human activities and currently supports a disturbed grassland community (Figure 4). Plant diversity was relatively low with various invasive species typically associated with disturbed habitats noted throughout the site. No sensitive habitats (e.g., coastal sage scrub, vernal pools, etc.) were noted during the surveys.

The most common dominant perennials throughout the site included elderberry (*Sambucus Mexicana*) and buckwheat (*Eriogonum* sp.). Several olive trees (*Olea europea*) are also present in the northwest portion of the site (Figure 4). Common annuals included a variety of plants such as snakeweed (*Gutierrezia sorothrae*), fiddleneck (*Amsinckia tessellata*), plantain (*Plantago erecta*), croton (*Croton californica*), and coyote melon (*Cucurbita foetidissima*). Those plants that were only noted in the small mesic area along the eastern boundary included a few perennials such as narrowleaf goldenbush (*Haplopappus linearifolius*), lotus (*Lotus purshianus*), Pacific willow (*Salix lasiandra*), cattails (*Typha latifolia*), mugwort (*Artemisia douglasiana*), broom baccharis (*Baccharis sarothroides*), brickelbush (*Brickella californica*), and salt cedar (*Tamarix rammissima*). Annuals also common in the mesic area included pearly

everlasting (*Gnaphalium californicum*), phacelia (*Phacelia distans*), and centaurem (*Centaurea squarrrosa*). Table 1 provides a list of all of the plants that were identified during the field surveys.

4.2 General Wildlife Resources

The site supports a limited number of wildlife species due to in large part to the disturbed habitat conditions. Species identified during the field investigations are discussed below, and a comprehensive list of wildlife species observed on the site, as well as those likely to occur in the general region, are provided in Table 2 (Appendix A).

Mammals: The property is located in an area where numerous development activities have occurred over the last few decades which has had an overall negative impact on the diversity of wildlife in the general area. The site has been disturbed in the past by various human activities (e.g., off-road vehicle activities, etc.) and the presence of olive trees in the northwest corner of the property may be an indication of previous human habitation.

The only mammals observed during the field investigation included California ground squirrels (*Spermophilus beecheyi*) and cottontail rabbits (*Sylvilagus auduboni*); although, other species such as deer mice (*Peromyscus maniculatus*), pocket gophers (*Thomonys bottae*), and California mice (*P. californicus*) may inhabit the site in limited numbers. Coyotes (*Canis latrans*) are also common in the region and could occasionally occur on the site during hunting activities. Stephen's kangaroo rat may also occur on the site given the presence of suitable habitat; however, live-trapping surveys were not conducted as part of the field investigations, consequently the presence of the species cannot be definitively determined at the present time.

Birds: Avian species are the most diverse group of wildlife in the region, and several species were observed during the field surveys including American crow (*Corvus*

brachyrhynchos), western meadowlark (*Sturnella neglecta*), Anna's hummingbird (*Calypte anna*), California quail (*Callipepla californica*), greater roadrunner (Geococcyx californianus), rock dove (*Columba livia*), western kingbird (*Tyrannus verticalis*), and mourning dove (*Zenaida macroura*). Other birds which were observed on the site or in the surrounding area are listed in Table 2 (Appendix A). (Note: The species listed above and in Table 2 are not intended to be a comprehensive list of all birds likely to occur on the site throughout the various seasons.).

Reptiles and Amphibians: Reptile diversity is not comparable to mammalian or avian fauna; however, a few species are known to occur in the region and are listed in Table 2 (Appendix A). Side-blotched lizards (*Uta stansburian*), western fence lizards (*Sceloporus occidentalis*), and granite spiny lizards (*Sceloporus orcuttii*), which are common to the area, were observed during the surveys. Other common species which may occur on the property, but which were not observed, include the gopher snake (*Pituophis melanoleucus*) and common garter snake (*Thamnophis sirtalis*). No amphibians were observed during the field investigation; although, species common to the general region such as western toad (*Bufo boreas*), southwestern toad (*B. microscaphus*), western spadefoot toad (*Scaphiopus hammondi*), and tree frogs (*Hyla* sp.) could potentially inhabit the small riparian area along the eastern boundary of the site (Figure 4).

4.3 Burrowing Owl

The property supports habitat for the burrowing owl and numerous abandoned ground squirrel burrows were noted throughout the site that are suitable in size, etc. for use by the species. However, no owls or owls sign were observed during the breeding season surveys conducted in May and June 2013. Based on the results of the May and June surveys, the burrowing owl is considered to be absent from the property site at present.

The species could inhabit the site in the future; therefore, pre-construction surveys will be required prior to start of construction.

4.4 Habitat Fragmentation and Wildlife Movement

Wildlife movement and habitat fragmentation are important issues in assessing impacts to wildlife. Habitat fragmentation occurs when a proposed action results in a single, unified habitat area being divided into two or more areas, such that the division isolates the two new areas from each other. Isolation of habitat occurs when wildlife cannot move freely from one portion of a habitat to another habitat, or from one habitat type to another habitat type. An example is the fragmentation of habitats within and around checkerboard residential development. Habitat fragmentation can also occur when a portion of one or more habitat are converted into another habitat, as when scrub habitats are converted into annual grassland habitat because of frequent burning.

The result of fragmentation is that the amount of habitat available to local wildlife populations is reduced. In general, a reduction in available habitat is followed by a reduction in wildlife populations because the remaining areas are too small to support pre-fragmentation population levels. If the fragmentation is too great, wildlife populations will not be able to persist, and some or all of the species in a fragmented habitat area may disappear. This can occur on a local or regional scale, depending upon the degree and type of fragmentation occurring. Fragmentation is particularly critical for species that occupy already limited habitats, such as coastal sage scrub. If various stands of scrub are too fragmented to provide sufficient continuous cover, or are too isolated from each other for an animal to freely move among various stands, that particular portion of the overall habitat may be lost to use by certain species.

The property is located in an area that has been disturbed by various development activities over the last few decades. More recently (2008), the area has undergone a

significant amount of development and there is a residential development immediately north and east of the site (Figure 4). Interstate 15 also borders the property on the west, beyond which are residential houses and commercial businesses. Various commercial businesses are also located southeast of the site. Based on the existing site conditions and the surrounding land use, the proposed project is not expected to have an adverse effect on wildlife movements in the immediate area. The site is basically isolated from any other undisturbed habitat areas and no existing wildlife corridors will be eliminated or impacted by the proposed development.

4.5 MSHCP

There are no sensitive plant species that have been observed in the immediate area of the property (CNDDB, 2014), and the site does not appear to support any sensitive habitats such as vernal pools or marshes. The small drainage swale along the eastern edge of the site does support some hydrophytic plants and is considered riparian habitat. As such, a DBESP is being prepared and a "Notification of Lake or Streambed Alteration" will be submitted to CDFW regarding the development proposed which will impact the riparian habitat. The USCOE will also be contacted to discuss the potential need for a Section 404 permit. As previously discussed in Section 3.1, focused surveys for special status plants were not conducted as part of the field investigations, and it is unlikely the site supports populations of any sensitive plant species. However, there is a low probability that species such as round-leaved filaree and smooth tarplant could potentially occur on the site. These two species are discussed below.

Sensitive Plants

Smooth Tarplant (*Centromadia pungens*)

Background Information: This species is typically found in native grasslands in interior dry valleys and foothills, primarily below 1000 feet elevation. It is a relatively rare

species (CNPS List 1B.1) with a few documented populations in the region. This species has been classified as a List 1B.1 and population levels are very low throughout Southern California.

Occurrence on the Site: The site supports a disturbed grassland community which provides marginal habitat for the species. Although the species has been observed in the surrounding region according to the CNDDB (2014), there is a low probability of the plant occurring on the site given the relatively small size of the property and the absence of any documented observations in the immediate area. However, CDFW should be contacted to discuss the potential need for conducting focused surveys for the species to definitively determine the presence or absence of the species.

Round-leaved Filaree (*California macrophylla*)

Background Information: This grass species occurs in cismontane woodland habitats, foothills, and valley grassland habitats typically on clay soils normally below 3,600 feet (Munz, 1974). Round-leaved filaree is classified as a CNPS List 1B.1 species and is rare throughout its distribution in Southern California.

Occurrence on the Site: The grassland present on the site is marginal habitat for the round-leaved filaree; although, the probability of this particular species occurring on the site is relatively low. Populations of the species have been observed in the surrounding region; therefore, CDFW should be contacted to discuss the potential need for focused surveys.

Sensitive Animals

There are several sensitive wildlife species which have been documented in the region and which could potentially occur on the site based on the presence of various habitats. The only listed species which could be present is the Stephen's kangaroo rat (*Dipodomys*

stephensi), which typically occurs in grassland communities. Several populations of the species have been documented in the area. Other rodents known to occur in the area (i.e., State species of special concern), and which could potentially occur on the site, include the Dulzera pocket mouse (*Chaetodipus californicus femoralis*), Los Angeles pocket mouse (*Peromyscus longimenbris brevinasus*), Jacumba pocket mouse (*P. l. internationalis*), Southern grasshopper mouse (*Onychomys torridus Ramona*), and San Diego woodrat (*Neotoma lepida intermedia*). However, live-trapping surveys were not conducted on the property and the presence or absence of these rodent species cannot be definitively determined. In addition, no woodrat middens were observed during any of the field investigations. Suitable habitat (i.e., open grassland) for the black-tailed jackrabbit is present on the site; although, the species was never seen during any of the field investigations. Likewise, the coast horned lizard occurs in open grassland and shrub habitats and may occur on the site; although, none were seen during the field investigations in 2013.

Burrowing owls (*Athene cunicularia*) could potentially occur on the site in the future given the presence of suitable burrows (i.e., ground squirrel burrows, etc.); however, no owls or owl sign (e.g., whitewash, castings, etc.) were noted during the focused owl surveys conducted in May and June 2013. The Northern harrier (*Circus cyaneus*) may occasionally be seen foraging over the site; although, the species is not expected to be a permanent resident on the property. Loggerhead shrikes (*Lanius ludovicianus*) are the only other avian species which may occasionally occur on the site.

The western spadefoot toad (*Spea hammondii*) is the only sensitive amphibian which could potentially inhabit the site. The small riparian habitat along the eastern boundary does provide a mesic which would be a suitable area for the toad.

4.6 Jurisdictional Waters

The property does not support any channels that are designated on the USGS Murrieta quadrangle; however, the two drainage channels (Channel "A" and "B") present on the site do appear to have a nexus with blueline channels in the immediate area. One blueline stream channel is located about 0.5 miles northeast of the project site, and may have a surface connection with the two drainage channels on the Westpark property (Figure 4). Furthermore, the blueline channel northeast of the site may have a hydrological connection with Murrieta Creek which is about one mile southwest of the site. An additional blueline channel is also located north of the project site and appears to have connections with the northern portion of Channel "A" (Figure 4).

Water flows within the drainage channels (Channels "A" & "B") are in a south/southwest direction and are directed under Interstate 15 via large culverts. The channels connected with a drainage swale directly west of the Interstate which is connected to a channel to the southwest of the Interstate (Figure 4). This channel may connect with Murrieta Creek. Based on this analysis, the two channels (Channel "A" & "B") may be considered sensitive habitat as well as jurisdictional. Therefore, a DBESP is being prepared for the project to fully analyze the habitat and the potential impacts which will occur. In addition, a "Notification of Lake or Streambed Alteration" will be submitted to CDFW to determine if a 1600 Permit is required, and the USCOE will be contacted regarding the potential need for a Section 404 permit.

5.0 IMPACTS AND MITIGATIONS

5.1 General Vegetation and Wildlife

Grading and construction activities associated with the proposed project would generate impacts to the general biological resources present on the site. However, the site has been disturbed by past human activities and only a few native plant species would be affected. Loss of the existing vegetation would also affect some wildlife species; although, the number of species that would be impacted is relatively low. Wildlife diversity is somewhat limited due to the absence of diverse habitats and the fact that the site is surrounded by existing residential and commercial developments.

Direct impacts would include an increase in mortality for less mobile species (e.g., rodents, etc.), and displacement of mobile species (primarily birds) into vacant habitats in the surrounding area. The ability of displaced wildlife species to survive in adjacent habitats would be dependent upon the existing carrying capacity of adjacent habitats at the time of displacement. The number of wildlife species that would be displaced is expected to be low and a significant increase in overall mortality for most wildlife species is unlikely. Indirect impacts would include an increase in disturbance of daily and seasonal behavior of some species due to increased noise levels associated with construction activities. However, these impacts will be temporary. Once construction is completed, there will be an increase in the ambient noise levels due to increase traffic levels on the streets and other human activities associated with the development.

5.2 Threatened, Endangered, and Species of Special Concern

The property is not expected to support any populations of listed plant or animal species, and there are no documented populations of any sensitive species in the immediate area (CNDDB, 2014). In addition, the property is located in an area which has been fragmented due to a significant amount of development activities over the last few

decades. However, certain sensitive plant and animal species could potentially occur on the site based on the existing habitats. These species were discussed above in Section 4.5 and include smooth tarplant, round-leaved filaree, Stephen's kangaroo rat, San Diego woodrat, burrowing owls, Northern harrier, loggerhead shrikes, black-tailed jackrabbit, coast horned lizard, western spadefoot toad, and various rodent species. Based on the possible presence of these species, the following additional surveys and mitigations are recommended.

1. Conduct pre-construction surveys for the burrowing owl to determine if the species has moved on to the site since the 2013 surveys.

2. Conduct pre-construction survey for the coast horned lizard to determine if the species is present on the site.

3. The site is located within the know distribution of the listed Stephens kangaroo rat and the species could potentially inhabit the site. Therefore, mitigation fees will be required as per the MSHCP. However, CDFW and USFWS should be contacted to determine if preconstruction surveys should be conducted to determine the presence or absence of the species, and what performance standards may need to be implemented to avoid potential take in the event any individuals are present on the site.

4. Conduct pre-construction surveys for the western spadefoot toad to determine if the species is present on the site.

5. Contact CDFW regarding conducting focused surveys for sensitive plant species known to occur in the region. If required, conduct focused surveys for sensitive plant species as per the survey requirements of the California Naïve Plant Society.

5.3 Habitat Fragmentation and Wildlife Movement

As previously noted, the property is located in an area where habitat has been fragmented due to past human activities and on-going development in the surrounding region. Therefore, the incremental loss of wildlife habitat associated with the proposed development is expected to be minimal. There are no major wildlife corridors present on the site and the proposed project will not impede regional wildlife movement or impact any MSHCP-designated corridors or habitat linkages. The site is bordered on the western Interstate 15, on the north and east by an existing residential development, and on the south by various commercial businesses and Catt Road (Figure 4). Therefore, the proposed project is not expected to have any substantial impacts with regard to habitat fragmentation and regional wildlife movement.

5.4 Critical and Sensitive Habitat

The proposed project will not generate any impacts to vernal pools; although, the project will impact the small riparian area in the eastern portion of the site. Development activities will also impact two relatively large drainage channels (Figure 4). As previously discussed, a DBESP analysis is being performed and will be submitted under separate cover. CDGW and USCOE will also be contacted to determine if a 1600 permit or Section 404 permit will be required, respectively.

5.5 Jurisdictional Waters

A small drainage swale is present along the eastern edge of the property which supports a few hydrophytic plants typical of mesic areas. This riparian area is relatively small and is part of Channel "B" (Figure 4). In addition, a separate large channel (Channel "A") bisects the site in a north-south direction. As discussed in Sections 3.2.2 and 4.6, the two on-site channels are depicted as blueline streams; however, given their connectivity with blueline channels in the area the two channels may be considered jurisdictional. CDFW

and USCOE will be contacted to discuss this issue, and a DBESP is being prepared as well.

5.6 Application of CEQA Guidelines – Section 15370

Avoidance of Impacts: The project will generate impacts to riparian habitat and two drainage channels which may be considered jurisdictional; therefore, a "Determination of Biological Equivalent or Superior Preservation" is applicable to the property and will be submitted under separate cover.

Minimization of Impacts: Development of the site is not expected to impact any sensitive plant species.

Rectifying Impacts: Various mitigation measures are listed in Section 4.2 based on the results of the field investigation. Additional mitigations will be provided, as necessary, following consultations with the various resource agencies.

Impacts: Where possible, native vegetation will be utilized for on-site landscaping in order to provide some habitat for local wildlife species.

Compensation for Impacts: The site is located within the Riverside County HCP fee area for the Stephen's kangaroo rat and potential impacts to this species will be mitigated through payment of a per-acre fee. However, live-trapping surveys will be conducted to definitely determine the presence or absence of the species if deemed necessary by CDFW and USFWS.

Monitoring Program: No monitoring programs are recommended for this project at the present time; however, monitoring programs will be established as necessary to compensate for impacts that will be associated with the project.

5.7 Local Policies and Ordinances

The proposed project will not conflict with or have any adverse impact on any local policies or ordinances.

6.0 REFERENCES

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7.0 CERTIFICATION

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

Date: 9-17-2014

Signed: _____

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APPENDIX A

FIGURES

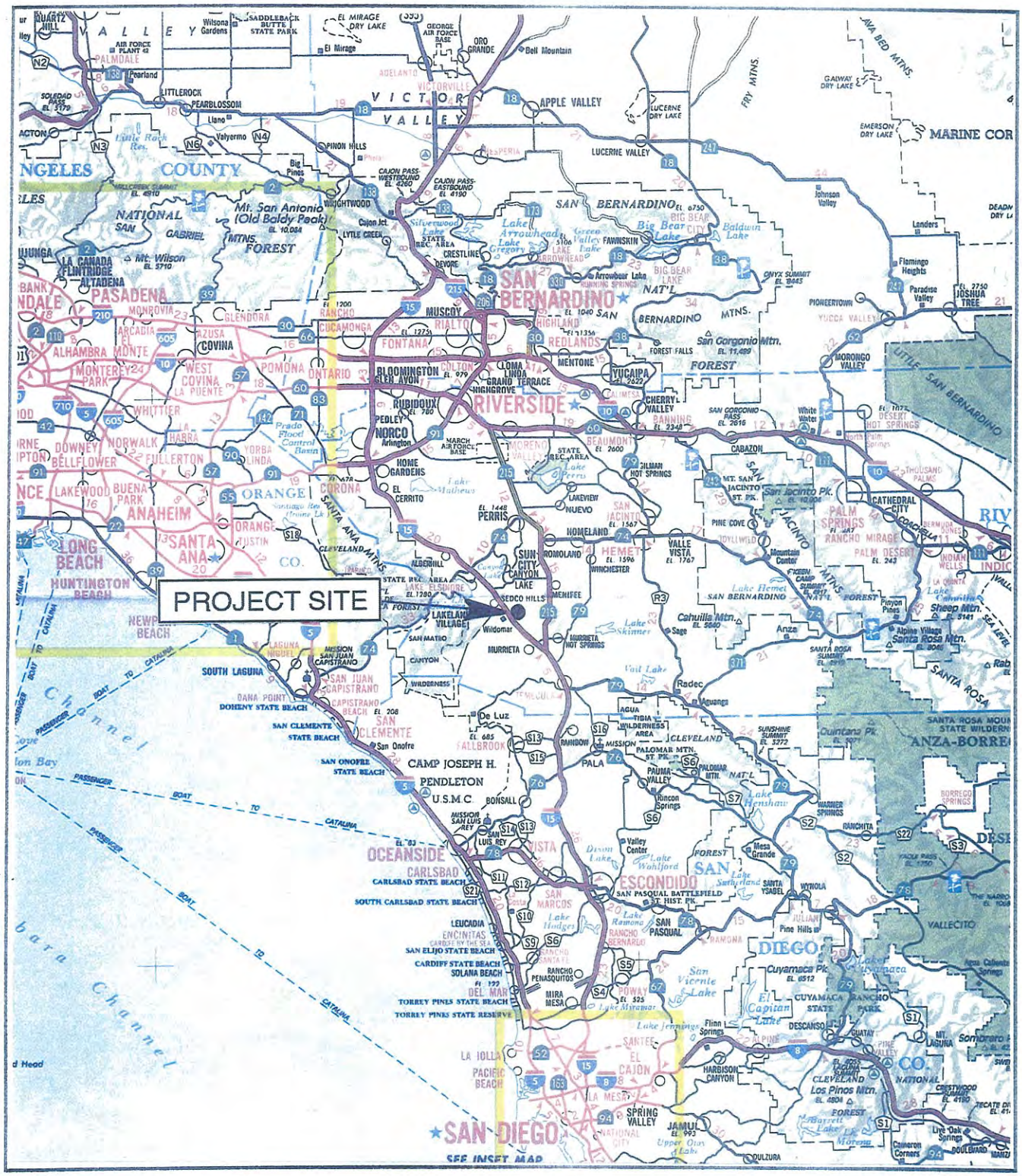


FIGURE 1
VICINITY MAP
(Westpark Promenade, Wildomar, CA)
(Source: ACSC Map Source, 2013)

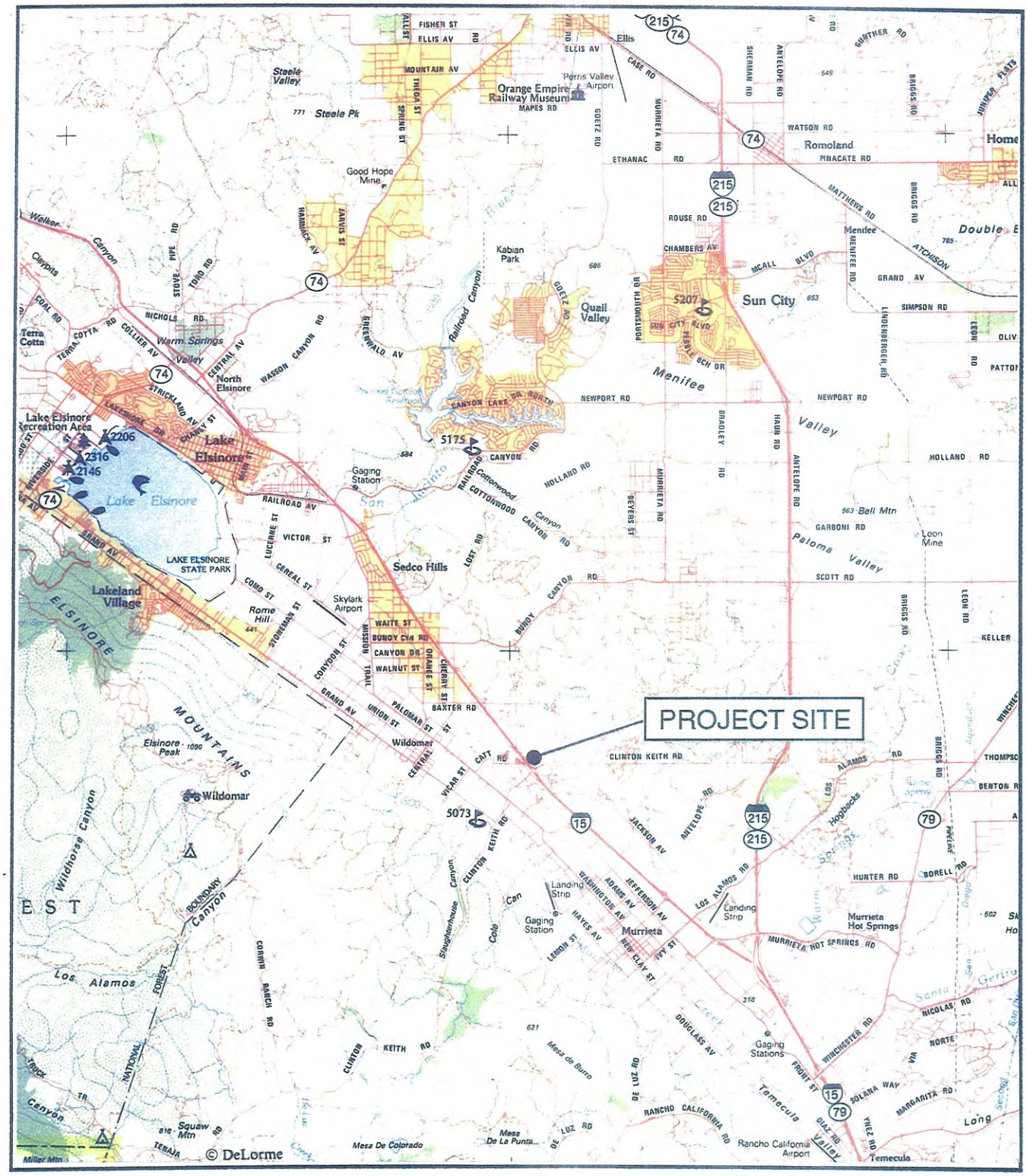
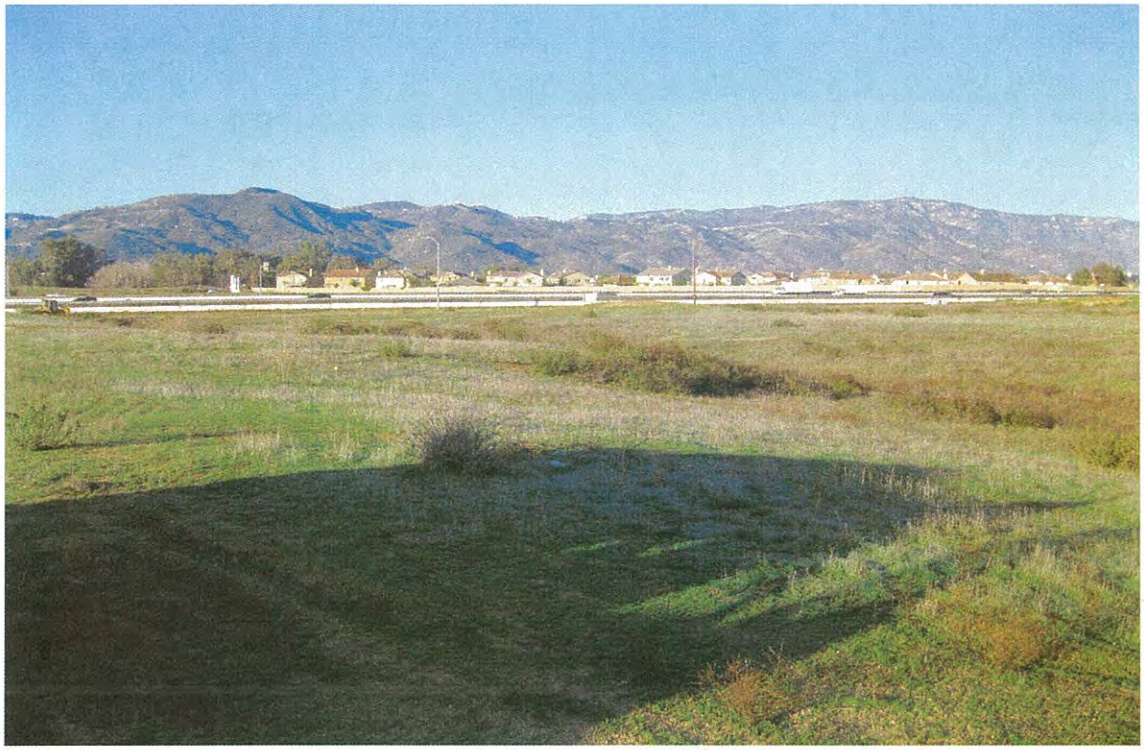


FIGURE 2
PROPERTY LOCATION
(Westpark Promenade, Wildomar, CA)
(Source: DeLorme Maps, 2013)

CENTER OF PROPERTY LOOKING EAST

CENTER OF PROPERTY LOOKING NORTH

FIGURE 3
SITE PHOTOGRAPHS
(WESTPARK PROMENADE, WILDOMAR, CA)



CENTER OF PROPERTY LOOKING WEST

CENTER OF PROPERTY LOOKING SOUTH

FIGURE 3, cont.
SITE PHOTOGRAPHS
(WESTPARK PROMENADE, WILDOMAR, CA)

FIGURE 4
AERIAL VIEW OF SITE
(WESTPARK PROMENADE, WILDOMAR, CA)

APPENDIX B

TABLES

Table 1: Sensitive plant species documented in surrounding area
(Data from Murrieta USGS Quadrangle and eight surrounding quadrangles.)

NAME	STATUS	HABITAT REQUIREMENTS	PRESENCE/ABSENCE ON PROPERTY
PLANTS			
Chaparral sand-verbena *(Abronia villosa var. aurita)*	Fed: None State: None CNPS: 1B.1	Open sandy places below 5,000 feet elevation. Coastal sage scrub and Chaparral.	Suitable habitat absent from the site. Not expected to occur on the site.
Rainbow Manzanita *(Arctostaphylos rainbowensis)*	Fed: None State: None CNPS: 1B.1	Chaparral in lower elevations.	Suitable habitat absent from the site. Not expected to occur on the site.
Thread-leaved brodiaea *(Brodiaea filifolia)*	Fed: T State: E CNPS: 1B.1	Coastal sage scrub, chaparral below 4,500 feet elevation.	Suitable habitat absent from the site. Not expected to occur on the site.
Orcutt's brodiaea *(Brodiaea orcuttii)*	Fed: None State: None CNPS:1B.1	Chaparral, near streams and vernal pools below 5,500 feet elevation.	Suitable habitat absent from the site. Not expected to occur on the site.
Round-leaved filaree *(California macrophylla)*	Fed: None State: None CNPS: 1B.1	Native valley grasslands and foothill woodlands.	Low probability of species occurring on the site.
Intermediate mariposa-lily *(Calochortus weedii var. intermedius)*	Fed: None State: None CNPS: 1B.2	Coastal sage scrub and native grassland communities.	Suitable habitat absent from the site. Not expected to occur on the site.
Smooth tarplant *(Centromadia pungens ssp. laevis)*	Fed: None State: None CNPS: 1B.1	Native grassland.	Low probability of species occurring on the site.
Parry's spineflower *(Chorizanthe parryi var. parryi)*	Fed: None State: None CNPS: 1B.1	Coastal sage scrub communities below 2,500 feet elevation.	Suitable habitat absent from the site. Not expected to occur on the site.
Long-spined spineflower *(Chorizanthe polygonoides var. longispina)*	Fed: None State: None CNPS: 1B.2	Chaparral plant community.	Suitable habitat absent from the site. Not expected to occur on the site.
San Miguel savory *(Clinopodium chandleri)*	Fed: None State: None CNPS:1B.2	Mountain chaparral.	Suitable habitat absent from the site. Not expected to occur on the site.
San Diego button-celery *(Eryngium aristulatum var. parishii)*	Fed: E State: E CNPS: 1B.1	Coastal sage scrub and coastal salt marsh below 3,000 feet elevation.	Suitable habitat absent from the site. Not expected to occur on the site.
Mesa horkelia *(Horkelia cuneata var. puberula)*	Fed: None State: None CNPS: 1B.1	Open sandy fields and woods, coastal sage scrub.	Suitable habitat absent from the site. Not expected to occur on the site.
Santa Lucia dwarf rush *(Juncus luciensis)*	Fed: None State: None CNPS: 1B.2	Wet meadows below 6,500 feet elevation.	Suitable habitat absent from the site. Not expected to occur on the site.

Coulter's goldfields *(Lasthenia galbrata ssp. coulteri)*	Fed: None State: None CNPS: 1B.1	Coastal salt marshes, vernal pools and damp alkaline areas.	Suitable habitat absent from the site. Not expected to occur on the site.
Robinson's pepper-grass *(Lepidium virginicum var. robinsonii)*	Fed: None State: None CNPS: 1B.2	Coastal sage scrub and chaparral communities.	Suitable habitat absent from the site. Not expected to occur on the site.
Little mousetail *(Myosurus minimus ssp. apus)*	Fed: None State: None CNPS: 3.1	Vernal pools and alkaline marshes below 1,500 feet elevation.	Suitable habitat absent from the site. Not expected to occur on the site.
Spreading navarretia *(Navarretia fossialis)*	Fed: T State: None CNPS: 1B.1	Freshwater marshes and vernal pools.	Suitable habitat absent from the site. Not expected to occur on the site.
Prostrate vernal pool navarretia *(Navarretia prostrata)*	Fed: None State: None CNPS: 1B.1	Vernal pools and moist places below 2,000 feet elevation.	Suitable habitat absent from the site. Not expected to occur on the site.
California Orcutt grass *(Orcuttia californica)*	Fed: E State: E CNPS: 1B.1	Drying mud flats and grasslands.	Suitable habitat absent from the site. Not expected to occur on the site.
White rabbit-tobacco *(Pseudognaphilum leucocepephalum)*	Fed: None State: None CNPS: 2.2	Occurs on sandy/gravelly substrates in chaparral, cismontane woodlands, and coastal sage scrub.	Suitable habitat absent from the site. Not expected to occur on the site.
Southern mountains skullcap *(Scutellaria bolanderi ssp. austromontana)*	Fed: None State: None CNPS:1B.2	Chaparral, oak woodlands and damp places 3,000-4,500 feet elevation.	Suitable habitat absent from the site. Not expected to occur on the site.
San Bernardino aster *(Symphyotrichum defoliatum)*	Fed: None State: None CNPS: 1B.2	Cismontane woodlands, coastal sage scrub, marshes, and lower montane coniferous forests.	Suitable habitat absent from the site. Not expected to occur on the site.
Munz's onion *(Allium munzii)*	Fed: E State: T CNPS: 1B.1	Vernal pool areas 1,000-2,000 feet elevation.	Suitable habitat absent from the site. Not expected to occur on the site.
San Jacinto Valley crownscale *(Atriplex coronata var. notatior)*	Fed: E State: None CNPS: 1B.1	Alkali flats.	Suitable habitat absent from the site. Not expected to occur on the site.
Parish's brittlescale *(Atriplex parishii)*	Fed : None State: None CNPS: 1B.1	Alkali flats.	Suitable habitat absent from the site. Not expected to occur on the site.
Davidson's saltscale *(Atriplex serenana var. davidsonii)*	Fed: None State: None CNPS: 1B.2	Alkaline valleys at low elevations, coastal sage scrub communities.	Suitable habitat absent from the site. Not expected to occur on the site.
Nevin's barberry *(Berberis nevinii)*	Fed: E State: E CNPS: 1B.1	Chaparral, coastal sage scrub, Sandy and gravely places below 2,000 feet elevation.	Suitable habitat absent from the site. Not expected to occur on the site.
Lakeside ceanothus *(Ceanothus cyaneus)*	Fed: None State: None CNPS: 1B.2	Chaparral communities.	Suitable habitat absent from the site. Not expected to occur on the site.
Vail Lake ceanothus *(Ceanothus ophiochilus)*	Fed: T State: E CNPS: 1B.1	Chaparral and dry slopes below 4,500 feet elevation.	Suitable habitat absent from the site. Not expected to occur on the site.
Slender-horned spineflower *(Dodecahema leptoceras)*	Fed: E State: E CNPS: 1B.1	Isolated patches of large floodplain habitats.	Suitable habitat absent from the site. Not expected to occur on the site.
Mesa horkelia *(Horkelia cuneata var. puberula)*	Fed: None State: None CNPS: 1B.1	Mats in moist places below 9,500 feet elevations.	Suitable habitat absent from the site. Not expected to occur on the site.

Felt-leaved monardella *(Monardella hypoleuca ssp. lanata)*	Fed: None State: None CNPS: 1B.2	Chaparral and dry slopes below 4,500 feet elevation.	Suitable habitat absent from the site. Not expected to occur on the site.
Chaparral nolina *(Nolina cismontane)*	Fed: None State: None CNPS: 1B.2	Chaparral communities and creosote bush scrub.	Suitable habitat absent from the site. Not expected to occur on the site.
Gander's ragwort *(Packera ragwort)*	Fed: None State: R CNPS: 1B.2	Chaparral habitat.	Suitable habitat absent from the site. Not expected to occur o the site.
Parry's tetracoccus *(Tetracoccus dioicus)*	Fed: None State: None CNPS: 1B.2	Dry stony slopes below 2,500 feet elevation and chaparral.	Suitable habitat absent from the site. Not expected to occur on the site.
Orcutt's pincushion *(Chaenactis glabriuscula var. orcuttiana)*	Fed: None State: None CNPS:1B.1	Sand dunes near the coast and the coastal strand.	Suitable habitat absent from the site. Not expected to occur on the site.
Many-stemmed dudleya *(Dudleya multicaulis)*	Fed: None State: None CNPS: 1B.2	Coastal sage scrub, chaparral and dry stony places below 2,000 feet elevation.	Suitable habitat absent from the site. Not expected to occur on the site.
Sticky dudleya *(Dudleya viscida)*	Fed: None State: None CNPS: 1B.2	Coastal sage scrub and rocky slopes below 1,200 feet elevation.	Suitable habitat absent from the site. Not expected to occur on the site.
Campbell's liverwort *(Geothallus tuberosus)*	Fed: None State: None CNPS: 1B.1	Coastal sage scrub and vernal pools.	Suitable habitat absent from the site. Not expected to occur on the site.
Ramona horkelia *(Horkelia truncate)*	Fed: None State: None CNPS: 1B.3	Dry slopes 2,000-4,000 feet elevation and chaparral.	Suitable habitat absent from the site. Not expected to occur on the site.
Felt-leaved monardella *(Monardella hypoleuca ssp. lanata)*	Fed: None State: None CNPS: 1B.2	Chaparral communities.	Suitable habitat absent from the site. Not expected to occur on the site.
San Diego ambrosia *(Ambrosia pumila)*	Fed: E State: None CNPS: 1B.1	Vernal pools in Chaparral and Coastal sage scrub.	Suitable habitat absent from the site. Not expected to occur on the site.
Jaeger's milk-vetch *(Astragalus pachypus var. jaegeri)*	Fed: None State: State CNPS:1B.1	Chaparral and creosote bush communities.	Suitable habitat absent from the site. Not expected to occur on the site.
Shevock's copper moss *(Schizymenium shevockii)*	Fed: None State: None CNPS: 1B.2	Cismonatne woodlands	Suitable habitat absent from the site. Not expected to occur on the site.
California screw moss *(Tortula californica)*	Fed: None State: None CNPS: 1B.2	Chenopod scrub	Suitable habitat absent from the site. Not expected to occur on the site.
California ayenia *(Ayenia compacta)*	Fed: None State: None CNPS: 2.3	Creosote bush scrub.	Suitable habitat absent from the site. Not expected to occur on the site.
Tecate cypress *(Hesperocyparis forbesii)*	Fed: None State: None CNPS: 1B.1	Chaparral and woodland habitats.	Suitable habitat absent from the site. Not expected to occur on the site.
Lemon lily *(Lilium parryi)*	Fed: None State: None CNPS:1B.2	Springy places and wet banks 4,000-9,000 feet elevation.	Suitable habitat absent from the site. Not expected to occur on the site.
Parish's meadowfoam *(Limnanthes alba ssp. parishii)*	Fed: None State: E CNPS: 1B.2	Moist lake shores and wet places 4,500-5,000 feet elevation.	Suitable habitat absent from the site. Not expected to occur on the site.
Hammitt'clay-cress *(Sibaropsis hammittii)*	Fed: None State: None CNPS: 1B.2	Chaparral	Suitable habitat absent from the site. Not expected to occur on the site.

Bottle liverwort *(Sphaerocarpos drewei)*	Fed: None State: None CNPS:1B.1	Chaparral and coastal sage scrub	Suitable habitat absent from the site. Not expected to occur on the site.

Legend: CNPS = California Native Plant Society
D = Delisted
E = Endangered
T = Threatened
SSC = Species of special concern

Table 2: Sensitive animals documented in the surrounding area. (Data from the Murrieta USGS Quadrangle and surrounding eight quadrangles.)

NAME	STATUS	HABITAT REQUIREMENTS	PRESENCE/ABSENCE ON PROPERTY
ANIMAL			
Burrowing owl (*Athene cunicularia*)	Federal: None State: None CDFW: SSC	Open grassland areas where the owls utilize abandoned mammal burrows.	Not observed on site.
Northwestern San Diego pocket mouse (*Chaetodipis fallax fallax*)	Federal: None State: None CDFW: SSC	Coastal sage scrub and chaparral.	Suitable habitat absent from the site. Not expected to occur on the site.
Stephens' kangaroo rat (*Dipodomys stephensi*)	Federal: E State: T	Annual grasslands.	Suitable habitat present on-site. Species could potentially occur on the site.
San Diego black-tailed jackrabbit (*Lepus californicus bennettii*)	Federal: None State: None CDFW: SSC	Open and semi-open grasslands.	Species was not observed on the site during the various surveys conducted.
Western spadefoot toad (*Spea hammondii*)	Federal: None State: None CDFW: SSC	Typically associated with alkali flats, washes, and floodplains.	Drainage swales/channels on the site provide suitable habitat for the species.
Riverside fairy shrimp (*Streptocephalus woottoni*)	Federal: E State: None CDFW: None	Vernal pools.	Suitable habitat absent from the site. Not expected to occur on the site.
Coastal California gnatcatcher (*Polioptila califonica californica*)	Federal: T State: None CDFW: SSC	Coastal sage scrub.	Suitable habitat absent from the site. Not expected to occur on the site.
Coast horned lizard (*Phrynosoma blainvillii*)	Federal: None State: None CDFG: SSC	Open areas with sandy soils where ant colonies are available.	Suitable habitat present on the site. Species could potentially occur on the site.
Orangethroat whiptail (*Aspidoscelis hyperythra*)	Federal: None State: None CDFW: SSC	Chaparral areas where loose sand and rocky habitats are available.	Suitable habitat absent from the site. Not expected to occur on the site.
Dulzera pocket mouse *(Chaetodipus californicus femoralis)*	Federal: None State: None CDFW: SSC	Rocky slopes and desert areas.	Suitable habitat absent from the site. Not expected to occur on the site.
Red-diamond rattlesnake *(Crotalus ruber)*	Federal: None State: None CDFW: SSC	Desert areas, dense chaparral, coastal areas.	Suitable habitat absent from the site. Not expected to occur on the site.
Western pond turtle *(Emys marmorta)*	Federal: None State: None CDFW: SSC	Ponds and small lakes with abundant vegetation.	Suitable habitat absent from the site. Not expected to occur on the site.
Western mastiff bat *(Eumops perotis californicus)*	Federal: None State: None CDFW: SSC	Rocky cliffs, canyons and structures.	Suitable habitat absent from the site. Not expected to occur on the site.
Quino checkerspot butterfly *(Euphydryas editha quino)*	Federal: E State: None CDFW: None	Open areas.	Not expected to occur on the site.
Arroyo chub *(Gila orcuttii)*	Federal: None State: None CDFW: SSC	Rivers, streams and ponds.	Suitable habitat absent from the site. Not expected to occur on the site.
Los Angeles pocket mouse *(Perognathus longimembris brevinasus)*	Federal: None State: None CDFW: SSC	Rocky slopes and desert areas.	No live-trapping surveys conducted, but not expected to occur on the site.

Coast Range newt *(Taricha torosa)*	Federal: None State: None CDFW: SSC	Quiet streams, ponds, lakes and surrounding evergreen areas.	Suitable habitat absent from the site. Not expected to occur on the site.
Two-striped garter snake *(thamnophis hammondii)*	Federal: None State: None CDFW: SSC	Brackish coastal marshes, ponds and lakes.	Suitable habitat absent from the site. Not expected to occur on the site.
Least Bell's vireo *(Vireo bellii pusillus)*	Federal: E State: E CDFW: None	Large riparian habitat areas.	Suitable habitat absent from the site. Not expected to occur on the site.
Vernal pool fairy shrimp *(Branchinecta lynchi)*	Federal: T State: None CDFW: None	Vernal pools.	Suitable habitat absent from the site. Not expected to occur on the site.
Northern harrier *(Circus cyaneus)*	Federal: None State: None CDFW: SSC	Marshlands, grasslands and parries.	Could occasionally forage over the site.
Bald eagle *(Haliaeetus leucocephalus)*	Federal: D State: E CDFW: None	Ridges and cliffs usually near lakes and rivers.	Suitable habitat absent from the site. Not expected to occur on the site.
San Diego desert woodrat *(Neotoma lepida intermedia)*	Federal: None State: None CDFW: SSC	Rocky and desert areas.	Could potentially occur on the site, but not observed during field investigations.
Jacumba pocket mouse *(Perognathus longimembris internationalis)*	Federal: None State: None CDFW: SSC	Sandy deserts near stream beds.	No live-trapping surveys conducted, but not expected to occur on the site.
California red-legged frog *(Rana draytonii)*	Federal: T State: None CDFW : SSC	Ponds or other permanent water with dense vegetation.	Small riparian area on-site not expected to support populations of the species.
Western yellow-billed cuckoo *(Coccyzus americanus occidentalis)*	Federal: C State: E CDFW: None	Woodlands, forest edges, thickets, orchards and farmlands.	Suitable habitat absent from the site. Not expected to occur on the site.
Coronado Island skink *(Plestiondon skiltonianus interparietalis)*	Federal: None State: None CDFW: SSC	Forest, open woodlands and grassy areas.	Suitable habitat absent from the site. Not expected to occur on the site.
Western snowy plover *(Charadrius alexandrinus nivosus)*	Federal: T State: None CDFW: SSC	Coastal beaches, salt ponds and alkaline lakes.	Suitable habitat absent from the site. Not expected to occur on the site.
Coast patch-nosed snake *(Salvadora hexalpis virgultea)*	Federal: None State: None CDFW: SSC	Open woodland and forested mountain slopes.	Suitable habitat absent from the site. Not expected to occur on the site.
Loggerhead shrike *(Lanius ludovicianus)*	Federal: None State: None CDFW: SSC	Very widespread, habitat where perches can be less conspicuous.	May occasionally occur on the site.
Western yellow bat *(Lasiurus xanthinus)*	Federal: None State: None CDFW: SSC	Rocky cliffs an structures.	Suitable habitat absent from the site. Not expected to occur on the site.
Southern grasshopper mouse *(Onychomys torridus Ramona)*	Federal: None State: None CDFW: SSC	Low deserts, creosote bush, mesquite and yucca.	No live-trapping surveys conducted, but not expected to occur on the site.
Pallid bat *(Antrozous pallidus)*	Federal: None State: None CDFW: SSC	Deserts, daytime roosts in buildings and crevices.	Suitable habitat absent from the site. Not expected to occur on the site.
San Diego fairy shrimp *(Branchinecta sandiegonensis)*	Federal: E State: None CDFW: None	Vernal pools.	Suitable habitat absent from the site. Not expected to occur on the site.
Coastal cactus wren *(Campylorhynchus brunneicapillus sandiegensis)*	Federal: None State: None CDFW: SSC	Cactus, mesquite, Palo Verde and other thorny trees.	Suitable habitat absent from the site. Not expected to occur on the site.

Pocket free-tailed bat *(Nyctinomops femorosaccus)*	Federal: None State: None CDFW: SSC	Rock outcrops in deserts.	Suitable habitat absent from the site. Not expected to occur on the site.
California tiger salamander *(Ambystoma californiense)*	Federal: T State: T CDFW: SSC	Subterranean retreats near ponds in grasslands and open woodlands.	Suitable habitat absent from the site. Not expected to occur on the site.

Table 3: Plant species observed on the site and/or in adjacent areas.

Common Name	Scientific Name	Comments
Annuals		
Snakeweed	*Gutierrezia sarothrea*	Common throughout the site.
Telegraph weed	*Heterotheca gradifolia*	"
Bladderpod	*Isomeris aroborea*	"
Fiddleneck	*Amsinckia tessellata*	"
Black mustard	*Brassica nigra*	"
Plantain	*Plantago erecta*	"
Croton	*Croton califonica*	"
Coyote melon	*Cucurbita foetidissma*	"
Annual lotus	*Lotus strigosus*	Observed in riparian area along eastern boundary.
Phacelia	*Phacelia distans*	"
Lambs quarters	*Chenopodium califonicum*	"
Centaurem	*Centaurea squarrosa*	"
Pearly everlasting	*Gnaphalium californicum*	"
Perennials		
Lotus	*Lotus purshianus*	Observed in riparian area along eastern boundary.
Narrowleaf goldenbush	*Haplopappus linearifolius*	"
Mugwort	*Artemisia douglasiana*	"
Deerbrush	*Ceanothus integerrimus*	"
Salt cedar	*Tamarix ramosissima*	"
Cattail	*Typha latifolia*	"
Buckwheat	*Eriogonum foliolosum*	"
Buckwheat	*E. fasciculatum*	Common throughout the site.
Elderberry	*Sambucus mexicana*	"
Olive tree	*Olea europea*	Occurs in northwest corner.
Pacific willow	*Salix lasiandra*	Observed in riparian area along eastern boundary.

Source: Munz, P.A. 1974. A Flora of Southern California. University of California Press. Berkeley, California. 1086 pp.

Table 4: Wildlife species observed on the property and/or known to occur in the immediate area. (Note: The following list is not intended to be a comprehensive list of every species which may occur on the site or in the immediate surrounding area.)

Common Name	Scientific Name	Comments
Mammals		
Desert cottontail	*Sylvilagus auduboni*	Common throughout area.
California ground squirrel	*Spermophilus beecheyi*	"
Coyote	*Canis latrans*	Scats observed on-site.
Deer mouse	*Peromyscus maniculatus*	May occur on-site.
California mouse	*P. californicus*	"
Botta's pocket gopher	*Thomonys bottae*	"
Birds		
Raven	*Corvus corax*	Observed on-site.
Crow	*C. brachyrhynchos*	"
Rock dove	*Columba livia*	"
Greater road runner	*Geococcyx californianus*	"
Brewer's blackbird	*Euphagus cyanocephalus*	"
Anna's hummingbird	*Calypte amna*	"
Western meadowlark	*Sturnella neglecta*	"
California quail	*Callipepla Californica*	"
Western kingbird	*Tyrannus verticalis*	"
House sparrow	*Passer domesticus*	"
Lark sparrow	*Chondestes grammacus*	"
House finch	*Carpodacus mexicanis*	"
Mourning dove	*Zenaida macroura*	"
Sage sparrow	*Amphispiza belli*	"
Costa hummingbird	*Calypte costae*	Observed in surrounding area.
Northern mockingbird	*Mimus polyglottus*	"
Ash-throated flycatcher	*Myiarchus cinerascens*	"
American robin	*Turdus migratorius*	"
Scrub jay	*Aphelocoma coerulescens*	"
Bullock's oriole	*Icterus bullockii*	"
Red-tailed hawk	*Buteo jamicensis*	"
European starling	*Sturnus vulgaris*	"
Reptiles and Amphibians		
Side-blotched lizard	*Uta stansburiana*	Observed throughout site.
Western fence lizard	*Sceloprus occidentalis*	"
Granite spiny lizard	*Sceloporus orcuttii*	May occur on-site.
Gopher snake	*Pituphis melanolecus*	"
Common garter snake	*Thamnophis sirtalis*	"
Western toad	*Bufo boreas*	"
Tree frog	*Hyla sp.*	"

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(1) Blair, W.F. 1968. Vertebrates of the United States. McGraw-Hill, Inc. New York. 616 pp.
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APPENDIX C-2

Determination of Biological Equivalent or Superior Preservation (DBESP) for Riparian/Riverine Habitat

DETERMINATION OF BIOLOGICAL EQUIVALENT OR SUPERIOR PRESERVATION (DBESP) FOR RIPARIAN/RIVERINE HABITAT

WESTPARK PROMENADE
WILDOMAR, CALIFORNIA
TOWNSHIP 7 SOUTH, RANGE 4 WEST, SECTION 1 & 36
APN 376-410-025

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Project Number: **#2014-72**

Report Prepared: **January 15, 2015**

RCA ASSOCIATES, LLC

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1.0 SUMMARY

This report provides the results of a Biological Equivalent or Superior Preservation (DBESP) Analysis performed for a 27.6-acre property located in Wildomar, California (Figures, 1, 2, 3, 4, and 5; Appendix A). The majority of the property has been disturbed by past human activities over the last few decades (Figure 4). There is no conclusive evidence that the site was previously utilized for agricultural activities; although, some of the surrounding area appears to have been previously used for various farming uses based on historic photographs of the region. Currently a disturbed grassland community covers the majority of the site with a few trees in the northwest portion of the site and a few trees along the eastern boundary in association with a small riparian area (Figure 4).

Following discussions with California Department of Fish and Wildlife (CDFW) and other resource agencies, it was determined that a DBESP would be required to analyze the impacts to riparian and riverine habitats present on the site (Figure 4). The proposed project would impact two riverine channels (Channels A & B) that traverse the property, as well as a small riparian habitat located on the eastern boundary of the property (Figure 4). A DBESP analysis has not been previously conducted for the property; therefore, it was determined that an analysis of the two riverine areas and riparian habitat is necessary to evaluate the existing functions and values of the habitats.

This report is being submitted to the City of Wildomar as part of the environmental requirements of the California Environmental Quality Act (CEQA), and will be forwarded to the Western Riverside County Regional Conservation Authority (RCA) for review. This analysis was conducted to fully evaluate the impacts to the riverine and riparian habitats as required under the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The DBESP will also demonstrate that the mitigation being proposed will provide an equivalent or superior preservation of habitat functions and values of Riparian/Riverine resources.

The property consists of approximately 27.6-acres of vacant land which supports disturbed grassland habitat throughout most of the site except for a small riparian habitat (~ 800 square feet) located along the eastern boundary of the site (Figure 4). Two drainage channels bisect the site with Channel "A" traversing the site in a north-south direction, and Channel "B" traversing the site in an east-west direction (Figure 4). These two channels comprise approximately 0.36 acres (~16,000 square feet) of riverine habitat.

The small riparian habitat has been created due to runoff from a retention pond associated with a residential development directly east of the site. During storm events, water from the off-site retention pond overflows onto the Westpark Promenade site and into Channel "B" which, overtime, has fostered the development of riparian habitat. Plants found in the riparian area, which are typical of mesic areas, include Pacific willow (*Salix lasiandra*), cattail (*Typha latifolia*), mugwort (*Artemisia douglasiana*), and tamarix (*Tamarix ramosissima*). The wetland classification of these species ranged from facultative to obligate plants.

The project proponent is proposing to construct a mixed development consisting of residential units (apartments, condominiums, and townhouses) and various commercial businesses. The proposed project would also include the necessary infrastructure for the proposed development including streets, sewer, utility lines, and parking (Figure 5). This assessment was conducted as part of the MSHCP consistency analysis for the proposed project pursuant to MSHCP Section 6.2.1. As required by MSHCP, a DBESP Analysis must be conducted when a proposed project will impact riparian/riverine or vernal pool habitats and must include mitigation for those impacts that is biologically equivalent or superior to the baseline conditions. The DBESP Analysis presented in this report includes a detailed discussion of riparian/riverine habitat and drainage channels that will be impacted by the proposed development. In addition, the report summarizes avoidance, minimization, and

mitigation measures that will be implemented to offset these impacts and bring the impacts to a level of less than significant. The project proponent will provide off-site mitigation in coordination with CDFW to replace the functions and values that will be lost as a result of the proposed development. Prior to approval of the project, CDFW shall approve the location of the proposed mitigation acreage. The mitigation area would be maintained in order to meet the Urban/Wildlife interface guides as recommended for drainage, toxics, lighting, noise, invasive plant species, and barriers.

2.0 INTRODUTION

2.1 PROJECT LOCATION

This project site (APN 376-410-025) is located along the eastern side of interstate 15 north of the Clinton Keith road exit (Section 1 & 36, Township 7 South, Range 4 West) in the southern portion of the City of Wildomar, Riverside County, California (Figures 1, 2, and 3). The project site can be accessed from I-15 by exiting on Clinton Keith Road and traveling east, then going north on Ayra road, then west on Catt Road. The project site is located on the north side of Catt Road. The property is located within the Lake Elsinore Area Plan; however, the site is not located within any Criteria Cells according to the MSHCP (2003). The site is approximately 2.25 miles northeast of Existing Core F, about 0.75 miles southeast of proposed linkage 8 and approximately one mile west of Criteria Cell 5558. Elevations range from about 1,300 to 1,350 feet above mean sea level (MSL), according to the USGS Murrieta, CA Quadrangle (1953).

2.2 PROJECT DESCRIPTION

The proposed Westpark project is a mixed development which would consist of residential units (attached single-family dwellings), and various commercial/retail businesses and restaurants (Figure 5). Development activities will occur within areas that have been previously disturbed by various human activities. Infrastructures would also be a component of the development including streets, sidewalks, alleys, parking, and sewer, and utility lines. Two buildings are being proposed for Parcel 1 and will be about 25,640 square feet and 65,817 square feet in size, and will cover about 20 percent of the area encompassing Parcel 1. Two single-story restaurants will also be included within Parcel 1 and will cover a total area of about 16,000 square feet. Landscaping, parking, sidewalks and alleys will cover the remaining portion of Parcel 1 (Figure 5). Single-family attached homes will be constructed in Parcel 2 (132 units) and Parcel 3 (63 units), and will include two, three, and four bedroom homes. The houses will cover about 24 percent of Parcels 2 and 3, with the remaining area used for landscaping, parking, sidewalks, and alleys.

3.0 METHODOLOGY

3.1 LITERATURE REVIEW

Pertinent environmental documents were reviewed prior to initiation of the DBESP analysis. Documents reviewed included, but were not limited to, sensitive species occurrence maps, Riverside County MSHCP, data from the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (2014), and other DBESP reports prepared for other projects in the area (MBA, December 17, 2012 & BonTerra, February 14, 2008). Data from the U.S. Fish and Wildlife Service (USFWS, 2014) was evaluated to determine if any wetlands have been previously documented on the site. Information on the soils was obtained from U.S. Department of Agriculture (2014) Natural Resources Conservation Service (NRSC) Web Soil Survey 2.3 (http://websoilsurvey.nrcs.usda.gov). Table 1 (Appendix A) provides a list of the plants identified within the drainage swales and riparian habitat. The vegetation classification system used during the biological surveys and in this report is based on a classification system described by Holland (1986).

Based on the search of the CNDDB, it was determined there are fifty one (51) special status plant species and thirty seven (37) special status wildlife species that have been documented in the surrounding area. Of these sensitive species, only a few could potentially occur on the site and include smooth tarplant (*Centromadia pingens ssp. Laevis*) and smooth round leaved filaree (*California macrophylla*).

3.2 FIELD INVESTIGATION

The property was surveyed in February and May 2013 during which a habitat assessment was conducted to determine whether the site met the MSHCP consistency requirements as outlined in the MSHCP for Western Riverside County. Field investigations of the drainage swales and riparian habitat were conducted in February and May of 2013. A

General Biological Resources Assessment report was prepared for the property and all plant and animal species observed were documented in the biological report and are also provided in Tables 1 and 2 (Appendix B).

Based on the results of the field investigations it was determined that there are two drainage channels (i.e., riverine habitat) that bisect the site. As depicted in Figure 4, Channel "A" bisects the site in a north-south direction eventually connecting to a culvert along the western boundary of the site, which extends under Interstate 15. Channel "A" was created by water flowing on to the Westpark property from the development directly north. A "60" inch culvert is located along the northern boundary of the site and directs water on to the property during rain storms.

Channel "B" bisects the site in an east-west direction and was created over the last several years due to overflow from a retention pond located directly east of the site. This overflow during rainstorms has also created a small riparian feature (~ 800 square feet) within the eastern portion of Channel "B" (Figures 4). Channel "B" conveys water in a westerly direction eventually connecting to a culvert which extends under Interstate 15. Channels "A" and "B" comprise approximately 16,000 square feet (0.36-acres) of riverine habitat.

3.3 INFEASIBILITY OF AVOIDANCE OF RIPARIAN/RIVERINE HABITAT

The Western Riverside MSHCP typically recommends avoiding Riparian/Riverine resources; however, this is not feasible for the proposed project. Channels "A" and "B" bisects the site north-south and east-west respectively. As Figure 4 shows, development of the site without touching either Channel would result in three oddly shaped isolated parcels with no connection to one another. Access to the northwest corner of the site would also have to be taken through residential streets that are currently cul-de-sacs/deadends. Since these Channels cannot be avoided, a storm pipe (RCP; 48" to 60"

diameter) will be buried where the two channels are currently located in order to control any water entering the site, particularly during major storms. Water entering the site from adjacent developments will be conveyed via the buried pipe to the existing culvert under Interstate 15 along the western boundary of the Westpark property. Installing the storm pipe where Channel "B" is located will necessarily impact the riparian area in the northern portion of the Channel.

In addition, one condition of the project is to provide a connection between the existing residential development north of the Westpark property and Catt Road to the south in order to enhance the existing road infrastructure. To accomplish this, an internal road (Westpark Road) is being proposed for the site as depicted in Figure 5. Westpark Road will provide a connection with Depasquale Road to the north and with Catt Road to the south. Considering the design constraints presented by the site, the required construction of Westpark Road, the need to control water flows on to the site, and the need to minimize earthwork during the construction phase, it is not feasible for the proposed project to avoid the two riverine channels.

4.0 Determination Biological Equivalent or Superior Preservation (DBESP) Analysis

4.1 Description of Pre-Project Riparian/Riverine Functions and Values

Riperian/riverine areas are defined as "Lands which contain habitat dominated by trees, shrubs, persistent emergent's, or emergent mosses and lichens, which occur close to or which depend upon soil moisture from a nearby fresh water source; or areas with fresh water flow during all or a portion of the year (Dudek, 2003)." Based on this definition, the site does support habitats which meet this criteria (Figure 4).

There are two riverine channels (Channels A & B) that bisect the property which, historically, may have been connected to the two blueline streams in the immediate area. One of the blueline channels, which is oriented in a north-south direction, is located along George Avenue and appears to originate north of the residential community at Porras Road and La Estrella Street about 0.5 miles northeast of the Westpark Promenade Project. This stream channel surfaces at the southeast corner of George Avenue and La Estrella Street, and also surfaces near the intersection of Clinton Keith Road and Interstate 15 where some riparian habitat is present. This stream channel may also have a sub-surface hydrological connection with Murrieta Creek which is located about one mile southwest of the project site. A second blueline stream channel is located north of the existing residential development which borders the Westpark Promenade Project along its northern boundary. This blueline channel, which may have a hydrological connection with Murrieta Creek, also has a nexus with Channel "A" which bisects the property in a north-south direction (Figure 4). In addition, Channel "B" bisects the project site in an east-west direction and connects to Channel "A" along the western boundary of the Westpark property. Water flows from both channels under Interstate 15 via large culverts and connect to a drainage swale directly west of Interstate 15 (Figure 4). This off-site drainage swale also appears to connect with a channel to the southwest which may have a hydrological connection with Murrieta Creek (Figure 4).

A small riparian habitat (~ 800 square feet) is also associated with the eastern part of Channel "B" and has been created by water flowing from a retention pond associated with a residential development located directly east of the Westpark site (Figure 4). Water from the retention pond over flows onto the project site during rain storms, and has resulted in the formation of riparian habitat. The riparian area supports a moderately dense stand of vegetation consisting of various shrubs and herbaceous species; however, the overall functional value of the riparian area is expected to be relatively low given its small size. Plant species identified in the riparian area include Pacific willow *(Salix lasiandra)*, cattails *(Typha latifolia)*, mugwort (*Artemisia douglasiana*), and tamarix (*tamarix ramosissima*). These species range from facultative species (tamarix) to obligate species (cattail).

A Determination of Biological Equivalent or Superior Preservation (DBESP) was deemed necessary to address mitigation which will be required to compensate for the impacts to the riparian/riverine habitat. This decision was based on the connectivity between the channels (Channels A and B) and existing blueline streams in the surrounding area, as well as the presence of riparian habitat in the eastern portion of the site (Figure 4).

4.2 Existing Vegetation

Plant surveys were conducted during May and June 2013 when most of the plant species were readily identifiable. A disturbed grassland community covers most of the site with a few trees in the northwest portion of the site and a few trees along the eastern boundary of the site. The riparian habitat along the eastern boundary of the site covers about 800 square feet and supports various plants typically associated with riparian habitats (See Section 4.1). No other sensitive habitats (e.g., coastal sage scrub, vernal pools, etc.) were noted during the field investigations. Plant diversity was relatively low with various invasive species typically associated with disturbed habitats noted throughout the site.

The most common dominant perennials throughout the site included elderberry (*Sambucus Mexicana*) and buckwheat (*Eriogonum* sp.). Several olive trees (*Olea europea*) are also present in the northwest portion of the site (Figure 4). Common annuals included a variety of plants such as snakeweed (*Gutierrezia sorothrae*), fiddleneck (*Amsinckia tessellata*), plantain (*Plantago erecta*), croton (*Croton californica*), and coyote melon (*Cucurbita foetidissima*).

The riparian area is located on a property which has been disturbed in the past and is in an urban area in the City of Wildomar. The plants that were observed in the riparian area included a few perennials such as narrowleaf goldenbush (*Haplopappus linearifolius*), lotus (*Lotus purshianus*), Pacific willow (*Salix lasiandra*), cattails (*Typha latifolia*), mugwort (*Artemisia douglasiana*), broom baccharis (*Baccharis sarothroides*), brickelbush, and salt cedar (*Tamarix rammissima*). Annuals also common in the mesic area included pearly everlasting (*Gnaphalium californicum*), phacelia (*Phacelia distans*), lambs quarters (*Chenopodium californicum*), and centaurem (*Centaurea squarrosa*). The site does not support habitat considered suitable for various listed wildlife species documented in the general area (e.g., Least Bell's vireo and Southwestern willow flycatcher). These species are typically found in large expansive areas of riparian woodlands in undisturbed areas, and the small riparian area (~800 sf) does not meet this criteria. Furthermore, the site is not contiguous with any high quality habitat which might support sensitive plant or wildlife species.

Special Status Plants

A search of the CNDDB (CDFW, 2014) did not reveal any special status plant species on the project site or in immediate adjacent areas. However, there are two special status plants which could potentially occur on the site which include the smooth tarplant (*Centromadia pingens ssp. Laevis*) and round leaved filaree (*California macrophylla*). These two species are typically associated with native grasslands, and the site does support a disturbed grassland community which could support populations of smooth

tarplant or round leaved filaree. However, there is a relatively low probability either species occurs on the site given the level of disturbed conditions.

Special Status Wildlife Species

There are several special status wildlife species which have been documented in the region and which could potentially occur on the site based on the presence of various habitats. The only listed species which could be present is the Stephen's kangaroo rat (*Dipodomys stephensi*), which typically occurs in grassland communities. Several populations of the species have been documented in the area. Other rodents known to occur in the area (i.e., State species of special concern) and which could potentially occur on the site, include the Dulzera pocket mouse (*Chaetodipus californicus femoralis*), Los Angeles pocket mouse (*Peromyscus longimenbris brevinasus*), Jacumba pocket mouse (*P. l. internationalis*), Southern grasshopper mouse (*Onychomys torridus Ramona*), and San Diego woodrat (*Neotoma lepida intermedia*). Live-trapping surveys were not conducted on the property and the presence or absence of these rodent species cannot be definitively determined. However, no woodrat middens were observed during any of the field investigations, and the absences of middens may be an indication the site does not support any woodrat populations at the present time. Suitable habitat (i.e., open grassland) for the black-tailed jackrabbit is present on the site; although, the species was never seen during any of the field investigations. Likewise, the coast horned lizard occurs in open grassland and shrub habitat; although, none were seen during the field investigations in 2013.

Burrowing owls (*Athene cunicularia*) could potentially occur on the site in the future given the presence of suitable burrows (i.e., ground squirrel burrows, etc.); however, no owls or owl sign (e.g., whitewash, castings, etc.) were noted during the focused owl

surveys conducted in May and June 2013. The northern harrier (*Circus cyaneus*) may occasionally be seen foraging over the site; although, the species is not expected to be a permanent resident on the property. Loggerhead shrikes (*Lanius ludovicianus*) are the only other avian species which may occasionally occur on the site. The western spadefoot toad (*Spea hammondii*) is the only sensitive amphibian which could potentially inhabit the site based on the presence of riparian habitat and two drainage channels. The small riparian habitat along the eastern boundary and Channels A and B do provide suitable habitat for the toad.

4.3 Urban/Wildlife Interface Guideline

Urban/Wildlife Interface Guidelines will be incorporated into the project design to ensure indirect impacts to riparian/riverine habitat associated with the project will be minimized as much as possible.

Drainage: As discussed in Section 3.3, two storm pipes (RCP, 48" to 60" diameter) will be installed as part of the project in order to control water flows that currently flow through the two riverine channels (Channels "A" and "B"). Therefore, the proposed project will not create significant additional water flows off-site. Water flows from the site will be directed in to the two existing culverts which are located along the western boundary of the site. These two culverts direct water under Interstate 15 and may also provide a connection downstream with Murrieta Creek. Impacts to off-site drainage flows and patterns are not expected to be significant. In addition, implementation of Best Management Practices during the construction phase, and utilization of buried RCP will minimize impacts to water quality in the surrounding area. Retention areas will also be constructed as part of the development which will also help maintain and control on-site and off-site flows.

Toxics: The project will not use any toxic chemicals or generate any toxic byproducts. However, the project will be subject to the Riverside County Water Quality Management Plan for Urban Runoff which was adopted September 17, 2004. The project will also be

subject to the National Pollutant Discharge Elimination System (NPDES) Permit for Storm Water Discharges Associated with Construction Activity (General Permit) Water Quality Order 99-08-DWQ. When the WQMP and the NPDES general permits are implemented for the project, potential impacts to the area from toxics will be reduced to a level of less than significant.

Lighting: Lighting around the various apartment buildings, commercial/retail buildings, and parking lots will adhere to the required standards of the City of Wildomar. Lighting will be directed in such a way as to minimize impacts to surrounding areas, including Interstate 15.

Noise: The current ambient noise levels in the area are already relatively high due to daily noise along Interstate 15, and other roads in the immediate area. However, once construction is completed, the proposed project is not expected to cause a significant increase in noise levels to the local environment or any MSHCP Conservation Areas in the area. Noise from the project will be confined to daily traffic to and from the site.

Invasive Plant Species: No invasive plants that are listed in the MSHCP will be used as part of any landscaping plans for the commercial/retail businesses or the residential areas.

Barriers: Fences, rocks/boulders, walls, signage, or any other measures will be included in the project design in order to minimize unauthorized public access, domestic predation, or illegal trespass on the property.

Grading/Land Development: The proposed grading will impact about 1,625 linear feet of drainage channels. The average width of the Channel A and Channel B is about eight feet; therefore, about 16,000 square feet of riverine habitat will be impacted. In addition, approximately 800 square feet of riparian habitat will be lost under the proposed development. Off-site mitigation lands will be restored and enhanced, and set aside in perpetuity to compensate for the loss of the on-site riparian habitat (See Section 4.4).

Fuels Management: No fuel management will be required for this project. No gasoline or diesel underground or above ground tanks will be installed in association with any of the potential commercial and retail businesses.

4.4 Determination of Biological Equivalent or Superior Preservation

The City of Wildomar is a participant in the MSHCP; therefore, impacts to riparian/riverine habitat associated with this project will be fully mitigated through the implementation of the mitigation measures outlined below.

Mitigation Measure #1: The project proponent will mitigate on-site impacts to approximately 0.38-acres of riverine and riparian habitats through restoration and enhancement at a ratio of 2:1 (~0.77-acres). Mitigation will need to be located off-site due to limitations on the project site.

The proposed mitigation area is located on mitigation lands owned by the Elsinore Murrieta-Anza Resources Conservation District (EMARCD) located along Clinton Keith Road in Riverside County. The proponent is proposing to restore and enhance riparian/riverine habitat along existing drainage channels on the mitigation land. Restoration and enhancement of the habitat within the drainages will ensure a net gain of riparian/riverine habitat acreage in the region. A detailed restoration plan will be prepared which will provide a schedule for site preparation and planting. The plan will also include performance criteria for percent cover, density, and seed production, and will also provide a maintenance and monitoring schedule for the proposed mitigation. The Plan will be submitted to the City and the various resource agencies for review and approval.

Mitigation Measure #2: The MSHCP Urban/Wildlands Interface Guidelines will be implemented to ensure all indirect impacts to off-site drainage channels and associated riparian/riverine habitats downstream will be minimized to the greatest extent possible.

Mitigation Measure #3: Pre-construction surveys will be performed for the burrowing owl as per CDFW survey protocols immediately prior to the start of site grading/clearing to verify the presence or absence of the species. A survey report will be prepared within seven days following completion of the survey and will be submitted to the City for their review. If the species is observed during the pre-construction surveys, mitigation measures required by CDFW and the MSHCP will be implemented following consultations with CDFW and the City.

Mitigation Measure #4: All Best Management Practices (BMP), as well as measures required by the NPDES requirements, will be implemented to ensure that the quantity and quality of runoff from the site is not altered in a significant way when compared to existing conditions. Stormwater systems for the project will be designed to prevent toxins, chemicals, petroleum products, and other toxic substances from entering any adjacent drainage channels which could potentially impact downstream riparian/riverine habitats.

4.5 Demonstration of Increased in Post-Project Riparian/Riverine Functions and Values

Removal of about 16,000 square feet of riverine habitat and about 800 square feet of riparian habitat would not be considered a significant loss due to the low functional value of the habitats. However, cumulative impacts to riparian/riverine habitat in the region are of significant concern to resource agencies, and incremental loss of riparian/riverine habitat could have a significant long-term adverse impact on regional biological resources. Therefore, implementation of the above mitigation measures would ensure a net gain of riparian/riverine habitat acreage in the region. In addition, restoration of riparian habitat as part of the purchase of 0.8 credits from the Elsinore-Murrieta-Anza RCD is expected to be biologically equivalent to allowing the existing riparian/riverine habitat to remain in place, and may be considered superior to the existing low functions and values of the existing riparian/riverine habitats on the Westpark site. Furthermore,

restoration of an off-site riparian area as part of the credit purchase would contribute to the long-term conservation and survival of riparian/riverine habitat in the general region, and would also contribute to the protection of prime wildlife habitat in perpetuity.

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APPENDIX A

FIGURES

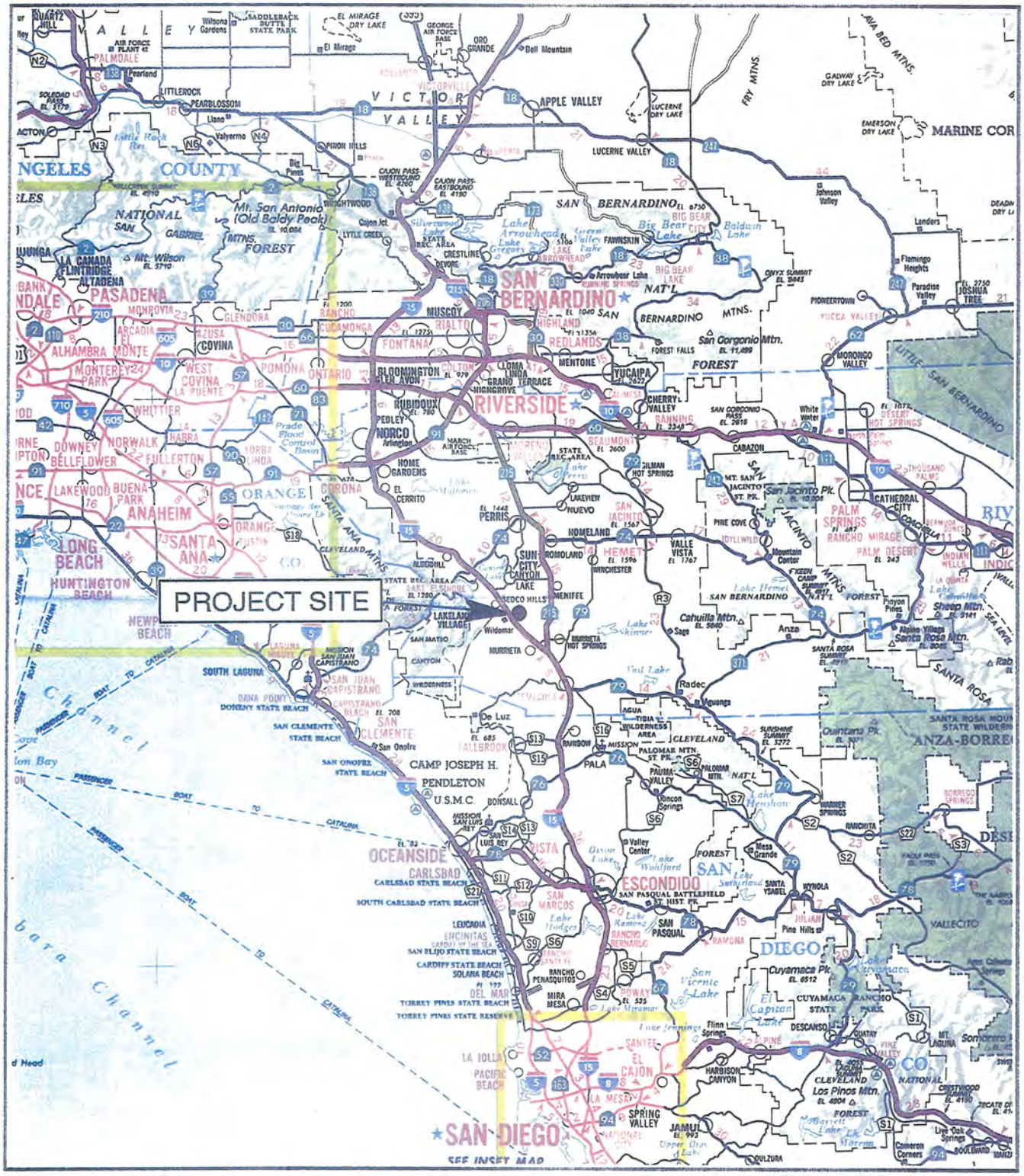


FIGURE 1
VICINITY MAP
(Westpark Promenade, Wildomar, CA)
(Source: ACSC Map Source, 2013)

N

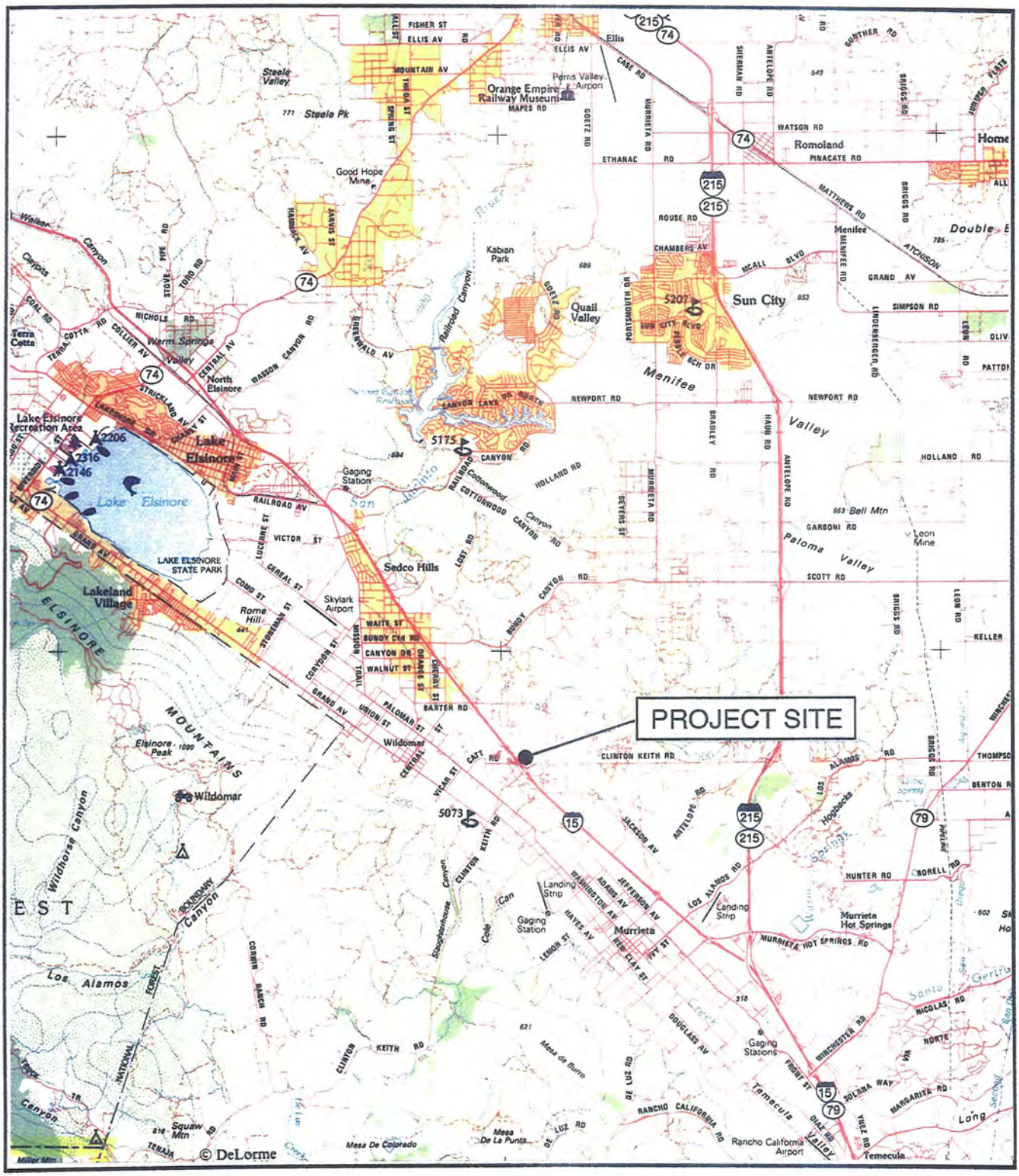


FIGURE 2
PROPERTY LOCATION
(Westpark Promenade, Wildomar, CA)
(Source: DeLorme Maps, 2013)

CENTER OF PROPERTY LOOKING EAST

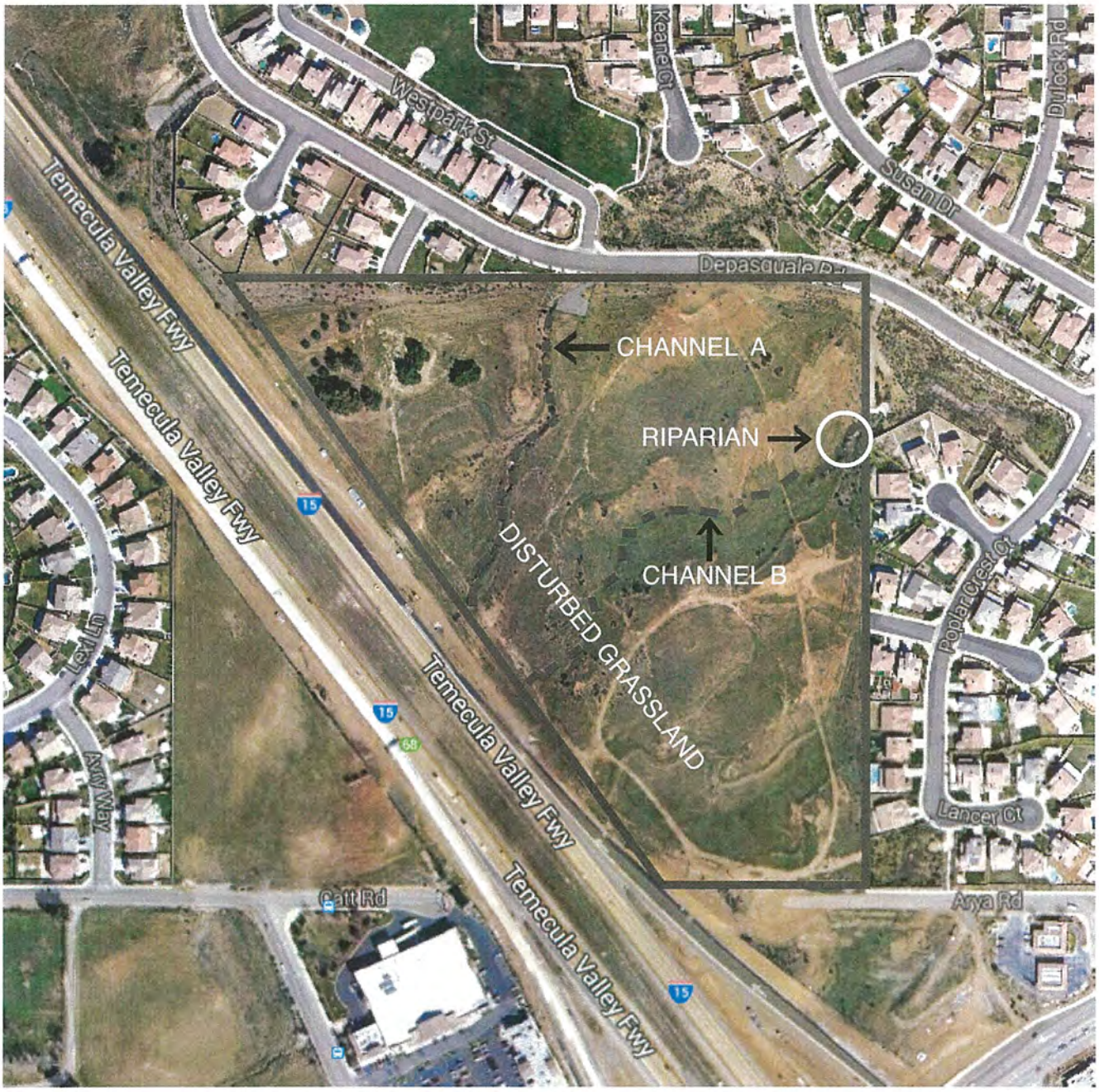
CENTER OF PROPERTY LOOKING NORTH

FIGURE 3
SITE PHOTOGRAPHS
(WESTPARK PROMENADE, WILDOMAR, CA)

CENTER OF PROPERTY LOOKING WEST

CENTER OF PROPERTY LOOKING SOUTH

FIGURE 3, cont.
SITE PHOTOGRAPHS
(WESTPARK PROMENADE, WILDOMAR, CA)



SCALE: 1" = 325'

N

FIGURE 4
AERIAL VIEW OF SITE
(WESTPARK PROMENADE, WILDOMAR, CA)

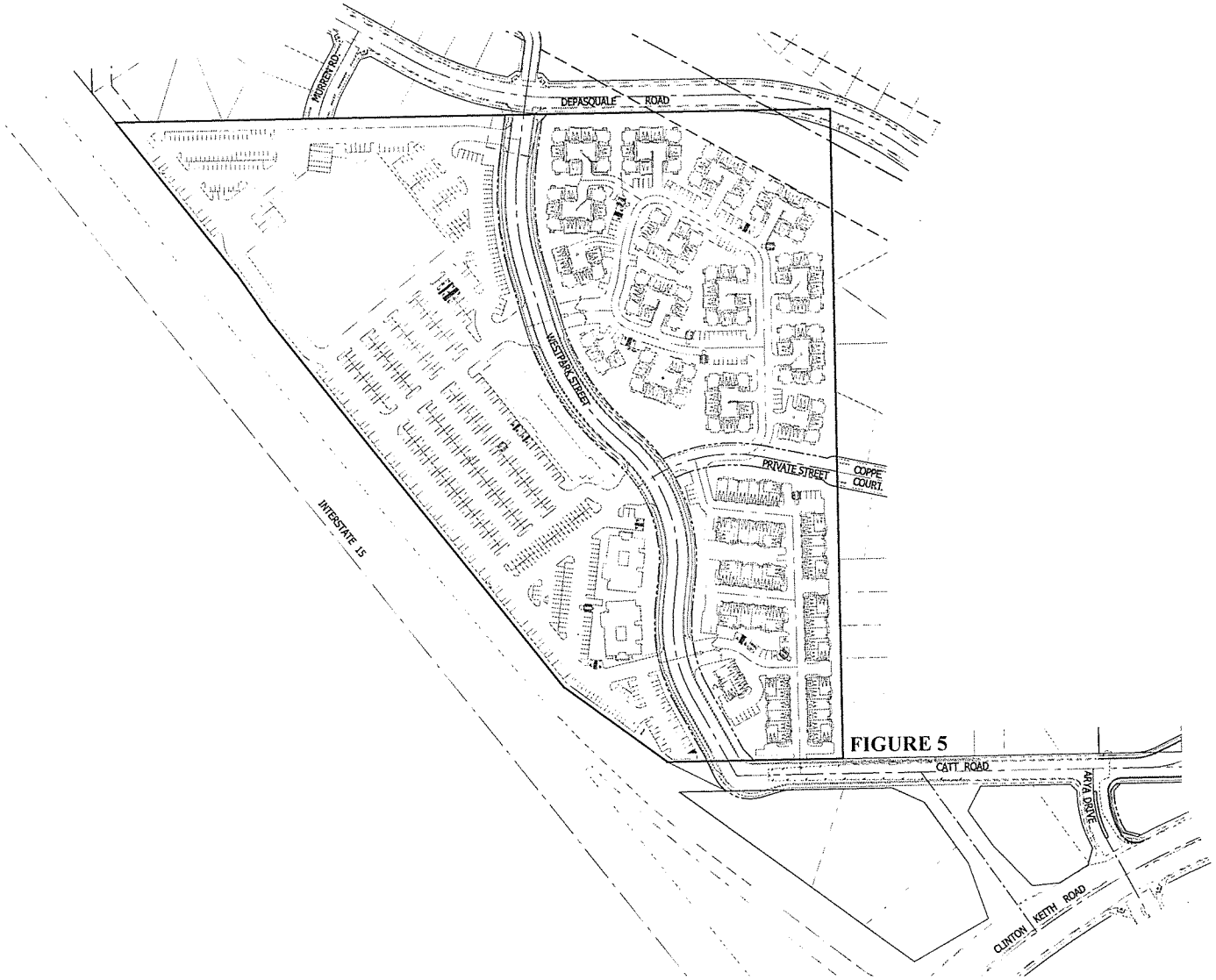

MURRIETA RD.
DEPASQUALE ROAD
WESTPARK STREET
PRIVATE STREET
COPPE COURT
INTERSTATE 15
CATT ROAD
WAY DRIVE
CLINTON KEITH ROAD

FIGURE 5

APPENDIX B

FLORA AND FAUNA COMPENDIUM TABLES

Table 1: Plant species observed on the site and/or in adjacent areas.

Common Name	Scientific Name	Comments
Annuals		
Snakeweed	*Gutierrezia sarothrea*	G
Telegraph weed	*Heterotheca gradifolia*	
Bladderpod	*Isomeris aroborea*	DS
Fiddleneck	*Amsinckia tessellate*	T
Black mustard	*Brassica nigra*	T
Plantain	*Plantago erecta*	DS
Croton	*Croton califonica*	DS
Coyote melon	*Cucurbita foetidssma*	G
Annual lotus	*Lotus strigosus*	T
Phacelia	*Phacelia distans*	T
Lamb quarters	*Chenopodium californicum*	T
Centaurem	*Centaurea squarrosa*	DS
Pearly everlasting	*Gnaphalium californicum*	DS
Perennials		
Narrowleaf goldenbush	*Haplopappus linearifolius*	DS
Lotus	*Lotus purshianus*	DS
Mugwort	*Artemsisia douglasii*	DS
Dearbrush	*Ceanothus integerrimus*	DS
Salt cedar	*Tamarix ramosissima*	DS
Cattail	*Typha latifolia*	DS
Buckwheat	*Eriogonum foliolosum*	DS
Buckwheat	*E. fasciculatum*	T
Elderberry	*Sambucus Mexicana*	DS
Olive tree	*Olea europea*	DS
Pacific willow	*Salix lasiandra*	DS

Source: Munz, P.A. 1974. A Flora of Southern California. University of California Press. Berkeley, California. 1086 pp.

Legend: G = Occurs in grassland community.
DS = Occurs in drainage channels and riparian area.
T = Occurs throughout site.

Table 2: Wildlife species observed on the property and/or known to occur in the immediate area. (Note: The following list is not intended to be a comprehensive list of every species which may occur on the site or in the immediate surrounding area.)

Common Name	Scientific Name	Comments
Mammals		
Desert cottontail	*Sylvilagus auduboni*	Common throughout area.
California ground squirrel	*Spermophilus beecheyi*	"
Coyote	*Canis latrans*	Scats observed on-site.
Deer mouse	*Peromyscus maniculatus*	May occur on-site.
California mouse	*P. californicus*	"
Botta's pocket gopher	*Thomonys bottae*	"
Birds		
Raven	*Corvus corax*	Observed on-site.
Crow	*C. brachyrhynchos*	"
Rock dove	*Columba livia*	"
Mourning dove	*Zenaida macroura*	"
Western kingbird	*Tyrannus vericalis*	"
House finch	*Carpodacus mexicanis*	"
Lark sparrow	*Chondestes grammacus*	"
House sparrow	*Passer domesticus*	"
Red-tailed hawk	*Buteo jamicensis*	"
European starling	*Sturnus vulgaris*	"
California quail	*Callipepla Californica*	Observed in surrounding area.
Sage sparrow	*Amphispiza belli*	"
Costa hummingbird	*Calypte costae*	"
Northern mockingbird	*Mimus polyglottus*	"
Western meadowlark	*Sturnella neglecta*	"
American robin	*Turdus migratorius*	"
Anna's hummingbird	*Calypte anna*	"
Brewer's blackbird	*Euphagus cyanocephalus*	"
Greater roadrunner	*Geococcyx california*	"
Ash-throated flycatcher	*Myiarchus cinerascens*	"
Scrub jay	*Aphelocoma coerulescens*	"
Reptiles and Amphibians		"
Side-blotched lizard	*Uta stansburiana*	Observed on site.
Western fence lizard	*Sceloprus occidentalis*	"
Granite spiny lizard	*Sceloporus orcuttii*	May occur on-site.
Common garter snake	*Thamnophis sirtalis*	
Western toad	*Bufo boreas*	
Tree frog	*Hyla sp.*	

SOURCES:

(1) Blair, W.F. 1968. Vertebrates of the United States. McGraw-Hill, Inc. New York. 616 pp.

(2) Whitaker, J. O. 1980. The Audubon Society Field Guide to North American Mammals. A. A. Knopf, New York. 745 pp.

(3) NGS. 1987. Field Guide to the Birds of North America. The National Geographic Society. 464 pp.

APPENDIX C-3

Jurisdictional Waters Delineation

JURISDICTIONAL WATERS DELINEATION

WESTPARK PROMENADE
WILDOMAR, CALIFORNIA

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(760) 956-9212

Project No. RCA#2015-82

November 11, 2015

RCA
Associates, LLC

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Appendix A - Tables and Figures
Appendix B – Jurisdictional Determination Form

EXECUTIVE SUMMARY

RCA Associates LLC was retained by the project proponent to conduct a jurisdictional waters determination in association with the proposed Westpark Promenade development in Wildomar, California (Figures 1 & 2).

The majority of the property has been disturbed by past human activities over the last few decades (Figure 4). There is no conclusive evidence that the site was previously utilized for agricultural activities; although, some of the surrounding area appears to have been previously used for various farming uses based on historic photographs of the region. Currently a disturbed grassland community covers the majority of the site with a few trees in the northwest portion of the site and a few trees along the eastern boundary in association with a small riparian area (Figures 3 & 4).

Following discussions with the project proponent, City officials, and other project entities, it was determined that a jurisdictional determination should be conducted to fully evaluate the two drainage channels which bisect the site and to analyze the impacts to riparian and riverine habitats present along the two channels (Figure 4). The proposed project would impact two riverine channels (Channels A & B) that traverse the property, as well as a small riparian habitat located on the eastern boundary of the property (Figure 4). This report is being submitted to the City of Wildomar as part of the environmental requirements of the California Environmental Quality Act (CEQA), and will be forwarded by the City to the appropriate agencies for their review and comment.

The purpose of the jurisdictional determination was to determine the location and size of areas that may be defined as waters of the U.S. (WoUS) and waters of the state (WoS), and to determine if the proposed project will impact jurisdictional waters. The data provided in this report was utilized to determine if any permits may be required for the proposed project, including a California Department of Fish and Wildlife (CDFW) Section 1600 permit, a U.S. Army Corps of Engineers (COE) Section 404 Nationwide or Individual Permit and a California Regional Water Quality Control Board (RWQCB) Section 401 Water Quality Certification.

Based on the results of the delineation and the jurisdictional analysis, it was determined that the two existing channels do meet the criteria as WoS and WoUS based on several factors (See Section 2.4 for complete analysis.). The channels meet the characteristics that define them as a nexus to the nearest Traditional Navigable Water (TNW) (i.e., Murrieta Creek). Murrieta Creek is located approximately one mile west of the property site. Waters which flow through the existing two channels (Channels A & B) flows in a westerly direction flow several drainage channels and underground systems eventually connecting to Murrieta Creek. Murrieta Creek is considered to be a TNW since it supports habitats along its course which may support populations of special status species, drains a large watershed, and is utilized by a wide variety of waterfowl.

The existing channels will be eliminated during construction of the project and the channels will be tightline as part of the development. The proposed project will also include the construction of a retention basin which will collect surface runoff from the project site. The project will also include the construction of various features including gutters, concrete sidewalks, interior roads, etc. Based on the proposed construction plans, the project will impact streambeds and/or bank corresponding to WoS and WoUS. Therefore, a Section 1600 permit, a COE 404 permit, and a RWQCB 401 permit may be required. The appropriate agencies will be contacted for concurrence with this conclusion.

1.0 INTRODUCTION

The purpose of the jurisdictional delineation (JD) for the proposed project was to determine the location and size of areas that may be defined as waters of the State (WoS) and waters of the U.S. (WoUS). The collected data was used in conjunction with other technical documents to determine if the project will impact jurisdictional waters.

1.1 PROPERTY DESCRIPTION

The property (APN 376-410-025) consists of approximately 27.6-acres of vacant land which supports disturbed grassland habitat throughout most of the site except for a small riparian habitat (~ 800 square feet) located along the eastern boundary of the site (Figure 4). Elevations range from about 1,300 to 1,350 feet above mean sea level (MSL), according to the USGS Murrieta, CA Quadrangle (1953). Two drainage channels bisect the site with Channel "A" traversing the site in a north-south direction, and Channel "B" traversing the site in an east-west direction (Figure 4). These two channels comprise approximately 0.36 acres (~16,000 square feet) of riverine habitat.

The small riparian habitat has been created due to runoff from a retention pond associated with a residential development directly east of the site. During storm events, water from the off-site retention pond overflows onto the Westpark Promenade site and into Channel "B" which, overtime has fostered the development of riparian habitat. Plants found in the riparian area, which are typical of mesic areas, include Pacific willow (*Salix lasiandra*), cattail (*Typha latifolia*), mugwort (*Artemisia douglasiana*), and tamarix (*Tamarix ramosissima*). The wetland classification of these species ranged from facultative to obligate plants.

The project proponent is proposing to construct a mixed development consisting of residential units (apartments, condominiums, and townhouses) and various commercial businesses. The proposed project would also include the necessary infrastructure for the proposed development including streets, sewer, utility lines, and parking (Figure 5). As part of the overall

environmental requirements for the project, and as part of the MSHCP consistency analysis a DBESP Analysis was also performed and has been submitted under separate cover.

This project site is located along the eastern side of interstate 15 north of the Clinton Keith road exit (Section 1 & 36, Township 7 South, Range 4 West) in the southern portion of the City of Wildomar, Riverside County, California (Figures 1, 2, and 3). The project site can be accessed from I-15 by exiting on Clinton Keith Road and traveling east, then going north on Ayra road, then west on Catt Road. The project site is located on the north side of Catt Road. The property is located within the Lake Elsinore Area Plan; however, the site is not located within any Criteria Cells according to the MSHCP (2003). The site is approximately 2.25 miles northeast of Existing Core F, about 0.75 miles southeast of proposed linkage 8 and approximately one mile west of Criteria Cell 5558.

1.2 PROJECT DESCRIPTION

The proposed Westpark Promenade project is a mixed development which would consist of residential units (attached single-family dwellings), and various commercial/retail businesses and restaurants (Figure 5). Development activities will occur within areas that have been previously disturbed by various human activities. Infrastructures would also be a component of the development including streets, sidewalks, alleys, parking, sewer, and utility lines. Two buildings are being proposed for Parcel 1 and will be about 25,640 square feet and 65,817 square feet in size, and will cover about 20 percent of the area encompassing Parcel 1. Two single-story restaurants will also be included within Parcel 1 and will cover a total area of about 16,000 square feet. Landscaping, parking, sidewalks and alleys will cover the remaining portion of Parcel 1 (Figure 5). Single-family attached homes will be constructed in Parcel 2 (132 units) and Parcel 3 (63 units), and will include two, three, and four bedroom homes. The houses will cover about 24 percent of Parcels 2 and 3, with the remaining area used for landscaping, parking, sidewalks, and alleys.

1.3 REGULATORY OVERVIEW

Activities within streams, wetlands, and riparian areas are regulated by Federal, State, and regional agencies. The U.S. Army Corps of Engineers (COE) regulates Waters of the US

(WoUS) and wetlands under Section 404 of the Clean Water Act. The California Department of Fish and Wildlife (CDFW) regulates activities within the streambed, bank, and associated habitat of stream channels under Fish and Game Code 1600-1616. The California Regional Water Quality Control Board regulates discharge into "waters of the U.S." under Section 401 of the Federal Clean Water Act and into "waters of the State" under the California Porter-Cologne Water Quality Act.

1.3.1 U.S. ARMY CORPS OF ENGINEERS (COE)

The COE oversees activities associated with Section 404 which includes permits, jurisdictional determinations, and enforcing Section 404 regulations. Specifically, the jurisdictional scope of Section 404 of the Clean Water Act was defined by the U.S. Supreme Court in 2006 in their decision in Rapanos v. U.S. and Carbell v. U.S. The decisions in these two cases outlined the specific analytical standards for determining jurisdictional issues associated with WoUS. These accepted standards have been utilized in the analysis for this project in determining the presence or absence of WoUS.

1.3.2 REGIONAL WATER QUALITY CONTROL BOARD (RWQCB)

The area to be disturbed is located within areas which were determined to be jurisdictional (i.e., WoUS); therefore, a Report of Waste Discharge (RWD) will be required prior to the discharge of any waste which could affect the quality of Waters of the State (California Water Code Section 13260). Waters of the State are defined as any surface water or groundwater that are within the boundaries of the State (Public Code Section 71200), which differs from the CWA definition of WoUS by its inclusion of groundwater and waters outside of the ordinary high water mark in its jurisdiction.

1.3.3 CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW)

CDFW asserts jurisdiction over the bed and banks of a stream channel and associated wildlife and habitats as per CDFW Code Sections 1600-1616. The CDFW jurisdictional area is defined as the "top of bank" of a channel or to the limit (outer dripline) of the adjacent riparian vegetation. CDFW regulates any activities that will "substantially divert or obstruct the natural

flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, ground pavement where it will pass into any river, stream, or lake" (Section 1602 of the CDFW Code [Streambed Alteration]).

2.0 DELINEATION METHODOLOGY

The initial steps in the delineation process involved conducting a literature review of all available data sources prior to the start of field investigations. The literature review was used to determine where field surveys should be conducted and to locate areas of potential jurisdictional waters on available aerial photos. Following completion of the review of all available data, field surveys were conducted on November 5, 2015. Figure 4 shows the location of the delineated areas (i.e., Channels A and B) and Figure 6 provides ground level views of both channels.

2.1 LITERATURE REVIEW

The following literature was used to identify areas that may fall under agency jurisdiction and the following resources were reviewed or used prior to the field surveys.

- The Corps of Engineers Wetlands Delineation Manual (USACE 1987)
- Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region, Version 2.0 (USACE 2008)
- A Field Guide to the Identification of the Ordinary High Water mark (OHWM) in the Arid West Region of the Western United States (Lichvar and McColley 2008)
- U.S. Geological Survey 7.5 Minute Series Topographical Quadrangle for site.
- California Soils Resources Lab's Soil Web Google Earth interface http://casoilresource.lawr.ucdavis.edu/drupal/node/902
- U.S. Fish and Wildlife Service, Department of Habitat and Resource Conservation, Wetland Geodatabase: http://wetlandsfws.er.usgs.gov/NWI/index.html
- Natural Resources Conservation Services, Hydric Soils List of California, 2010: http://soils.usda.gov/use/hydric/lists/state.html

2.2 FIELD SURVEYS

Field investigations were conducted on November 5, 2015, to determine the structure and composition of the existing channels in order to verify all potential jurisdictional areas.

Vegetation communities observed during the surveys were initially viewed on aerial photos, evaluated during the field investigations, and described and classified using Holland's system (1986) (Appendix A: Table 1). Transect data was collected using a handheld Global Positioning System (GPS) unit. The GPS coordinates were recorded along the centerline of each channel, and the width of the OHWM was measured at each GPS point (Appendix A: Table 2). Stakes and flagging were placed at intervals of approximately 25 to 50-feet and were labeled accordingly for future identification.

2.3 POTENTIAL WATERS OF THE U.S.

Federal jurisdiction over a non-wetland WoUS extends to the ordinary high-water mark (OHWM), defined in 33 CFR Part 328.3 of the Code of Federal regulations as "the line on the shore established by fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of the soil, destruction of terrestrial vegetation, or the presence of litter and debris." In the Arid West region of the United States, waters are variable and include ephemeral/intermittent and perennial channel forms. The most problematic ordinary high-water (OHW) delineations are associated with the commonly occurring ephemeral/intermittent channels that dominate the desert landscape.

The hydrology, channel-forming processes and distribution of OHWM indicators are significantly influenced by the desert climate which can make delineations difficult. Typically, the OHWM zone in a low-gradient, alluvial ephemeral/intermittent channel is considered the active floodplain. The dynamics of channels in the arid regions and the frequent transitory nature of traditional OHW indicators in arid environments render the limit of the active floodplain and is the only reliable and repeatable feature in terms of OHW delineation according to Lichvar and McColley (2008). This conclusion was also supported by recent additional research in Vegetation and Channel Morphology Responses to ordinary High Water Discharge Events in Arid West Stream Channels (Lichvar et Al. 2009).

The locations of the two channels were identified based on field investigations and maps provided by Pacific Coast Land Consultants, Inc. The banks of the channels were well defined

in most areas along the channels. During the surveys, RCA Associates LLC evaluated the characteristics of vegetation and substrate composition along the channels, and assessed the OHWMs (Figure 6. The boundaries of the OHWMs were walked while recording GPS data Along the centerline of both channels (Appendix A: Table 2).

3.0 DELINEATION RESULTS

Based on the results of the field investigations it was determined that there are two drainage channels (i.e., riverine habitat) that bisect the site. As depicted in Figure 4, Channel "A" bisects the site in a north-south direction eventually connecting to a culvert along the western boundary of the site. This culvert extends under Interstate 15 and connects with a drainage swale on the west side of the Interstate (Figure 4). Water flowing through the drainage swale flows under Catt Road and connects with a well defined channel south of Catt Road which in turn connects with Murrieta Creek about one mile to the west. Channel "A" appears to have been created by water flowing on to the Westpark property from the development directly north. A "60" inch culvert is located along the northern boundary of the site and directs water on to the property during rain storms.

Channel "B" bisects the site in an east-west direction and was created over the last several years due to overflow from a retention pond located directly east of the site. This overflow during rainstorms has also created a small riparian feature (~ 800 square feet) along the eastern boundary of the Westpark property (Figure 4). Channel "B" conveys water in a westerly direction eventually connecting to a culvert which extends under Interstate 15. Water flows from Channel B connect with a culvert which appears to extend under Catt Road and connects with the well defined channel south of Catt Road. Channels "A" and "B" along with the small riparian habitat along the eastern boundary of the site total approximately 16,000 square feet (0.36-acres).

3.1 JURISDICTIONAL DETERMINATION

3.1.1 U.S. ARMY COPRS OF ENGINEERS METHODOLOGY DETERMINATION

Based on a review of the U.S. Army Corps of Engineers Jurisdictional Determination Instruction Guidebook (COE, 2007), 33 CFR Part 328, and the results of the field work conducted on November 5, 2015 it was determined that the two channels, as described above, do have a direct connection to the nearest WoS (i.e., Murrieta Creek), which is located about 1-mile west of the site. A brief discussion of characteristics of the Waters of the United States follows:

Vegetation - Both channels have distinct Ordinary High Water Marks OHWM). The OHWMs for Channel A ranged from about 2 to 6-feet deep from the bottom of the channel with the width of the channel ranging about 3 to 11-feet wide (Figure 6). The OHWMs for Channel B ranged from about 1 to 2-feet deep with a channel width ranging from 4 to 40-feet wide (Figure 6). The OHWMs were indicated by a change in angle of the bank, with scouring present below the OHWMs. Also, moderate vegetation was present below the OHWM and within the channel. Above the OHWM, vegetation was present that was consistent with the local plant community (i.e., disturbed grassland community).

Soils – The soils within the channels were not hydric. The soils were sandy and well drained, with scattered small gravel. Soils were somewhat packed along the banks below the OHWMs. Scouring and erosion was evident below the OHWMs in many locations as shown in Figure 6.

Hydrology – Channel A consisted of a relatively narrow and well scoured channel 3 to 11-feet wide and 2 to 6-feet deep; whereas, Channel B consisted of a flat bedded channel varying in width from 4 feet 40-feet in width and 1 to 2 feet deep. The soils in both channels are very permeable and water that flows along the channels normally infiltrate and dissipate rapidly following storm events. On rare occasions of severe storm events and flash flooding, water may flow over the low points of the channels and flow into the surrounding areas. As noted above, both channels appear to have a connection to Murrieta Creek which is located about one mile west of the project area. The Murrieta Creek is considered to be a "Traditional Navigable Waters" (TNWs). This assumption is based on the potential presence of habitats along Murrieta Creek which may support populations of special status species and the fact the Creek drains a large watershed. In addition, Murrieta Creek is also utilized each year by a variety of waterfowl when water is present. A detailed discussion of the NEXUS determination is provided below.

A total area of approximately 16,000 sf (0.36-acres) was delineated along the length of the two channels, and the limits of the channels' OHWMs were distinctive due to the water flows which occasionally occur each year. There was also a relatively well defined change in vegetation from the OHWMs and the surrounding upland areas.

3.1.2 REGIONAL WATER QUALITY CONTROL BOARD DETERMINATION

Based on the field investigations and a review of available data, the channels are considered to be WoS as described in Section 2.4.1.

3.1.3 CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE DETERMINATION

The determination summarized in this report indicates the channels do meet the criteria to be considered WoUS and WoS. Therefore, the USACOE and CDFW will be contacted to discuss the results of the delineation and for concurrence with the conclusions presented in this report.

3.1.4 SIGNIFICANT NEXUS DETERMINATION

As referenced above, the Murrieta Creek, which is about one mile west of the site, is a seasonally flooded Creek with special status species likely to occur along the water course in adjacent habitats. The Creek also drains a large watershed basin, supports some recreational uses, and is used by various waterfowl when water is present. These characteristics, in total, result in Murrieta Creek being classified as a "Traditional Navigable Water" (TNW) based on the Corps of Engineers Guidelines for Waters of the United States. Based on the analysis of the Corps Guidelines, a nexus with a TNW (i.e., Murrieta Creek) does exist. As described in Section 3.0, waters flow through the Channels in a westerly direction and are connected to Murrieta Creek via several drainage swales, underground culverts, and existing channels west of the site. Therefore, CDFW and COE should be contacted for concurrence with the conclusion that the channels meet the criteria as WoS and WoUS.

3.2 US ARMY COPRS OF ENGINEERS PERMITS

The COE regulates discharge of dredged fill materials into WoUS pursuant to Section 404 of the Clean Water Act. Based on the location of the proposed construction and the presence of jurisdictional waters, a 404 permit from the Los Angeles COE District office maybe required. However, the COE District office will be contacted during in the environmental review process for concurrence with this conclusion and for discussions as to what mitigations may be required..

3.3 REGIONAL WATER QUALITY CONTROL BOARD

The RWQCB regulates discharge to surface waters under the CWA and the California Porter-

Cologne Water Quality Act. A Section 401 permit will be required in conjunction with the 404 permit, if the COE concurs that the project will impact WoUS. Effective July 1, 2010, all dischargers are required to obtain coverage under the Construction General Permit Order 2009-0009-DWQ adopted on September 2, 2009 if any impacts occur to WoUS. Therefore, a Section 401 water quality certification will be required as part of the approval by the COE, if a 404 permit is deemed unnecessary by the COE.

3.4 CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Jurisdictional waters were determined to be present on the site during the November 2015 field investigations; therefore, the proposed project will have an impact on WoS. CDFW regulates such projects as streambeds and banks, and issues streambed alteration permits (Section 1600-1616). Both channels meet the criteria as WoS; therefore, a Streambed Alteration Agreement (SAA) will be required by CDFW. Consultations with CDFW will be initiated and a SAA application will be submitted for review by CDFW.

4.0 CONCLUSION AND RECOMMENDATIONS

The Western Riverside MSHCP typically recommends avoiding Riparian/Riverine resources; however, this is not feasible for the proposed project. Channels "A" and "B", which have been determined to be jurisdictional, bisects the site north-south and east-west respectively. Development of the site without impacting either Channel would result in three oddly shaped isolated parcels with no connection to one another. Access to the northwest corner of the site would also have to be taken through residential streets that are currently cul-de-sacs/deadends. Since these channels cannot be avoided, a storm pipe (RCP; 48" to 60" diameter) will be buried where the two channels are currently located in order to control any water entering the site, particularly during major storms. Water entering the site from adjacent developments will be conveyed via the buried pipe to the existing culverts under Interstate 15 along the western boundary of the Westpark property. Installing the storm pipe where Channel "B" is located will also necessarily impact the riparian area in the northern portion of the Channel.

In addition, one condition of the project is to provide a connection between the existing residential development north of the Westpark property and Catt Road to the south in order to enhance the existing road infrastructure. To accomplish this, an internal road (Westpark Road) is being proposed for the site as depicted in Figure 5. Westpark Road will provide a connection with Depasquale Road to the north and with Catt Road to the south. Considering the design constraints presented by the site, the required construction of Westpark Road, the need to control water flows on to the site, and the need to minimize earthwork during the construction phase, it is not feasible for the proposed project to avoid the two riverine channels or the small riparian habitat.

The City of Wildomar is a participant in the MSHCP; therefore, impacts to riparian/riverine habitat associated with this project will be fully mitigated through the implementation of the mitigation measures outlined below.

Mitigation Measure #1: The project proponent will mitigate on-site impacts to approximately 0.38-acres of riverine and riparian habitats through restoration and enhancement at a ratio

acceptable to the agencies. Mitigation will need to be located off-site due to limitations on the project site. The proposed mitigation area is located on mitigation lands owned by the Elsinore Murrieta-Anza Resources Conservation District (EMARCD) located along Clinton Keith Road in Riverside County. The proponent is proposing to restore and enhance riparian/riverine habitat along existing drainage channels on the mitigation land. Restoration and enhancement of the habitat within the drainages will ensure a net gain of riparian/riverine habitat acreage in the region. A detailed restoration plan will be prepared which will provide a schedule for site preparation and planting. Performance standards will include: (a) increase the canopy cover of native riverine vegetation within the mitigation area by 25 percent with 80 percent survival of planted species after five years following installation, and (b) increase coverage of herbaceous vegetation within the mitigation areas by 25 percent after five years following installation. The restoration plan will also include a maintenance and monitoring schedule for the proposed mitigation.

Mitigation Measure #2: The MSHCP Urban/Wildlands Interface Guidelines will be implemented to ensure all indirect impacts to off-site drainage channels and associated riparian/riverine habitats downstream will be minimized to the greatest extent possible.

Mitigation Measure #3: Pre-construction surveys will be performed for the burrowing owl as per CDFW survey protocols immediately prior to the start of site grading/clearing to verify the presence or absence of the species. A survey report will be prepared within seven days following completion of the survey and will be submitted to the City for their review. If the species is observed during the pre-construction surveys, mitigation measures required by CDFW and the MSHCP will be implemented following consultations with CDFW and the City.

Mitigation Measure #4: All Best Management Practices (BMP), as well as measures required by the NPDES requirements, will be implemented to ensure that the quantity and quality of runoff from the site is not altered in a significant way when compared to existing conditions. Stormwater systems for the project will be designed to prevent toxins, chemicals, petroleum products, and other toxic substances from entering any adjacent drainage channels which could potentially impact downstream riparian/riverine habitats.

5.0 REFERENCES

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APPENDIX A

Tables and Figures

Table 1: Plant species observed on the site and/or in adjacent areas.

Common Name	Scientific Name	Comments
Annuals		
Snakeweed	*Gutierrezia sarothrea*	G
Telegraph weed	*Heterotheca gradifolia*	
Bladderpod	*Isomeris aroborea*	DS
Fiddleneck	*Amsinckia tessellate*	T
Black mustard	*Brassica nigra*	T
Plantain	*Plantago erecta*	DS
Croton	*Croton califonica*	DS
Coyote melon	*Cucurbita foetidssma*	G
Annual lotus	*Lotus strigosus*	T
Phacelia	*Phacelia distans*	T
Lamb quarters	*Chenopodium californicum*	T
Centaurem	*Centaurea squarrosa*	DS
Pearly everlasting	*Gnaphalium californicum*	DS
Perennials		
Narrowleaf goldenbush	*Haplopappus linearifolius*	DS
Lotus	*Lotus purshianus*	DS
Mugwort	*Artemsisia douglasii*	DS
Dearbrush	*Ceanothus integerrimus*	DS
Salt cedar	*Tamarix ramosissima*	DS
Cattail	*Typha latifolia*	DS
Buckwheat	*Eriogonum foliolosum*	DS
Buckwheat	*E. fasciculatum*	T
Elderberry	*Sambucus Mexicana*	DS
Olive tree	*Olea europea*	DS
Pacific willow	*Salix lasiandra*	DS

Source: Munz, P.A. 1974. A Flora of Southern California. University of California Press. Berkeley, California. 1086 pp.

Legend: G = Occurs in grassland community.
DS = Occurs in drainage channels and riparian area.
T = Occurs throughout site.

TABLE 2: GPS LOCATION DATA FOR CHANNEL A	
CENTERLINE OF CHANNEL	**GPS COORDINATES**
Point #1	N33°36.074'; W117°14.816'
Point #2	N33°36.068': W117°14.817'
Point #3	N33°36.065'; W117°14.815'
Point #4	N33°36.056'; W117°14.818'
Point #5	N33°36.048'; W117°14.817'
Point #6	N33°36.044'; W117°14.814'
Point #7	N33°36.038'; W117°14.811'
Point #8	N33°36.034'; W117°14.817'
Point #9	N33°36.030': W117°14.822'
Point #10	N33°36.027'; W117° 14.826'
Point #11	N33°36.023'; W117° 14.830'
Point #12	N33°36.018'; W117° 14.832'
Point #13	N33°36.014'; W117° 14.831'
Point #14	N33°36.010'; W117° 14.834'
Point #15	N33°36.005'; W117° 14.834'
Point #16	N33°36.001'; W117° 14.835'
Point #17	N33°35.999'; W117° 14.835'
Point #18	N33°35.995'; W117° 14.835'
Point #19	N33°35.996'; W117° 14.838'
Point #20	N33°35.996'; W117° 14.841'
Point #21	N33°35.980'; W117° 14.845'
Point #22	N33°35.976'; W117° 14.850'
Point #23	N33°35.971'; W117° 14.850'
Point #24	N33°35.967'; W117°14.856'

TABLE 2: GPS LOCATION DATA FOR CHANNEL B	
CENTERLINE OF CHANNEL	**GPS COORDINATES**
Point #1	N33°36.036'; W117°14.682'
Point #2	N33°36.032': W117°14.686'
Point #3	N33°36.025'; W117°14.690'
Point #4	N33°36.017'; W117°14.693'
Point #5	N33°36.014'; W117°14700'
Point #6	N33°36.010'; W117°14.708'
Point #7	N33°36.005'; W117°14.719'
Point #8	N33°36.002'; W117°14.729'
Point #9	N33°35.999': W117°14.740'
Point #10	N33°35.998'; W117° 14.751'
Point #11	N33°35.996'; W117° 14.764'
Point #12	N33°35.991'; W117° 14.777'
Point #13	N33°35.988'; W117° 14.783'
Point #14	N33°35.981'; W117° 14.786'
Point #15	N33°35.975'; W117° 14.797'
Point #16	N33°35.969'; W117° 14.796'
Point #17	N33°35.961'; W117° 14.800'
Point #18	N33°35.954'; W117° 14.804'
Point #19	N33°35.947'; W117° 14.808'
Point #20	N33°35.943'; W117° 14.813'
Point #21	N33°35.938'; W117° 14.816'
Point #22	N33°35.933'; W117° 14.818'
Point #23	N33°35.928'; W117° 14.820'

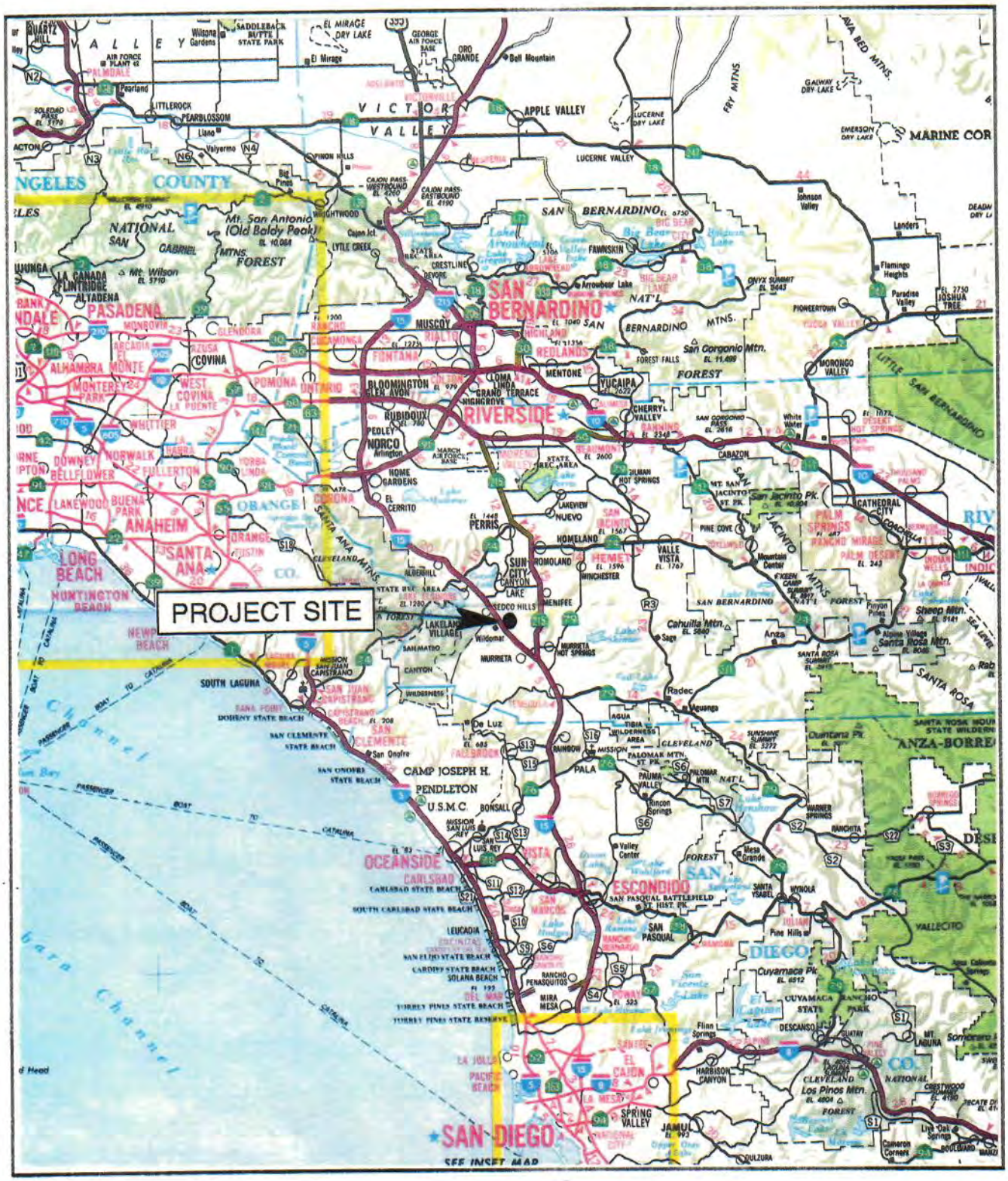


FIGURE 1
VICINITY MAP
(Westpark Promenade, Wildomar, CA)
(Source: ACSC Map Source, 2013)

N

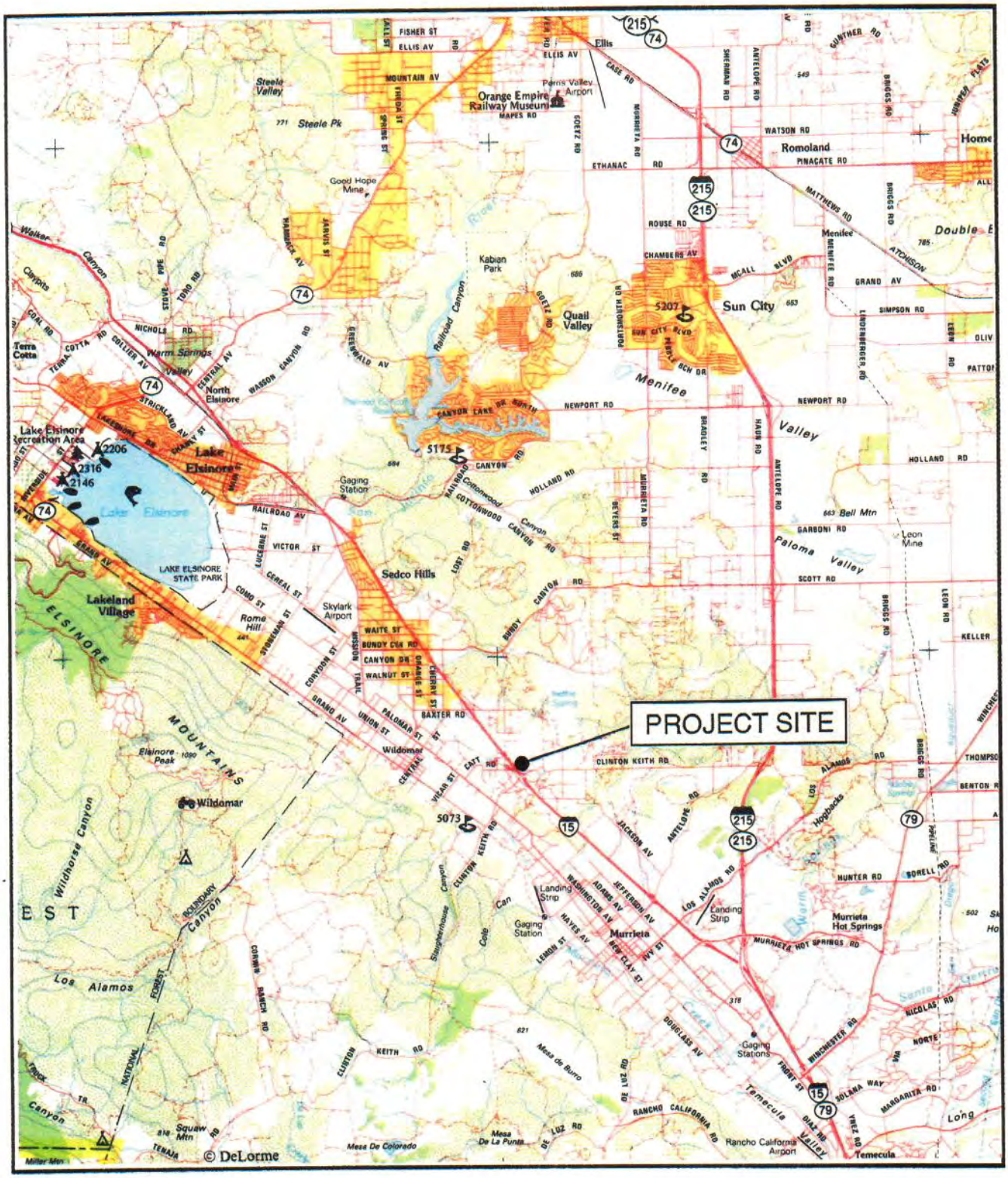
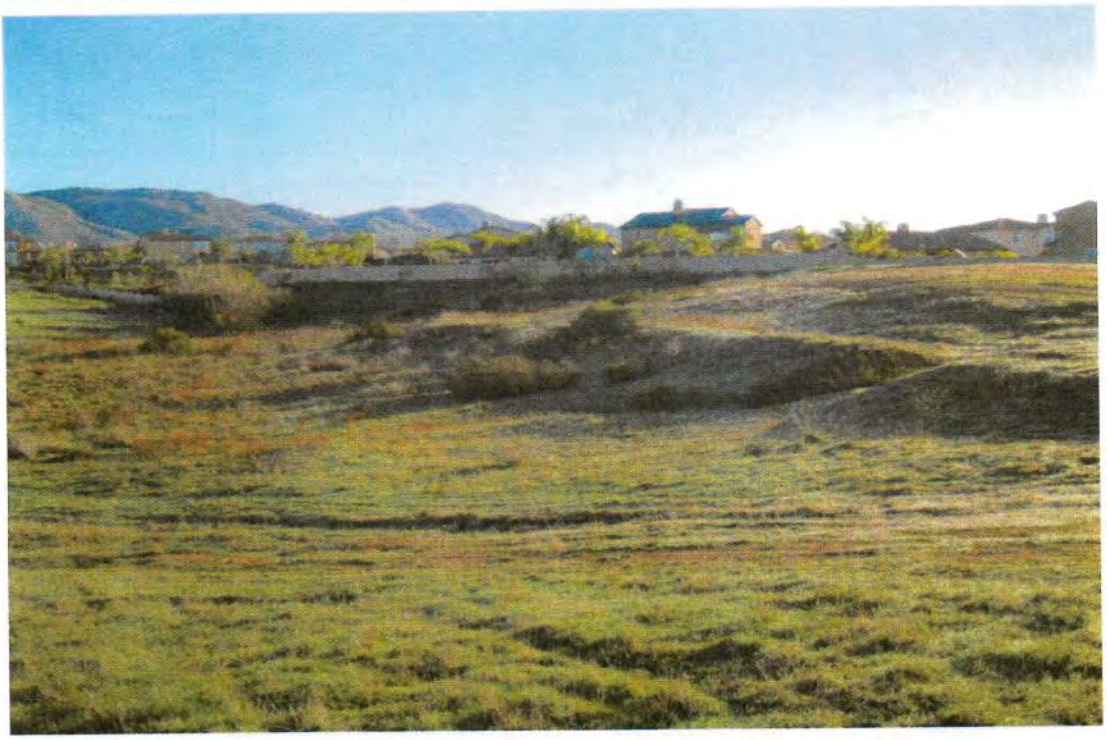
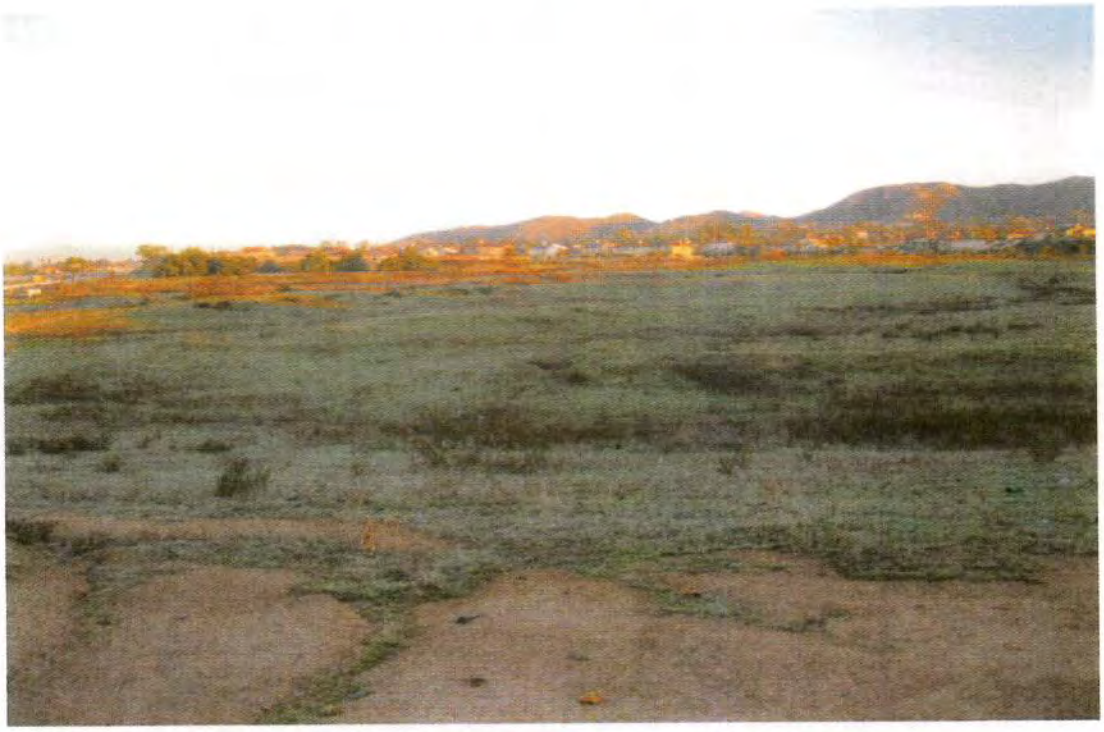


FIGURE 2
PROPERTY LOCATION
(Westpark Promenade, Wildomar, CA)
(Source: DeLorme Maps, 2013)

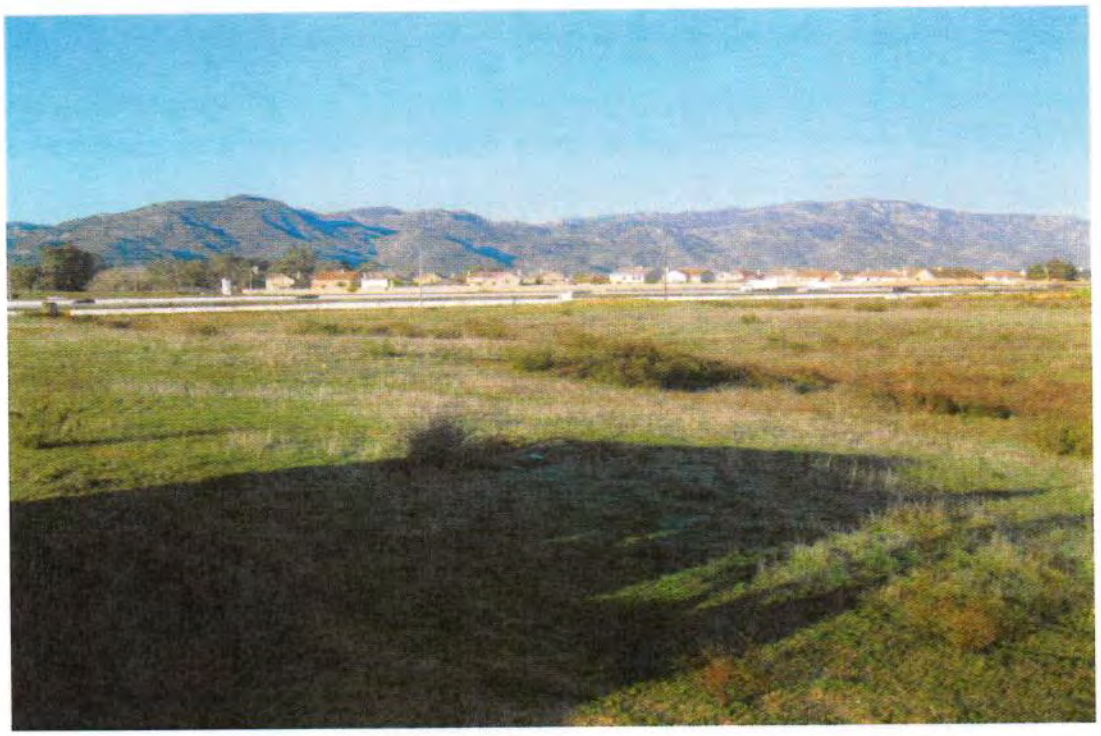


CENTER OF PROPERTY LOOKING EAST



CENTER OF PROPERTY LOOKING NORTH

FIGURE 3
SITE PHOTOGRAPHS
(WESTPARK PROMENADE, WILDOMAR, CA)



CENTER OF PROPERTY LOOKING WEST

CENTER OF PROPERTY LOOKING SOUTH

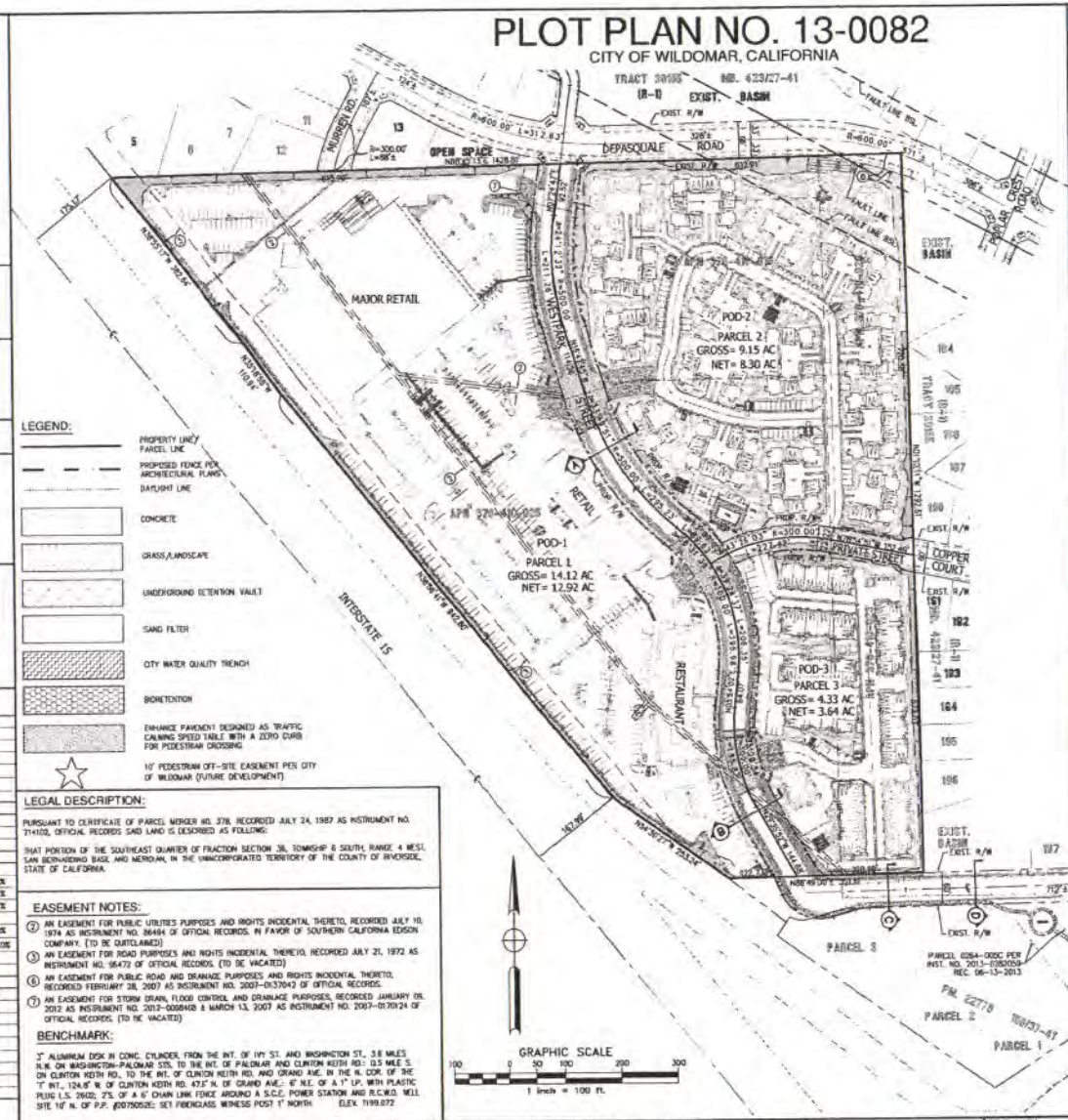
FIGURE 3, cont.
SITE PHOTOGRAPHS
(WESTPARK PROMENADE, WILDOMAR, CA)

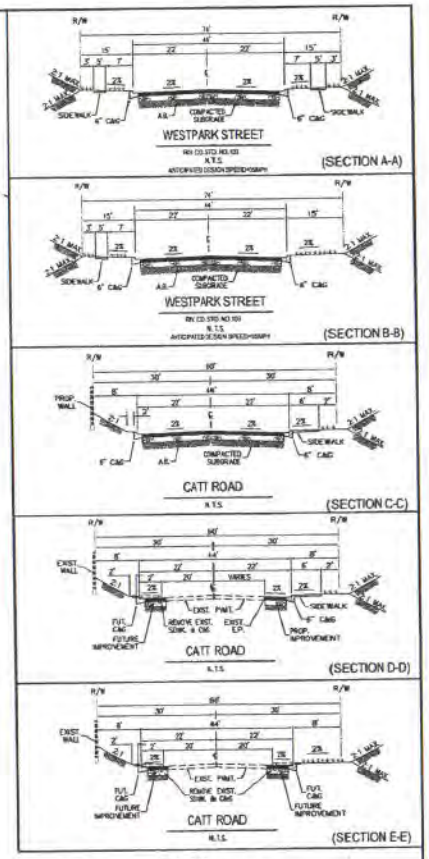
FIGURE 4
AERIAL VIEW OF SITE
(WESTPARK PROMENADE, WILDOMAR, CA)

PLOT PLAN NO. 13-0082

CITY OF WILDOMAR, CALIFORNIA

VICINITY MAP
NOT TO SCALE
SEC. 36, T.6S, R.4W





DEVELOPER/APPLICANT

GOLDEN EAGLE MULTI-FAMILY PROPERTIES, LLC
6201 OAK CANYON, SUITE 200
IRVINE, CA. 92618
(949) 270-7800

ENGINEER:

PACIFIC COAST LAND CONSULTANTS, INC.
25096 JEFFERSON AVENUE, SUITE "D"
MURRIETA, CA. 92562
TELEPHONE NO.: (951) 698-1350
FAX NO.: (951) 698-8657
CONTACT: JO KIM

ASSESSOR PARCEL NUMBER

376-410-013, 376-410-023 & 376-410-025

UTILITY PURVEYORS:

SCHOOL	ELSINORE VALLEY UNIFIED SCHOOL DISTRICT
SEWER	ELSINORE VALLEY MUNICIPAL WATER DISTRICT
WATER	ELSINORE VALLEY MUNICIPAL WATER DISTRICT
GAS	SOUTHERN CALIFORNIA GAS COMPANY
TELEPHONE	VERIZON/TIME WARNER
ELECTRIC	SOUTHERN CALIFORNIA EDISON COMPANY
CABLE TV	VERIZON/TIME WARNER

GENERAL NOTES:

1. PREPARED ..... : JANUARY 2015
2. THOMAS BROS. ..... : 2006, PG. 897, F7
3. EXISTING ZONING ..... : SCENIC HIGHWAY COMMERCIAL (CPS)
4. PROPOSED ZONING ..... : GENERAL RESIDENTIAL (R-3) & SCENIC HIGHWAY COMMERCIAL (CPS)
5. EXISTING LAND USE ..... : COMMERCIAL OFFICE (CO)
6. PROPOSED LAND USE ..... : VERY HIGH DENSITY RESIDENTIAL (VHDR) & COMMERCIAL RETAIL (CR)
7. PROJECT ACREAGE ..... : 27.6± AC GROSS
8. F.E.M.A PANEL NO. ..... : 2705G (ZONE X)
9. TENTATIVE MAP INCLUDES THE ENTIRE CONTIGUOUS OWNERSHIP OF THE LAND DIVIDER.

PROJECT INFORMATION:

	POD-1/PARCEL 1	POD-2/PARCEL 2	POD-3/PARCEL 3
OCCUPANCY:	A2, B & M	R2	R2
TYPE OF CONSTRUCTION:	V	V	V
INDIVIDUAL UNITS:	2 RESTAURANT (16,000 SF)	124 UNITS	67 UNITS
	RETAIL (17,354 SF)		
	MAJOR RETAIL (85,000 SF)		

TOTAL BUILDING SQ. FT.

POD-1/PARCEL 1	POD-2/PARCEL 2	POD-3/PARCEL 3
118,354 S.F.	246,547 S.F.	113,384 S.F.

AREA DENSITY CALCULATIONS

COMMON AREA	POD-1/PARCEL 1		POD-2/PARCEL 2		POD-3/PARCEL 3	
TOTAL BLDG. FOOTPRINT LEVEL 1	118,354 SF	21.0%	84,209 SF	23.3%	47,812 SF	30.2%
LANDSCAPING	82,865 SF	14.7%	113,808 SF	31.5%	42,990 SF	26.8%
SIDEWALKS/PARKING/ALLEY	361,556 SF	64.3%	163,464 SF	44.3%	68,056 SF	42.7%
CLUBHOUSE & LOGGIAS	–	–	2,568 SF	0.71%	–	–
TRELLIS – 324 S.F. EACH	–	–	648 SF	0.18%	324 SF	0.20%
SUB-TOTAL AREA	562,765 SF	100.0%	361,548 SF	100.0%	158,558 SF	100.0%
WESTPARK ST. & COPPER CT.	119,355 SF					
GRAND-TOTAL AREA	27.6± AC. = 1,202,756 SF.					

PARKING

	POD-1/PARCEL 1	POD-2/PARCEL 2	POD-3/PARCEL 3
REQUIRED	756	322	161
PROVIDED	797	322	165
ENCLOSED RESIDENTS ONLY	0	248	134
GUESTS/PUBLIC	214	66	27
CLEAN AIR	51	2	2
ADA	16 (14 REQ)	6 (4 REQ)	2 (1 REQ)
LOADING ZONE	6	0	0
GRAND TOTAL PARKING	797	322	165

LEGEND:

- PROPERTY LINE/ PARCEL LINE
- PROPOSED FENCE PER ARCHITECTURAL PLANS
- DAYLIGHT LINE
- CONCRETE
- GRASS/LANDSCAPE
- UNDERGROUND RETENTION VAULT
- SAND FILTER
- CITY WATER QUALITY TRENCH
- BIORETENTION
- ENHANCE PAVEMENT DESIGNED AS TRAFFIC CALMING SPEED TABLE WITH A ZERO CURB FOR PEDESTRIAN CROSSING
- 10' PEDESTRIAN OFF-SITE EASEMENT PER CITY OF WILDOMAR (FUTURE DEVELOPMENT)

LEGAL DESCRIPTION:

PURSUANT TO CERTIFICATE OF PARCEL MERGER NO. 378, RECORDED JULY 24, 1987 AS INSTRUMENT NO. 214102, OFFICIAL RECORDS SAID LAND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTHEAST QUARTER OF FRACTION SECTION 36, TOWNSHIP 6 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

EASEMENT NOTES:

(2) AN EASEMENT FOR PUBLIC UTILITIES PURPOSES AND RIGHTS INCIDENTAL THERETO, RECORDED JULY 10, 1974 AS INSTRUMENT NO. 86484 OF OFFICIAL RECORDS. IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY. (TO BE QUITCLAIMED)

(3) AN EASEMENT FOR ROAD PURPOSES AND RIGHTS INCIDENTAL THEREIO, RECORDED JULY 21, 1972 AS INSTRUMENT NO. 95473 OF OFFICIAL RECORDS. (TO BE VACATED)

(6) AN EASEMENT FOR PUBLIC ROAD AND DRAINAGE PURPOSES AND RIGHTS INCIDENTAL THERETO, RECORDED FEBRUARY 28, 2007 AS INSTRUMENT NO. 2007-0137042 OF OFFICIAL RECORDS.

(7) AN EASEMENT FOR STORM DRAIN, FLOOD CONTROL AND DRAINAGE PURPOSES, RECORDED JANUARY 09, 2012 AS INSTRUMENT NO. 2012-0008408 & MARCH 13, 2007 AS INSTRUMENT NO. 2007-0170124 OF OFFICIAL RECORDS. (TO BE VACATED)

BENCHMARK:

3" ALUMINUM DISK IN CONC. CYLINDER, FROM THE INT. OF IVY ST. AND WASHINGTON ST., 3.6 MILES N.W. ON WASHINGTON-PALOMAR STS. TO THE INT. OF PALOMAR AND CLINTON KEITH RD.; 0.5 MILE S. ON CLINTON KEITH RD., TO THE INT. OF CLINTON KEITH RD. AND GRAND AVE. IN THE N. COR. OF THE "T" INT., 124.8' W. OF CLINTON KEITH RD. 47.5' N. OF GRAND AVE.; 6' N.E. OF A 1" I.P. WITH PLASTIC PLUG L.S. 2602; 2'S. OF A 6' CHAIN LINK FENCE AROUND A S.C.E. POWER STATION AND R.C.W.D. MELL SITE 10' N. OF P.P. #20750526; SET FIBERGLASS WITNESS POST 1' NORTH. ELEV. 1199.072

DIGALERT
DIAL BEFORE YOU DIG
TWO WORKING DAYS BEFORE YOU DIG
TOLL FREE 1-800-227-2600
A PUBLIC SERVICE BY UNDERGROUND SERVICE ALERT

NOTE:
WORK CONTAINED WITHIN THESE PLANS SHALL NOT COMMENCE UNTIL AN ENCROACHMENT PERMIT AND/OR A GRADING PERMIT HAS BEEN ISSUED.

The private engineer signing these plans is responsible for assuring the accuracy and acceptability of the design herein. In the event of discrepancies arising after city acceptance or during construction, the private engineer shall be responsible for determining an acceptable solution and revising the plans for acceptance by the city.

MARK	BY	DATE	REVISIONS	APPR.	DATE

ENGINEER — CITY

CITY OF WILDOMAR
ACCEPTED BY:
Date:
DANIEL A. YORK, Asst. City Manager
Public Works Director/City Engineer
ACCEPTANCE AS TO CONFORMANCE WITH APPLICABLE CITY STANDARDS AND PRACTICES

SEAL-ENGINEER: REGISTERED PROFESSIONAL ENGINEER No. 37356 Exp. 6/30/16 CIVIL STATE OF CALIFORNIA

PACIFIC COAST LAND CONSULTANTS, INC.
PREPARED BY: TRAVIS P. VINCENT JR.
R.C.E. No. 37356 EXP. 6-30-16

BENCHMARK: (SEE ABOVE)

SCALE: H: As Noted V: As Noted

PLOT PLAN NO. 13-0082
CITY OF WILDOMAR
WESTPARK PROMENADE
TITLE SHEET

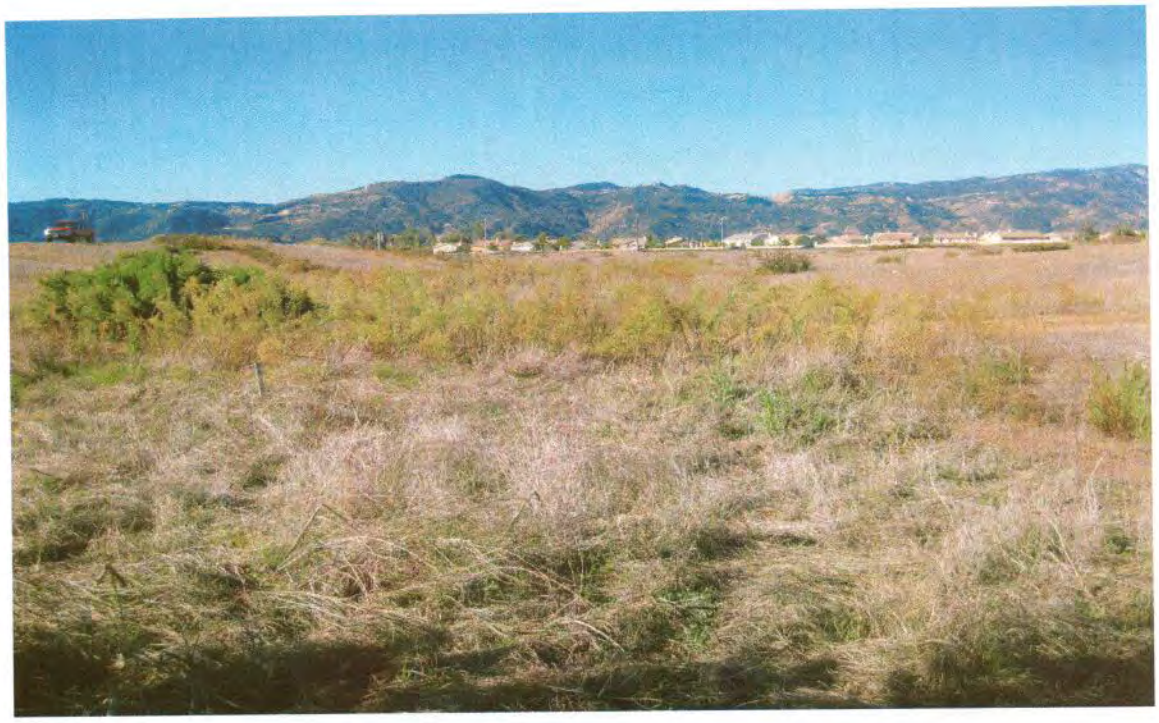
SHEET No. 1 OF 5 SHTS

FIGURE 5

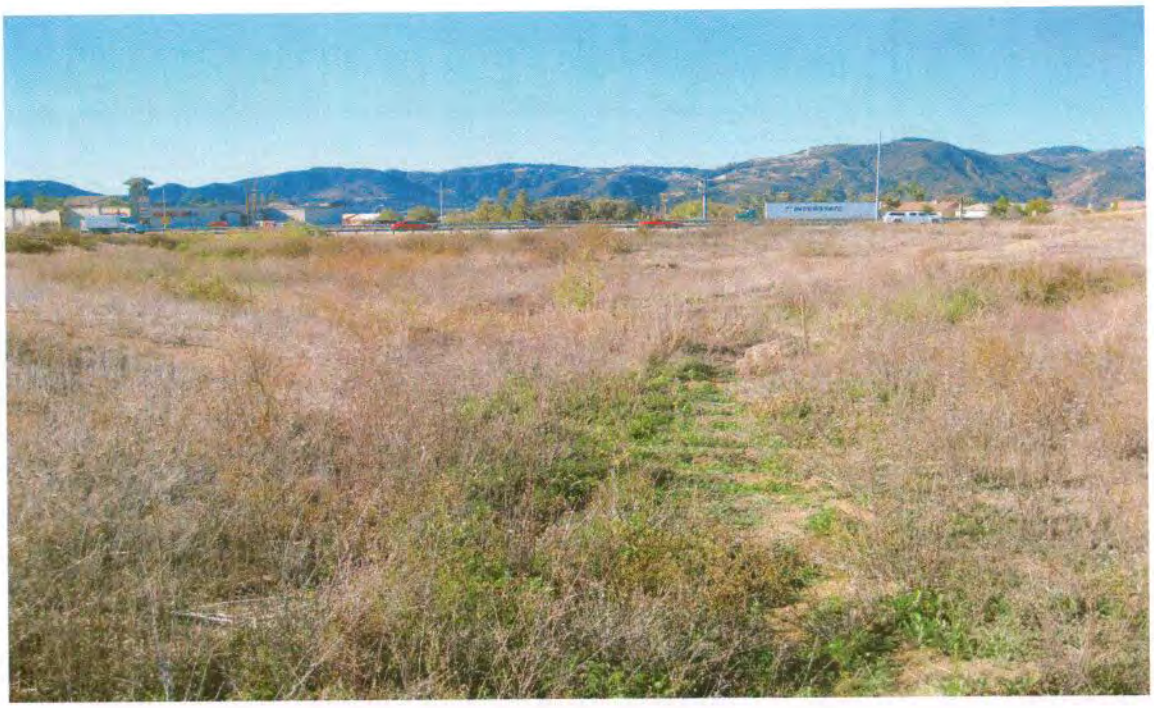
VIEW OF CHANNEL A LOOKING SOUTHWEST

VIEW OF CHANNEL A LOOKING WEST

FIGURE 6
VIEW OF CHANNELS A AND B
(Westpark Promenade Project)



VIEW OF CHANNEL B LOOKING WEST



VIEW OF CHANNEL B LOOKING WEST

FIGURE 6, cont.
VIEW OF CHANNELS A AND B
(Westpark Promenade Project)

APPENDIX B

Jurisdictional Determination Form

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): NOVEMBER 12, 2015

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: LOS ANGELES DISTRICT

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State:CA County/parish/borough: RIVERSIDE City: WILDOMAR
Center coordinates of site (lat/long in degree decimal format): Lat. 33 35.991° N, Long. 117 14.777° W.
Universal Transverse Mercator: 502598.54 E, 370593564.25 N
Name of nearest waterbody: MURRIETA CREEK
Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: MURRIETA CREEK
Name of watershed or Hydrologic Unit Code (HUC): SANTA MARGARITA WATERSHED

☒ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.
☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc…) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

☐ Office (Desk) Determination. Date:
☒ Field Determination. Date(s): NOVEMBER 5, 2015

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There **Are no** "*navigable waters of the U.S.*" within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [*Required*]

☐ Waters subject to the ebb and flow of the tide.
☐ Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. Explain: .

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **Are** "*waters of the U.S.*" within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [*Required*]

1. **Waters of the U.S.**
   a. **Indicate presence of waters of U.S. in review area (check all that apply):** [1]
   - ☐ TNWs, including territorial seas
   - ☐ Wetlands adjacent to TNWs
   - ☐ Relatively permanent waters[2] (RPWs) that flow directly or indirectly into TNWs
   - ☒ Non-RPWs that flow directly or indirectly into TNWs
   - ☐ Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
   - ☐ Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs
   - ☐ Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs
   - ☐ Impoundments of jurisdictional waters
   - ☐ Isolated (interstate or intrastate) waters, including isolated wetlands

   b. **Identify (estimate) size of waters of the U.S. in the review area:**
   Non-wetland waters: 720 linear feet: 2-50 width (ft) and/or 0.50 acres.
   Wetlands: 0.0 acres.

   c. **Limits (boundaries) of jurisdiction** based on: **Established by OHWM.**
   Elevation of established OHWM (if known): .

2. **Non-regulated waters/wetlands (check if applicable):**[3]
   ☐ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional. Explain: .

---

[1] Boxes checked below shall be supported by completing the appropriate sections in Section III below.
[2] For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).
[3] Supporting documentation is presented in Section III.F.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1. **TNW**
   Identify TNW: Murrieta Creek

   Summarize rationale supporting determination: See jurisdictional report

2. **Wetland adjacent to TNW**
   Summarize rationale supporting conclusion that wetland is "adjacent":

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under *Rapanos* have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting a tributary with perennial flow, skip to Section III.D.4.

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody[4] is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. **Characteristics of non-TNWs that flow directly or indirectly into TNW**

   (i) **General Area Conditions:**
   Watershed size: 4,500 acres
   Drainage area: 0.50 acres
   Average annual rainfall: ?? inches
   Average annual snowfall: trace - inches

   (ii) **Physical Characteristics:**
   (a) Relationship with TNW:
   ☐ Tributary flows directly into TNW.
   ☒ Tributary flows through 2 tributaries before entering TNW.

   Project waters are 1 (or less) river miles from TNW.
   Project waters are Pick List river miles from RPW.
   Project waters are 1 (or less) aerial (straight) miles from TNW.
   Project waters are Pick List aerial (straight) miles from RPW.
   Project waters cross or serve as state boundaries. Explain:

   Identify flow route to TNW[5]: MEANDERING SOUTHWEST DIRECTLY TO MURRIETA CREEK.
   Tributary stream order, if known:

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[4] Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.

[5] Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.

(b) General Tributary Characteristics (check all that apply):

Tributary is: ☒ Natural
☐ Artificial (man-made). Explain: .
☒ Manipulated (man-altered). Explain: AUGMENTED DUE TO CONCETRATED WATER FLOWS DURING MAJOR STORM EVENTS FROM RUNOFF OF A RETENTION POND ASSOCIATED WITH A MAJOR RESIDENTIAL DEVELOPMENT TO THE NORTH AND EAST.

Tributary properties with respect to top of bank (estimate):
Average width: 2-50 feet
Average depth: 2 feet
Average side slopes: **3:1**.

Primary tributary substrate composition (check all that apply):

☐ Silts	☐ Sands	☐ Concrete
☒ Cobbles	☒ Gravel	☐ Muck
☐ Bedrock	☒ Vegetation. Type/% cover: RIVERINE/50%	
☐ Other. Explain: .		

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain: SOME SCOUR AND ERODING BANKS.

Presence of run/riffle/pool complexes. Explain: DRY MOST OF YEAR, WATER FLOWS DIRECTLY TO CULVERT WITHOUT POOLING.

Tributary geometry: **Meandering**
Tributary gradient (approximate average slope): 2 %

(c) Flow:

Tributary provides for: **Ephemeral flow**
Estimate average number of flow events in review area/year: **2-5**
Describe flow regime: .
Other information on duration and volume: STREAM IS EPHEMERAL, FLOWING ONLY DURING MAJOR STORM EVENTS.

Surface flow is: **Confined.** Characteristics: CONFINED FLOW WIDENING AS IT MEANDERS SOUTH, THEN CONFINING AGAIN TO ENTER INTO CULVERT.

Subsurface flow: **Unknown**. Explain findings: .
☐ Dye (or other) test performed: .

Tributary has (check all that apply):
☒ Bed and banks
☒ OHWM[6] (check all indicators that apply):

☒ clear, natural line impressed on the bank	☐ the presence of litter and debris
☒ changes in the character of soil	☐ destruction of terrestrial vegetation
☒ shelving	☐ the presence of wrack line
☐ vegetation matted down, bent, or absent	☒ sediment sorting
☐ leaf litter disturbed or washed away	☒ scour
☒ sediment deposition	☐ multiple observed or predicted flow events
☐ water staining	☐ abrupt change in plant community
☐ other (list):	

☐ Discontinuous OHWM.[7] Explain: .

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

☐ High Tide Line indicated by:	☐ Mean High Water Mark indicated by:
☐ oil or scum line along shore objects	☐ survey to available datum;
☐ fine shell or debris deposits (foreshore)	☐ physical markings;
☐ physical markings/characteristics	☐ vegetation lines/changes in vegetation types.
☐ tidal gauges	
☐ other (list):	

(iii) Chemical Characteristics:

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[6]A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.
[7]Ibid.

(iv) Biological Characteristics. Channel supports (check all that apply):

- ☒ Riparian corridor. Characteristics (type, average width): RIVERINE, 20FT.
- ☐ Wetland fringe. Characteristics: .
- ☐ Habitat for:
  - ☐ Federally Listed species. Explain findings: .
  - ☐ Fish/spawn areas. Explain findings: .
  - ☐ Other environmentally-sensitive species. Explain findings: .
  - ☐ Aquatic/wildlife diversity. Explain findings: .

2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW

(i) Physical Characteristics:

(a) General Wetland Characteristics:

Properties:

Wetland size: acres

Wetland type. Explain: .

Wetland quality. Explain: .

Project wetlands cross or serve as state boundaries. Explain: .

(b) General Flow Relationship with Non-TNW:

Flow is: **Ephemeral flow**. Explain: .

Surface flow is: **Confined**

Characteristics: .

Subsurface flow: **Unknown**. Explain findings: .

- ☐ Dye (or other) test performed: .

(c) Wetland Adjacency Determination with Non-TNW:

- ☐ Directly abutting
- ☐ Not directly abutting
  - ☐ Discrete wetland hydrologic connection. Explain: .
  - ☐ Ecological connection. Explain: .
  - ☐ Separated by berm/barrier. Explain: .

(d) Proximity (Relationship) to TNW

Project wetlands are **Pick List** river miles from TNW.

Project waters are **1 (or less)** aerial (straight) miles from TNW.

Flow is from: **No Flow.**

Estimate approximate location of wetland as within the **Pick List** floodplain.

(ii) Chemical Characteristics:

Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics; etc.). Explain: .

Identify specific pollutants, if known: .

(iii) Biological Characteristics. Wetland supports (check all that apply):

- ☐ Riparian buffer. Characteristics (type, average width): .
- ☐ Vegetation type/percent cover. Explain: .
- ☐ Habitat for:
  - ☐ Federally Listed species. Explain findings: .
  - ☐ Fish/spawn areas. Explain findings: .
  - ☐ Other environmentally-sensitive species. Explain findings: .
  - ☐ Aquatic/wildlife diversity. Explain findings: .

3. Characteristics of all wetlands adjacent to the tributary (if any)

All wetland(s) being considered in the cumulative analysis: **Pick List**

Approximately ( ) acres in total are being considered in the cumulative analysis.

For each wetland, specify the following:

Directly abuts? (Y/N)	Size (in acres)	Directly abuts? (Y/N)	Size (in acres)

Summarize overall biological, chemical and physical functions being performed: .

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Draw connections between the features documented and the effects on the TNW, as identified in the *Rapanos* Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. **Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D: A SIGNIFICANT NEXUS EXISTS FOR THIS CHANNEL, THE CHANNEL MEANDERS SOUTHWEST LEAVING THE REVIEW AREA AND FLOWING THROUGH A SERIES OF CULVERT PIPES UNDER MAJOR ROADWAYS BEFORE DRAINING INTO THE MURIETTA CREEK APPROXIMATELY 1.0 MILES TO THE SOUTHWEST OF THE SITE.

2. **Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D: .

3. **Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D: .

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. **TNWs and Adjacent Wetlands.** Check all that apply and provide size estimates in review area:
   - ☐ TNWs: linear feet width (ft), Or, acres.
   - ☐ Wetlands adjacent to TNWs: acres.

2. **RPWs that flow directly or indirectly into TNWs.**
   - ☐ Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial: .
   - ☐ Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: .

Provide estimates for jurisdictional waters in the review area (check all that apply):
- ☐ Tributary waters: linear feet width (ft).
- ☐ Other non-wetland waters: acres.
  Identify type(s) of waters: .

3. **Non-RPWs[8] that flow directly or indirectly into TNWs.**
   - ☒ Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

   Provide estimates for jurisdictional waters within the review area (check all that apply):
   - ☒ Tributary waters: **720** linear feet **5-20** width (ft).
   - ☐ Other non-wetland waters: acres.
     Identify type(s) of waters: .

4. **Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.**
   - ☐ Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
     - ☐ Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .
     - ☐ Wetlands directly abutting an RPW where tributaries typically flow "seasonally." Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .

   Provide acreage estimates for jurisdictional wetlands in the review area: acres.

5. **Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.**
   - ☐ Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisidictional. Data supporting this conclusion is provided at Section III.C.

   Provide acreage estimates for jurisdictional wetlands in the review area: acres.

6. **Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**
   - ☐ Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

   Provide estimates for jurisdictional wetlands in the review area: acres.

7. **Impoundments of jurisdictional waters.[9]**
   As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.
   - ☐ Demonstrate that impoundment was created from "waters of the U.S.," or
   - ☐ Demonstrate that water meets the criteria for one of the categories presented above (1-6), or
   - ☐ Demonstrate that water is isolated with a nexus to commerce (see E below).

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):[10]
- ☐ which are or could be used by interstate or foreign travelers for recreational or other purposes.
- ☐ from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- ☐ which are or could be used for industrial purposes by industries in interstate commerce.
- ☐ Interstate isolated waters. Explain: .

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[8] See Footnote # 3.
[9] To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.
[10] **Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA *Memorandum Regarding CWA Act Jurisdiction Following Rapanos.***

☐ Other factors. Explain: .

Identify water body and summarize rationale supporting determination: .

Provide estimates for jurisdictional waters in the review area (check all that apply):
☐ Tributary waters: linear feet width (ft).
☐ Other non-wetland waters: acres.
Identify type(s) of waters: .
☐ Wetlands: acres.

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):
☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
☐ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
☐ Prior to the Jan 2001 Supreme Court decision in "*SWANCC*," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).
☐ Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain: .
☐ Other: (explain, if not covered above): .

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):
☐ Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
☐ Lakes/ponds: acres.
☐ Other non-wetland waters: acres. List type of aquatic resource: .
☐ Wetlands: acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (check all that apply):
☐ Non-wetland waters (i.e., rivers, streams): linear feet, width (ft).
☐ Lakes/ponds: acres.
☐ Other non-wetland waters: acres. List type of aquatic resource: .
☐ Wetlands: acres.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):
☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: .
☒ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
☐ Office concurs with data sheets/delineation report.
☐ Office does not concur with data sheets/delineation report.
☐ Data sheets prepared by the Corps: .
☐ Corps navigable waters' study: .
☒ U.S. Geological Survey Hydrologic Atlas: .
☐ USGS NHD data.
☐ USGS 8 and 12 digit HUC maps.
☒ U.S. Geological Survey map(s). Cite scale & quad name: .
☒ USDA Natural Resources Conservation Service Soil Survey. Citation: .
☒ National wetlands inventory map(s). Cite name: .
☐ State/Local wetland inventory map(s): .
☐ FEMA/FIRM maps: .
☐ 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
☒ Photographs: ☒ Aerial (Name & Date):GOOGLE EARTH 2015.
or ☒ Other (Name & Date):SEPTEMBER 2015.
☐ Previous determination(s). File no. and date of response letter: .
☐ Applicable/supporting case law: .
☐ Applicable/supporting scientific literature: .
☒ Other information (please specify):GPS READINGS.

B. ADDITIONAL COMMENTS TO SUPPORT JD: .