GLENN LUKOS ASSOCIATES
Regulatory Services

August 2, 2018
[Revised February 19, 2019]

John Condas
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1900 Main Street
5th Floor
Irvine, California 92614-7321

SUBJECT: Jurisdictional Delineation for the Indian and Ramona Study Area , a 26.84-Acre Project Located in the City of Perris, Riverside County, California.

Dear Mr. Condas:

This letter report summarizes our preliminary findings of U.S. Army Corps of Engineers (Corps), Regional Water Quality Control Board (Regional Board), and California Department of Fish and Wildlife (CDFW) jurisdiction for the above-referenced property.[1]

The Indian and Ramona Project (Project, 24.20 acres on site and 2.64 acres off site), collectively considered the "Study Area," consists of an approximately 428,730 square-foot warehouse building, parking, pavement, landscape, and associated site improvements on site as well as an off site driveway connection of Perry Street to the eastern Project boundary. The off site improvements also include landscaping and roadway improvements to Perry Street and Indian Avenue. The Study Area is located in the City of Perris, Riverside County, California [Exhibit 1].

The Study Area is located at latitude 33.846071 and longitude -117.232875. The Study Area is within Section 6 of Township 4 South and Range 3 West. The Study Area is generally bounded by West Perry Street to the north, Ramona Expressway to the south, Indian Avenue to the east, and industrial buildings to the west [as depicted on the U.S. Geological Survey (USGS)

[1] This report presents our best effort at estimating the subject jurisdictional boundaries using the most up-to-date regulations and written policy and guidance from the regulatory agencies. Only the regulatory agencies can make a final determination of jurisdictional boundaries.

topographic map Perris, California (dated 1967, photorevised 1979)]. The Study Area does not contain a blue-line drainage.

On June 26, 2018, regulatory specialists of Glenn Lukos Associates, Inc. (GLA) examined the Study Area to determine the limits of (1) Corps jurisdiction pursuant to Section 404 of the Clean Water Act (CWA), (2) Regional Board jurisdiction pursuant to Section 401 of the CWA and Section 13260 of the California Water Code (CWC) [the Porter-Cologne Water Quality Act (Porter-Cologne)], and (3) CDFW jurisdiction pursuant to Division 2, Chapter 6, Sections 1600-1617 of the California Fish and Game Code.

Enclosed are 100-scale maps [Exhibits 3A and 3B] that depict the areas of Regional Board and CDFW jurisdiction. Photographs to document the topography, vegetative communities, and general widths of each of the waters are provided as Exhibit 4.

The Study Area contains a roadside ditch constructed in, and draining, wholly upland areas, which does not support a relatively permanent flow of water. As this feature is the only drainage-related feature within the Study Area, and it has been constructed in and drains wholly upland areas which do not support a relatively permanent flow of water, there are no Corps jurisdictional waters which would be regulated pursuant to Section 404 of the CWA within the Study Area.

Areas west of the Study Area contain a concrete-bottomed, concrete-sided flood control channel which discharges into a down-drain westerly of the Project boundary. Flows from this flood control channel discharge into the storm drain system before entering the Study Area. The Study Area's western boundary has been partially graded and excavated and includes minor evidence of sheet flow from this concrete flood control channel during very large storm events, but there is no evidence of bed, bank, or channel, and these flows dissipate into an upland area shortly after entering the Study Area.

Regional Board jurisdiction within the Study Area totals 0.17 acre, none of which consists of jurisdictional wetlands. A total of 1,235 linear feet of concrete roadside ditch is present.

CDFW jurisdiction within the Study Area totals 0.26 acre, all of which consists of non-riparian streambed. A total of 1,235 linear feet of concrete roadside ditch is present.

I. METHODOLOGY

Prior to beginning the field delineation, a color aerial photograph, a topographic base map of the property, and the previously cited USGS topographic map were examined to determine the locations of potential areas of Corps/Regional Board/CDFW jurisdiction. Suspected jurisdictional areas were field checked for the presence of definable channels and/or wetland vegetation, soils and hydrology. Suspected wetland habitats on the site were evaluated using the methodology set forth in the U.S. Army Corps of Engineers 1987 Wetland Delineation Manual[2] (Wetland Manual) and the 2008 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Supplement (Arid West Supplement)[3]. While in the field the limits of CDFW jurisdiction were recorded onto a color aerial photograph using visible landmarks.

The Soil Conservation Service (SCS)[4] has mapped the following soil type as occurring in the general vicinity of the Study Area :

Exeter Sandy Loam, Deep, 0 to 2 Percent Slopes (EpA)

The Exeter series consists of well-drained soils developed in alluvium from moderately coarse granitic materials. In a typical profile, the surface layer is brown, sandy load about 16 inches thick. The sub-soil is brown, heavy loam. At a depth of 37 inches is an indurated hard pan.

The soil is used for irrigated alfalfa, potatoes, and truck crops, and for dryland grain and homesites.

Pachappa Fine Sandy Loam, 0 to 2 Percent Slopes (PaA)

The Pachappa series consists of well-drained soils that are developed in predominantly granitic alluvium. Slopes are 0 to 8 percent. In a typical profile, the surface layer is brown, fine sandy loam and very fine sandy loam about 20 inches thick. The sub-soil is brown and pale-brown loam and very fine sandy loam about 29 inches thick.

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[2] Environmental Laboratory. 1987. Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, U.S. Army Engineer Waterways Experimental Station, Vicksburg, Mississippi.

[3] U.S. Army Corps of Engineers. 2008. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0), ed. J. S. Wakeley, R. W. Lichvar, and C. V. Noble. ERDC/EL TR-08-28. Vicksburg, MS: U.S. Army Engineer Research and Development Center.

[4] SCS is now known as the National Resource Conservation Service or NRCS.

The soil is used for irrigated walnuts, alfalfa, and truck crops, for dryland grain and pasture, and for non-farm purposes.

None of these soil units are identified as hydric in the SCS's publication, Hydric Soils of the United States[5] or the Western Riverside County Soil Survey. It is important to note that under the Arid West Region Supplement, the presence of mapped hydric soils is no longer dispositive for the presence of hydric soils. Rather, the presence of hydric soils must now be confirmed in the field.

II. JURISDICTION

A. Army Corps of Engineers

Pursuant to Section 404 of the CWA, the Corps regulates the discharge of dredged and/or fill material into waters of the United States. The term "waters of the United States" is defined in Corps regulations at 33 CFR Part 328.3(a)[6] as:

> *(1) All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;*
> *(2) All interstate waters including interstate wetlands;*
> *(3) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect foreign commerce including any such waters:*
> > *(i) Which are or could be used by interstate or foreign travelers for recreational or other purposes; or*

[5] United States Department of Agriculture, Soil Conservation Service. 1991. Hydric Soils of the United States, 3rd Edition, Miscellaneous Publication Number 1491. (In cooperation with the National Technical Committee for Hydric Soils.)

[6] On October 9, 2015, the U.S. 6th District Circuit Court of Appeals ordered a nationwide stay on the Corps and EPA's definition of waters of the United States under the Clean Water Rule ("Clean Water Rule: Definition of 'Waters of the United States"; Final Rule," 80 Federal Register 124 (29 June 2015), pp. 37054-37127). As a result, the Corps' regulations that were in effect prior to the August 28, 2015 Clean Water Rule are again in effect. In addition, President Trump signed an Executive Order on February 28, 2017 that instructs the EPA and Corps to formally reconsider the Rule, which could lead to a re-write or a complete repeal of the regulation.

(ii) From which fish or shell fish are or could be taken and sold in interstate or foreign commerce; or

(iii) Which are used or could be used for industrial purpose by industries in interstate commerce...

(4) All impoundments of waters otherwise defined as waters of the United States under the definition;

(5) Tributaries of waters identified in paragraphs (a) (1)-(4) of this section;

(6) The territorial seas;

(7) Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) (1)-(6) of this section.

(8) Waters of the United States do not include prior converted cropland.[7] *Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with the EPA.*

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA (other than cooling ponds as defined in 40 CFR 123.11(m) which also meet the criteria of this definition) are not waters of the United States.

In the absence of wetlands, the limits of Corps jurisdiction in non-tidal waters, such as intermittent streams, extend to the OHWM which is defined at 33 CFR 328.3(e) as:

...that line on the shore established by the fluctuation of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.

1. Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers, et al.

Pursuant to Article I, Section 8 of the U.S. Constitution, federal regulatory authority extends only to activities that affect interstate commerce. In the early 1980s the Corps interpreted the interstate commerce requirement in a manner that restricted Corps jurisdiction on isolated (intrastate) waters. On September 12, 1985, the U.S. Environmental Protection Agency (EPA) asserted that Corps jurisdiction extended to isolated waters that are used or could be used by

[7] The term "prior converted cropland" is defined in the Corps' Regulatory Guidance Letter 90-7 (dated September 26, 1990) as "wetlands which were both manipulated (drained or otherwise physically altered to remove excess water from the land) and cropped before 23 December 1985, to the extent that they no longer exhibit important wetland values. Specifically, prior converted cropland is inundated for no more than 14 consecutive days during the growing season…." [Emphasis added.]

migratory birds or endangered species, and the definition of "waters of the United States" in Corps regulations was modified as quoted above from 33 CFR 328.3(a).
On January 9, 2001, the Supreme Court of the United States issued a ruling on *Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers, et al.* (SWANCC). In this case the Court was asked whether use of an isolated, intrastate pond by migratory birds is a sufficient interstate commerce connection to bring the pond into federal jurisdiction of Section 404 of the CWA.

The written opinion notes that the court's previous support of the Corps' expansion of jurisdiction beyond navigable waters (*United States v. Riverside Bayview Homes, Inc*.) was for a wetland that abutted a navigable water and that the court did not express any opinion on the question of the authority of the Corps to regulate wetlands that are not adjacent to bodies of open water. The current opinion goes on to state:

> *In order to rule for the respondents here, we would have to hold that the jurisdiction of the Corps extends to ponds that are not adjacent to open water. We conclude that the text of the statute will not allow this.*

Therefore, we believe that the court's opinion goes beyond the migratory bird issue and says that no isolated, intrastate water is subject to the provisions of Section 404(a) of the CWA (regardless of any interstate commerce connection). However, the Corps and EPA have issued a joint memorandum which states that they are interpreting the ruling to address only the migratory bird issue and leaving the other interstate commerce clause nexuses intact.

2. Rapanos v. United States and Carabell v. United States

On June 5, 2007, the EPA and Corps issued joint guidance that addresses the scope of jurisdiction pursuant to the CWA in light of the Supreme Court's decision in the consolidated cases *Rapanos v. United States* and *Carabell v. United States* ("Rapanos"). The chart below was provided in the joint EPA/Corps guidance.

For project sites that include waters other than Traditional Navigable Waters (TNWs) and/or their adjacent wetlands or Relatively Permanent Waters (RPWs) tributary to TNWs and/or their adjacent wetlands as set forth in the chart below, the Corps must apply the significant nexus standard, that includes the data set forth in the *Approved Jurisdictional Determination Form.*

For "isolated" waters or wetlands, the joint guidance also requires an evaluation by the Corps and EPA to determine whether other interstate commerce clause nexuses, not addressed in the SWANCC decision are associated with isolated features on project sites for which a jurisdictional determination is being sought from the Corps.

The agencies will assert jurisdiction over the following waters:

- Traditional navigable waters
- Wetlands adjacent to traditional navigable waters
- Non-navigable tributaries of traditional navigable waters that are relatively permanent where the tributaries typically flow year-round or have continuous flow at least seasonally (e.g., typically three months)
- Wetlands that directly abut such tributaries

The agencies will decide jurisdiction over the following waters based on a fact-specific analysis to determine whether they have a significant nexus with a traditional navigable water:

- Non-navigable tributaries that are not relatively permanent
- Wetlands adjacent to non-navigable tributaries that are not relatively permanent
- Wetlands adjacent to but that do not directly abut a relatively permanent non-navigable tributary

The agencies generally will not assert jurisdiction over the following features:

- Swales or erosional features (e.g., gullies, small washes characterized by low volume, infrequent or short duration flow)
- Ditches (including roadside ditches) excavated wholly in and draining only uplands and that do not carry a relatively permanent flow of water

The agencies will apply the significant nexus standard as follows:

- A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by all wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical and biological integrity of downstream traditional navigable waters
- Significant nexus includes consideration of hydrologic and ecologic factors

3. Wetland Definition Pursuant to Section 404 of the Clean Water Act

The term “wetlands” (a subset of “waters of the United States”) is defined at 33 CFR 328.3(b) as "those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support...a prevalence of vegetation typically adapted for life in saturated soil conditions." In 1987 the Corps published a manual to guide its field personnel in determining jurisdictional wetland boundaries. The methodology set forth in the 1987 Wetland Delineation Manual and the Arid West Supplement generally require that, in order to be considered a wetland, the vegetation, soils, and hydrology of an area exhibit at least minimal hydric characteristics. While the 1987 Manual and Supplement provide great detail in

methodology and allow for varying special conditions, a wetland should normally meet each of the following three criteria:

- more than 50 percent of the dominant plant species at the site must be typical of wetlands (i.e., rated as facultative or wetter in the Arid West 2016 Regional Wetland Plant List[8],[9]);

- soils must exhibit physical and/or chemical characteristics indicative of permanent or periodic saturation (e.g., a gleyed color, or mottles with a matrix of low chroma indicating a relatively consistent fluctuation between aerobic and anaerobic conditions); and

- whereas the 1987 Manual requires that hydrologic characteristics indicate that the ground is saturated to within 12 inches of the surface for at least five percent of the growing season during a normal rainfall year, the Arid West Supplement does not include a quantitative criteria with the exception for areas with "problematic hydrophytic vegetation", which require a minimum of 14 days of ponding to be considered a wetland.

B. Regional Water Quality Control Board

Section 401 of the CWA requires any applicant for a Section 404 permit to obtain certification from the State that the discharge (and the operation of the facility being constructed) will comply with the applicable effluent limitation and water quality standards. In California, this 401 certification is obtained from the Regional Board. The Corps, by law, cannot issue a Section 404 permit until a 401 certification is issued or waived.

Subsequent to the SWANCC decision, the Chief Counsel for the State Water Resources Control Board issued a memorandum that addressed the effects of the SWANCC decision on the Section 401 Water Quality Certification Program.[10] The memorandum states:

> *California's right and duty to evaluate certification requests under section 401 is pendant to (or dependent upon) a valid application for a section 404 permit from the Corps, or another application for a federal license or permit. Thus, if the Corps determines that the water body in question is not subject to regulation*

[8] Lichvar, R.W., D.L. Banks, W.N. Kirchner, and N.C. Melvin. 2016. Arid West 2016 Regional Wetland Plant List. Phytoneuron 2016-30: 1-17. Published 28 April 2016.
[9] Note the Corps also publishes a National List of Plant Species that Occur in Wetlands (Lichvar, R.W., D.L. Banks, W.N. Kirchner, and N.C. Melvin. 2016. The National Wetland Plant List: 2016 wetland ratings. Phytoneuron 2016-30: 1-17. Published 28 April 2016.); however, the Regional Wetland Plant List should be used for wetland delineations within the Arid West Region.
[10] Wilson, Craig M. January 25, 2001. Memorandum addressed to State Board Members and Regional Board Executive Officers.

> *under the COE's 404 program, for instance, no application for 401 certification will be required…*
>
> *The SWANCC decision does not affect the Porter Cologne authorities to regulate discharges to isolated, non-navigable waters of the states….*
>
> *Water Code section 13260 requires "any person discharging waste, or proposing to discharge waste, within any region that could affect the waters of the state to file a report of discharge (an application for waste discharge requirements)." (Water Code § 13260(a)(1) (emphasis added).) The term "waters of the state" is defined as "any surface water or groundwater, including saline waters, within the boundaries of the state." (Water Code § 13050(e).) The U.S. Supreme Court's ruling in SWANCC has no bearing on the Porter-Cologne definition. While all waters of the United States that are within the borders of California are also waters of the state, the converse is not true—waters of the United States is a subset of waters of the state. Thus, since Porter-Cologne was enacted California always had and retains authority to regulate discharges of waste into any waters of the state, regardless of whether the COE has concurrent jurisdiction under section 404. The fact that often Regional Boards opted to regulate discharges to, e.g., vernal pools, through the 401 program in lieu of or in addition to issuing waste discharge requirements (or waivers thereof) does not preclude the regions from issuing WDRs (or waivers of WDRs) in the absence of a request for 401 certification.…*

In this memorandum, the SWRCB's Chief Counsel has made the clear assumption that fill material to be discharged into isolated waters of the United States is to be considered equivalent to "waste" and therefore subject to the authority of the Porter Cologne Water Quality Act.[11]

C. California Department of Fish and Wildlife

Pursuant to Division 2, Chapter 6, Sections 1600-1617 of the California Fish and Game Code, the CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake, which supports fish or wildlife.

CDFW defines a stream (including creeks and rivers) as "a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other

[11] On June 17, 2016, the SWRCB issued a draft "Procedures for Discharges of Dredged or Fill Materials to Waters of the State" which provides definitions for wetlands, procedures for jurisdictional delineations, and procedures for obtaining permits for impacts to waters of the State.

aquatic life. This includes watercourses having surface or subsurface flow that supports or has supported riparian vegetation." CDFW's definition of "lake" includes "natural lakes or man-made reservoirs." CDFW also defines a stream as "a body of water that flows, or has flowed, over a given course during the historic hydrologic regime, and where the width of its course can reasonably be identified by physical or biological indicators."

It is important to note that the Fish and Game Code defines fish and wildlife to include: all wild animals, birds, plants, fish, amphibians, invertebrates, reptiles, and related ecological communities including the habitat upon which they depend for continued viability (FGC Division 5, Chapter 1, section 45 and Division 2, Chapter 1 section 711.2(a) respectively). Furthermore, Division 2, Chapter 5, Article 6, Section 1600 et seq. of the California Fish and Game Code does not limit jurisdiction to areas defined by specific flow events, seasonal changes in water flow, or presence/absence of vegetation types or communities.

III. RESULTS

A. Corps Jurisdiction

There is no Corps jurisdiction within the Study Area . The Study Area contains a roadside ditch constructed in, and draining into, wholly upland areas, which does not support a relatively permanent flow of water. As this feature is the only drainage-related feature in the site, and it has been constructed in and drains into wholly upland areas which do not support a relatively permanent flow of water, there are no Corps jurisdictional waters which would be regulated pursuant to Section 404 of the CWA within the Study Area .

Areas west of the Study Area contain a concrete-bottomed, concrete-sided flood control channel which discharges into a down-drain westerly of the Project boundary. Flows from this flood control channel discharge into the storm drain system before entering the Study Area . The Study Area 's western boundary has been partially graded and excavated and includes minor evidence of sheet flow from this concrete flood control channel during very large storm events, but there is no evidence of bed, bank, or channel, and these flows dissipate into an upland area shortly after entering the Study Area .

Flows along the eastern side of the Study Area occur as a result of a roadside ditch capturing sheet flow from the Study Area and roadway runoff from Ramona Expressway. The roadside ditch is constructed in and drains into wholly upland areas, which do not support a relatively permanent flow of water. Once passing off site beneath the intersection of Indian Avenue and Ramona Expressway, flows continue east within a concrete-sided, concrete-bottomed roadside ditch and enter a culvert near the intersection of Perris Boulevard and Ramona Expressway.

Eventually, flows enter the PVSC further downstream to the east between Redlands Avenue and Evans Road.

As noted above, the concrete-bottomed, concrete-sided ditch is not subject to Corps jurisdiction as the ditch is constructed in, and drains, wholly upland areas and does not support a relatively permanent flow of water. As such, the Project will not be subject to Corps jurisdiction under Section 404 of the CWA.

B. Regional Board Jurisdiction

Regional Board jurisdiction associated with the Study Area totals 0.17 acre, none of which consists of jurisdictional wetlands. A total of 1,235 linear feet of concrete roadside ditch is present.

Areas west of the Study Area contain a concrete-bottomed, concrete-sided flood control channel which discharges into a down-drain westerly of the Project boundary. Flows from this flood control channel discharge into the storm drain system before entering the Study Area . The Study Area 's western boundary has been partially graded and excavated and includes minor evidence of sheet flow from this concrete flood control channel during very large storm events, but there is no evidence of bed, bank, channel, or an ordinary high-water mark (OHWM), and these flows dissipate into an upland area shortly after entering the Study Area .

Flows from the roadside ditch enter the Study Area along its westerly boundary and continue easterly for 1,235 linear feet before entering a culvert at the intersection of Indian Avenue and Ramona Expressway at the southeastern corner of the Study Area . From this point, flows pass under Indian Avenue and go off site. Eventually, flows from this ditch enter the Perris Valley Storm Channel (PVSC) just east of Redlands Avenue.

The OHWM for the roadside ditch is approximately five feet wide and is evidenced by the presence of water marks, debris wracking, and sediment deposits. There is no vegetation within the roadside ditch.

A graphic depicting the limits of Regional Board jurisdiction is attached as Exhibit 3A.

C. CDFW Jurisdiction

CDFW jurisdiction associated with the Study Area totals 0.26 acre, all of which consists of non-riparian streambed. A total of 1,235 linear feet of concrete roadside ditch is present.

Areas west of the Study Area contain a concrete-bottomed, concrete-sided flood control channel which discharges into a down-drain westerly of the Project boundary. Flows from this flood control channel discharge into the storm drain system before entering the Study Area . The Study Area 's western boundary has been partially graded and excavated and includes minor evidence of sheet flow from this concrete flood control channel during very large storm events, but there is no evidence of bed, bank, channel, or high-water mark (HWM), and these flows dissipate into an upland area shortly after entering the Study Area .

Flows from the roadside ditch enter the Study Area along its westerly boundary and continue easterly for 1,235 linear feet before entering a culvert at the intersection of Indian Avenue and Ramona Expressway. From this point, flows pass under Indian Avenue and continue off site. Eventually, flows from this ditch enter the PVSC just east of Redlands Avenue and west of Evans Road.

The HWM for the roadside ditch is approximately eight feet wide and is evidenced by the presence of water marks, debris wracking, sediment deposits, bed, bank, and channel. There is no vegetation within the roadside ditch.

A graphic depicting the limits of CDFW jurisdiction is attached as Exhibit 3B.

IV. DISCUSSION

A. Impact Analysis

The Study Area contains a roadside ditch constructed in, and draining, wholly upland areas, which does not support a relatively permanent flow of water. As this feature is the only drainage-related feature within the Study Area, and it has been constructed in and drains wholly upland areas which do not support a relatively permanent flow of water, there are ***no*** Corps jurisdictional waters which would be regulated pursuant to Section 404 of the CWA within the Study Area and no Corps permit would be required for the Project.

Regional Board jurisdiction within the Study Area totals 0.17 acre, none of which consists of jurisdictional wetlands. A total of 1,235 linear feet of concrete roadside ditch is present.

CDFW jurisdiction within the Study Area totals 0.26 acre, all of which consists of non-riparian streambed. A total of 1,235 linear feet of concrete roadside ditch is present.

Disturbance within the Study Area, as proposed, will result in permanent impact to 0.17 acre of Regional Board jurisdiction, none of which consists of jurisdictional wetlands, and 0.26 acre of CDFW jurisdiction, none of which consists of vegetated riparian habitat and all of which consists

of non-riparian, concrete-lined roadside ditch. A total of 1,235 linear feet of roadside ditch will be permanently disturbed.[12]

If you have any questions about this letter report, please contact me at (949) 340-3851 at the office or (714) 323-6221 on my cellular telephone.

Sincerely,

GLENN LUKOS ASSOCIATES, INC.

Martin A. Rasnick
Principal/Senior Regulatory Specialist

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[12] Please note that the Project jurisdictional delineation report evaluated an off site portion of the roadside ditch which is currently on the Project site as well. Although the delineation included this off site area, a Regional Board/CDFW impact assessment for this off site area is not included in this evaluation because disturbance and development only will occur on the Project Site and off-site driveway improvement area.

Source: ESRI World Street Map

N

0 2 4 8 Miles

INDIAN/RAMONA PROJECT SITE

Regional Map

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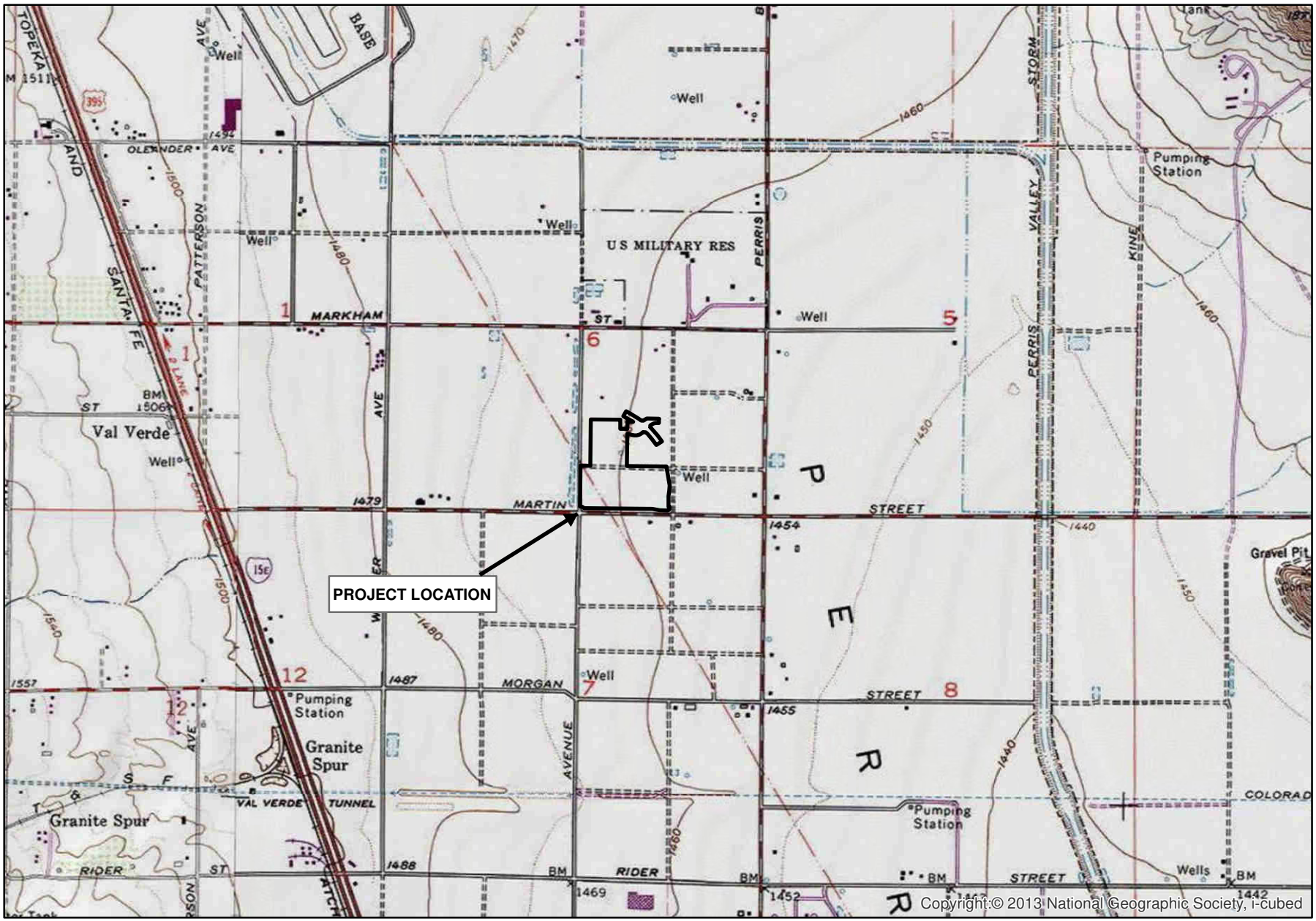
Exhibit 1



Adapted from USGS Perris, CA quadrangle

N

0 1,000 2,000 4,000 Feet

INDIAN/RAMONA PROJECT SITE

Vicinity Map

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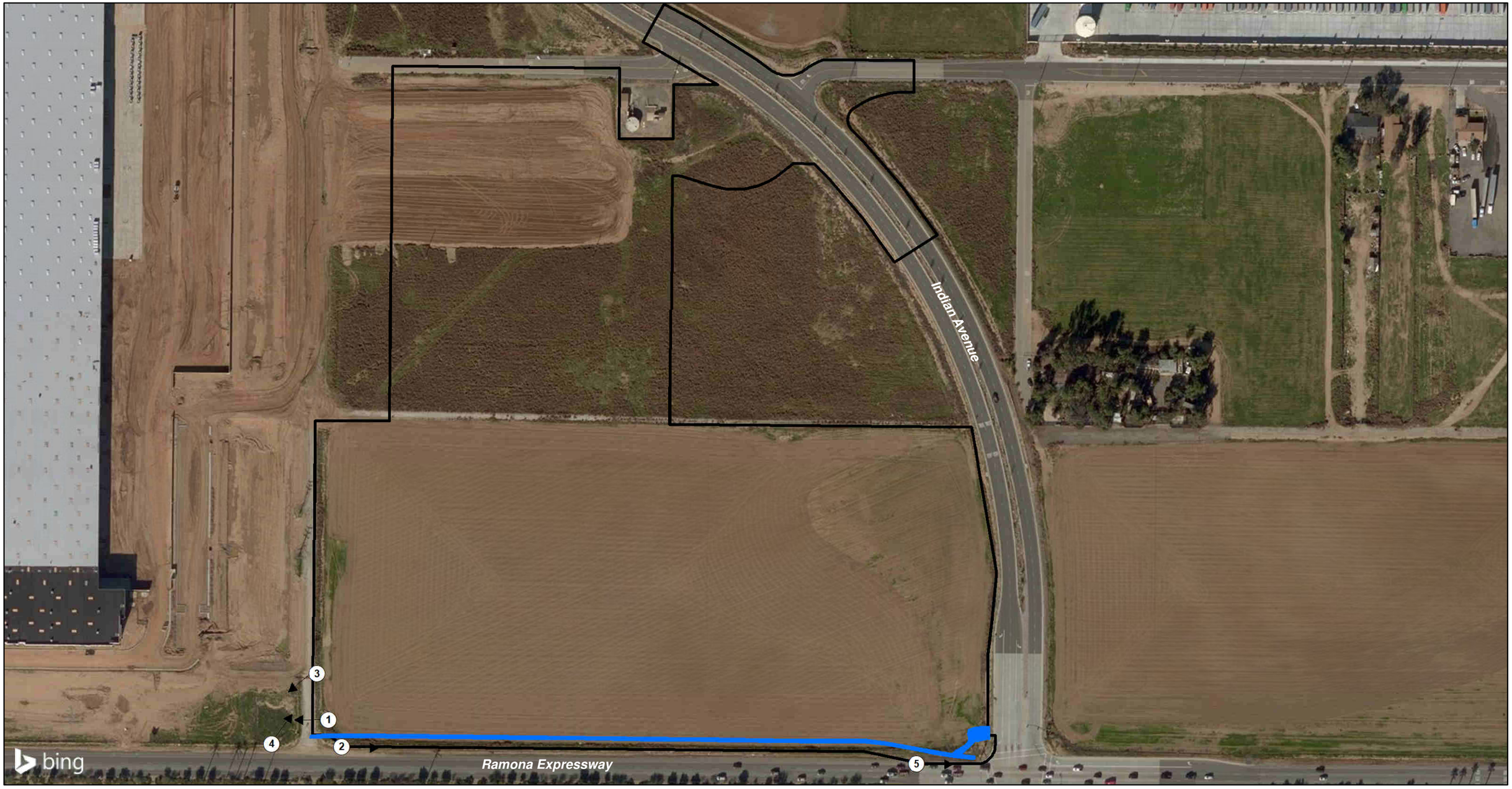
Exhibit 2



Study Area Boundary

RWQCB Jurisdictional Feature

1 Photo Location

N

0 87.5 175 350

Feet

1 inch = 175 feet

INDIAN/RAMONA PROJECT SITE

RWQCB Jurisdictional Delineation Map

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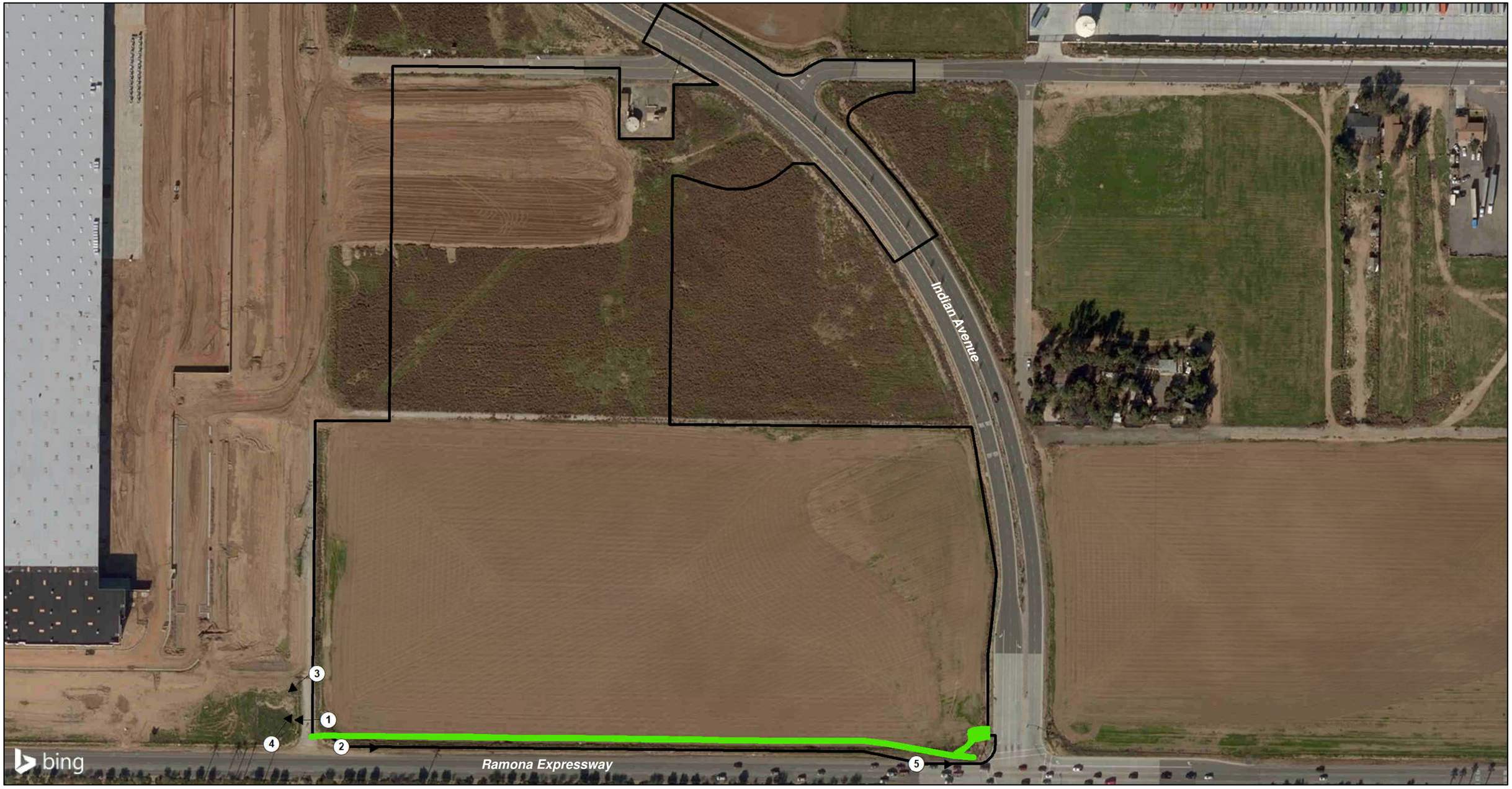
Exhibit 3A

X:\00 - 0362 ONLY\0300-80PERR\300-80_GIS\Delineation\300-80RWQCBLayout.mxd



Study Area Boundary

CDFW Jurisdictional Feature

1 Photo Location

N

0 87.5 175 350

Feet

1 inch = 175 feet

INDIAN/RAMONA PROJECT SITE

CDFW Jurisdictional Delineation Map

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Exhibit 3B

X:\00 - 0362 ONLY\0300-80PERR\300-80_GIS\Delineation\300-80CDFWLayout.mxd

Photograph 1: Westerly view of on-site ditch at Project property boundary. Note the concrete sides and bottom for this roadside ditch.

Photograph 2: Easterly view of roadside ditch along northern edge of Ramona Expressway. Note the presence of this ditch and a lack of other drainage features on site.

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Exhibit 4

IDI Indian-Ramona Project

Site Photographs, Sheet 1

Photograph 3: Westerly view of off-site flood control channel at western Project boundary. Note the concrete sides and bottom for this feature and the down-drain carrying flows underground before entering the site.

Photograph 4: Easterly view of concrete flood control channel at off-site location where it enters a down-drain and does not flow onto the Project site. Note the lack of a culvert or pipe allowing flow to enter the Project site.

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Exhibit 4

IDI Indian-Ramona Project

Site Photographs, Sheet 2

Photograph 5: Easterly view of onsite-ditch with sediment covering the concrete. This photograph was taken at the intersection of Indian Avenue and Ramona Expressway at the southeastern Project boundary.

Photograph 6: Photograph depicting off site improvement areas.

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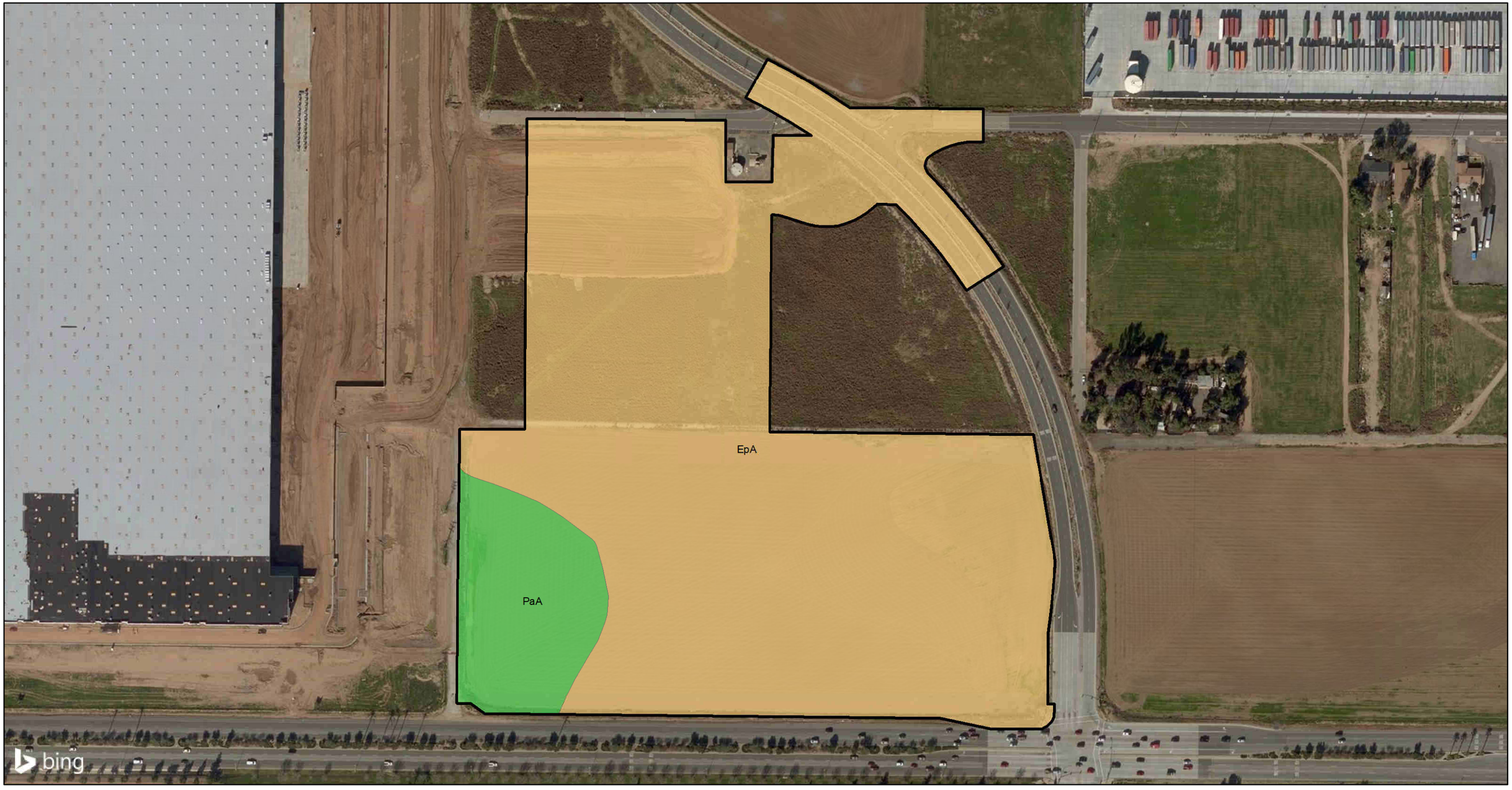
Exhibit 4

IDI Indian-Ramona Project

Site Photographs, Sheet 3



Study Area Boundary

EpA - Exeter sandy loam, deep, 0 to 2 percent slopes

PaA - Pachappa fine sandy loam, 0 to 2 percent slopes

N

0 100 200 400

Feet

1 inch = 200 feet

INDIAN/RAMONA PROJECT SITE

Soils Map

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Exhibit 5

X:\00 - 0362 ONLY\0300-80PERR\300-80_GIS\Soils\300-80SoilsLayout.mxd