Appendix B

Habitat Assessment, Burrowing Owl Survey, and MSHCP Consistency Analysis

L&L ENVIRONMENTAL, INC.
REGULATORY SERVICES
BIOLOGICAL & CULTURAL INVESTIGATIONS & MONITORING

HABITAT ASSESSMENT, BURROWING OWL SURVEY, AND MSHCP CONSISTENCY ANALYSIS FOR PAR 2019-09, CITY OF LAKE ELSINORE, RIVERSIDE COUNTY, CALIFORNIA

±6.71 Acres, 6.71 Acres Impacted

APNs 370-050-026 & 370-050-030 (portion), PAR 2019-09, City of Lake Elsinore, Sections 21 & 22, Township 6 South, Range 4 West, USGS Lake Elsinore 7.5' Topographic Quadrangle Map

Prepared For:

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Report Summary:

Planned development will be restricted to previously disturbed areas of the site. A small portion of the western corner of the project area is within the northeast corner of MSHCP Criteria Cell 5131. Cell 5131 requires 30 to 40 percent conservation of grassland habitat (focused in the southwestern portion of the Cell) for the extension of Existing Core 3. The project area is not adjacent to or part of native grassland habitat within Cell 5131 or the surrounding Cells. No burrowing owls or owl sign were observed. No fairy shrimp or fairy shrimp habitat is present and no riparian, riverine, or vernal pool habitat are present. The project is not located within the area described for conservation in Cell 5131 and the proposed project is consistent with the MSHCP.

Surveys Conducted By: Guy Bruyea
Surveys Conducted On: January 4, 2020, Revised July 31,2020
Report Date: March 2020, Revised September 2020

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MANAGEMENT SUMMARY

L&L Environmental, Inc. (L&L) conducted a habitat assessment of RED Corydon, LLC's PAR 2019-09, ±6.71 acres, in the City of Lake Elsinore, Riverside County, California. The proposed project will impact 6.05 acres on the site plus 0.66 acre of offsite impacts, for a total of 6.71 acres. The purpose of this study was to examine the subject property to determine presence/absence of biological resources on the property and potential for sensitive species to occur, and evaluate the proposed project for consistency with the MSHCP objectives and the Criteria for Cell 5131. L&L evaluated whether vegetation and/or habitat for special status species (burrowing owl in particular) exists onsite and whether any jurisdictional drainages or wetlands are within project boundaries. We also evaluated the site for the presence of potential fairy shrimp habitat, vernal pools, riparian vegetation, and riverine habitat.

The parcel is undeveloped, disturbed, and vegetated with weedy ruderal species. The majority of the site is regularly disturbed for weed abatement. Undisturbed native habitat is not present onsite. Vegetation present is non-native grassland dominated by Mediterranean grass (*Schismus barbatus*) and foxtail chess (*Bromus diandrus*). No special status plants or potential habitat for special status plant species was identified onsite.

The applicant is proposing to build a commercial/retail center consisting of a 4,088 sq. ft. 7-Eleven convenience store and a gas station, a 4,007 sq. ft. carwash, a 2,298 sq. ft. drive-through restaurant, 22,080 sq. ft. flex-tech condos, and a 5,200 sq. ft. tire store with 121 total parking spaces on an approximately 6.05-acre site. The tentative map proposes to subdivide the property into six (6) parcels ranging in size from 0.63 acres to 1.125 acres. The project is part of the City of Lake Elsinore's East Lake District.

Trees are not present on the property or within 65 feet of the boundary of the parcel. Trees that are present in the general area are contained within landscaping planters in the surrounding industrial and commercial developments or within stormwater BMPs.

The project is not in a Narrow Endemic Plant Species Survey Area (NEPSSA). No special status plant species were identified onsite during the present survey. Smooth tarplant (*Centromadia pungens laevis*; California Rare Plant Rank 1B.1 [rare or endangered in California and elsewhere]) was observed just to the north and outside of the project site on APN 370-050-030. Smooth tarplant is a covered species under the MSHCP and considered adequately conserved.

California ground squirrels or burrows were not present onsite nor were they observed adjacent to the property within the buffer area. Botta's pocket gopher (*Thomomys bottae*) mounds were identified onsite, but no other conspicuous small mammal burrows were observed during this study.

No burrowing owl (BUOW), sign of BUOW (pellets, scat, feathers, tracks, etc.) or suitable BUOW burrows are present onsite or within the buffer area. However, under the MSHCP a preconstruction clearance survey for BUOW will be required prior to construction.

Two special status wildlife species were observed, San Diego black tailed jackrabbit (*Lepus californicus bennettii*; CDFW Species of Special Concern) and great egret (fly over) (*Ardea alba*; CDFW Special Animal). San Diego black tailed jackrabbit is a covered species under the MSHCP and considered adequately conserved. Great egret is not covered under the MSHCP but was not observed utilizing the site.

No fairy shrimp or fairy shrimp habitat is present on the property, no vernal pools or riparian riverine habitat is present on the property, and a Determination of Biologically Equivalent or Superior Preservation is not recommended or required for this parcel.

Only 1.12 acres of the site falls within MSHCP Cell 5131 and will be impacted by the implementation of the development plan. No part of the site is proposed for conservation.

The proposed project is consistent with the goals and objectives of the MSHCP because 71 percent of Cell 5131 remains available for conservation and the project site is not located in the area planned for conservation within the Cell.

1.0) INTRODUCTION

The following report was prepared by L&L Environmental, Inc. (L&L) for RED Corydon, LLC. It describes the results of a habitat assessment and focused burrowing owl survey conducted for a proposed development located in the City of Lake Elsinore, Riverside County, California. The project site consists of APN 370-050-026 and a portion of 370-050-030 (PAR 2019-09), which total ±6.05 acres. Development onsite will provide a mix of fast food, gas station, and business suite locations on 6.05 acres plus 0.66 acre of offsite impacts, for a total of 6.71 acres.

Our assessment consisted of (1) a records search and literature review, conducted to determine the species of concern in the project area, proximity to closest documented special status species, and MSHCP objectives, (2) field reconnaissance, intended to identify plants and animals on the property and presence/absence of habitat for species of concern, and (3) a focused breeding season survey for burrowing owl.

1.1) Location

The site is located in the City of Lake Elsinore in Riverside County, California (Figure 1), just northwest of the intersection of Corydon Street and Mission Trail. The site is located in the west central portion of Section 22 and east central portion of Section 21 in Township 6 South, Range 4 West of the USGS Lake Elsinore (1988) topographic quadrangle (Figure 2). A lot line adjustment is currently being processed (Figure 2a). Per instructions from the Project proponent, this report includes only the southern parcel as shown on Figure 2a.

1.2) Vegetation and Setting

The site is undeveloped and heavily disturbed. Based on aerial images (Google Earth), regular weed abatement (discing and/or mowing) has occurred on the parcel since at least May 1994. Trees and woody shrubs are absent and the vegetation that is present is dominated by ruderal species. Undisturbed native habitat is not present onsite.

Land use immediately adjacent to the project includes undeveloped land on the north, recreational motorcycle parks to the west, and industrial and commercial development to the south and east. Mission Trail abuts the property on the east and the right-of-way contains wet and dry utilities underground and overhead. Corydon Street approaches the southern boundary and connects with Mission Trail (Figure 3). A concrete lined trapezoidal channel is located between the property and the adjacent industrial complex on the south.

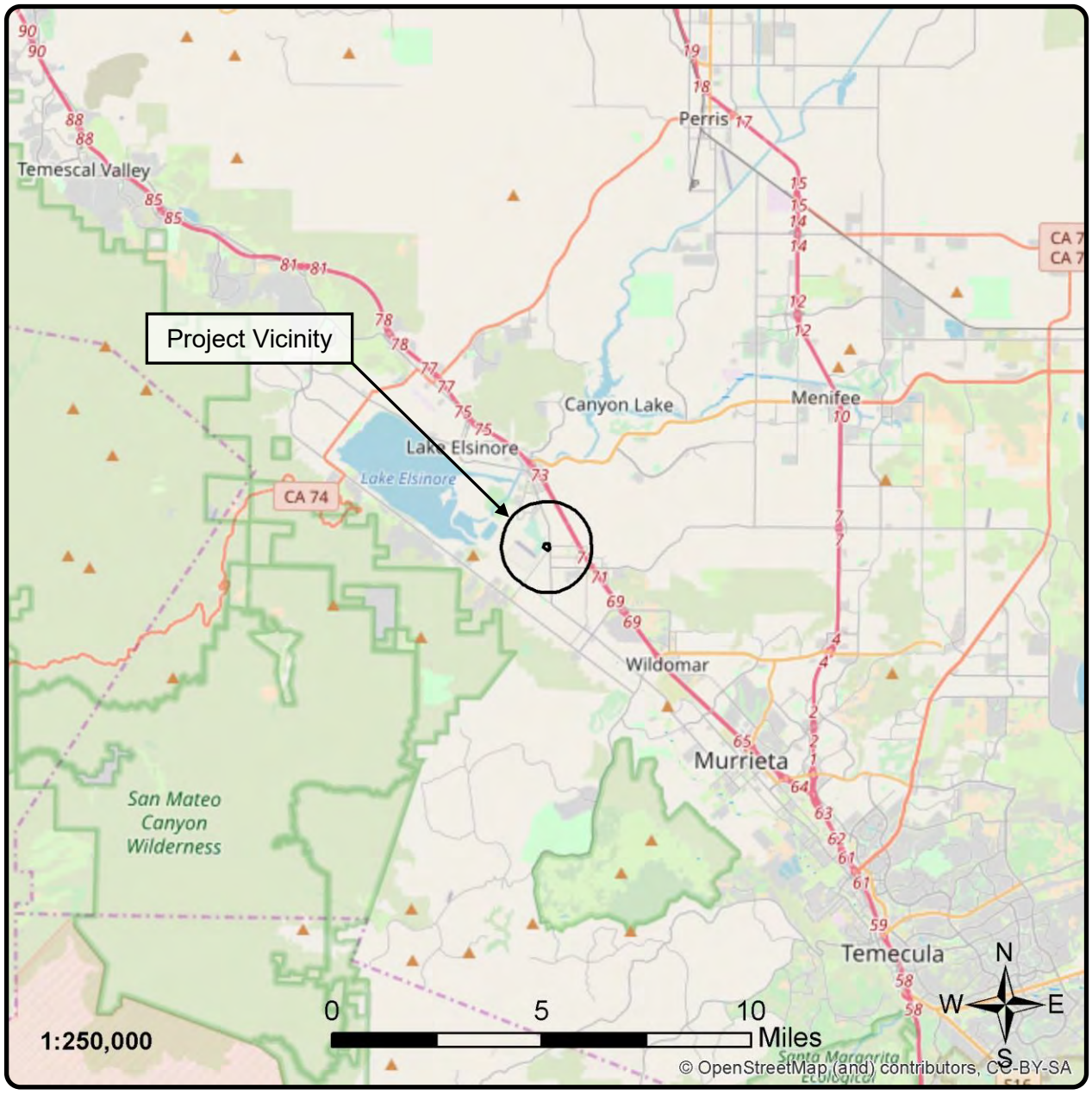

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Figure 1

Project Vicinity Map

PAR 2019-09, City of Lake Elsinore
County of Riverside, California

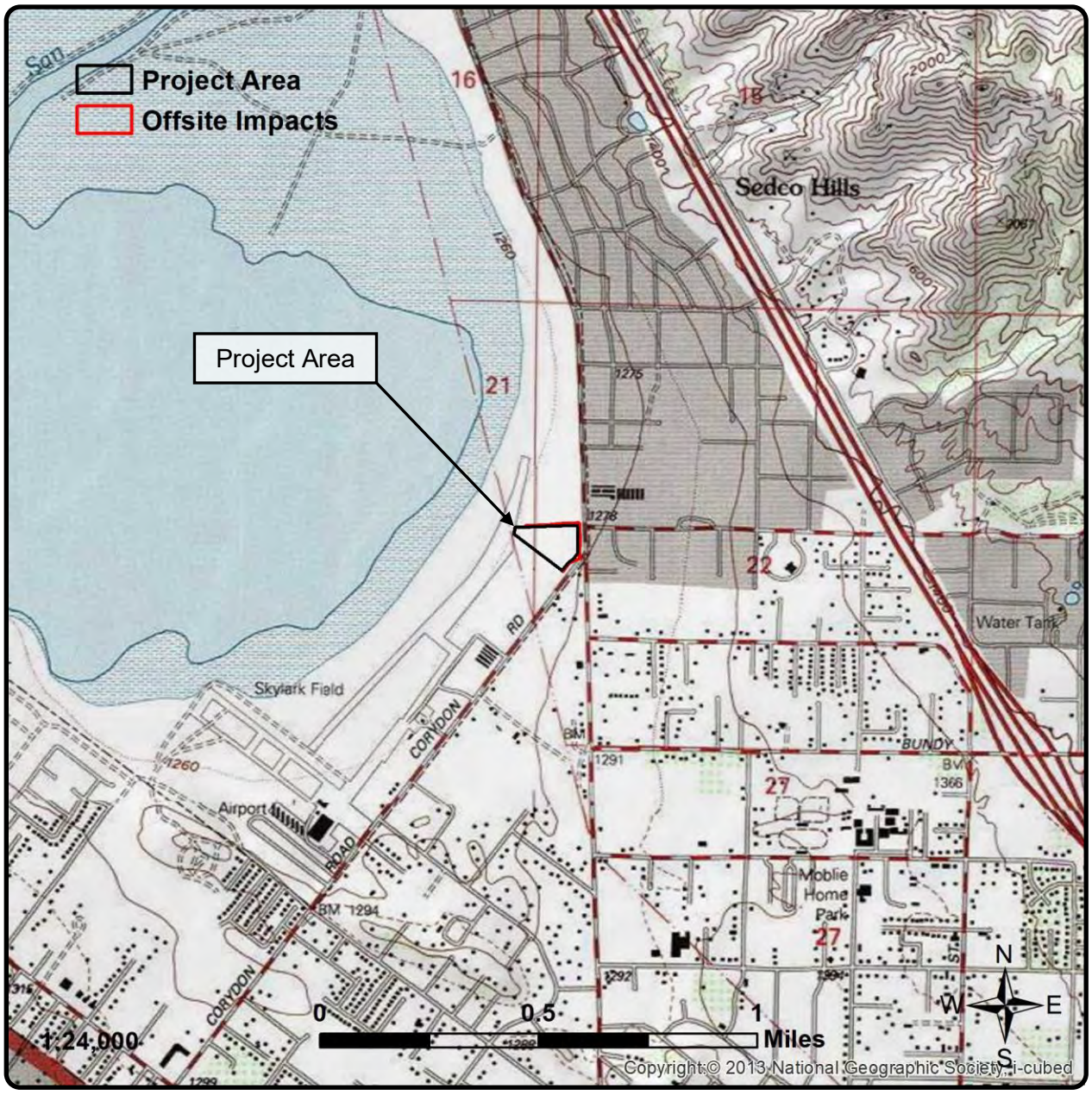

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Figure 2

Project Location Map

(USGS Lake Elsinore [1988] quadrangle,
Section 21 & 22, Township 6 South, Range 4 West)

PAR 2019-09, City of Lake Elsinore
County of Riverside, California

SITE PLAN

SHEET 1 OF 2

Lot Line Adjustment No. ELLA 2020-00005

Owners	Existing Parcels Assessor's Parcels No.	Proposed Parcels Reference Number
DEVELOPMENT AT MISSION TRAILS LAKE ELSINORE	370-050-026	Parcel 1
	370-050-030	Parcel 2

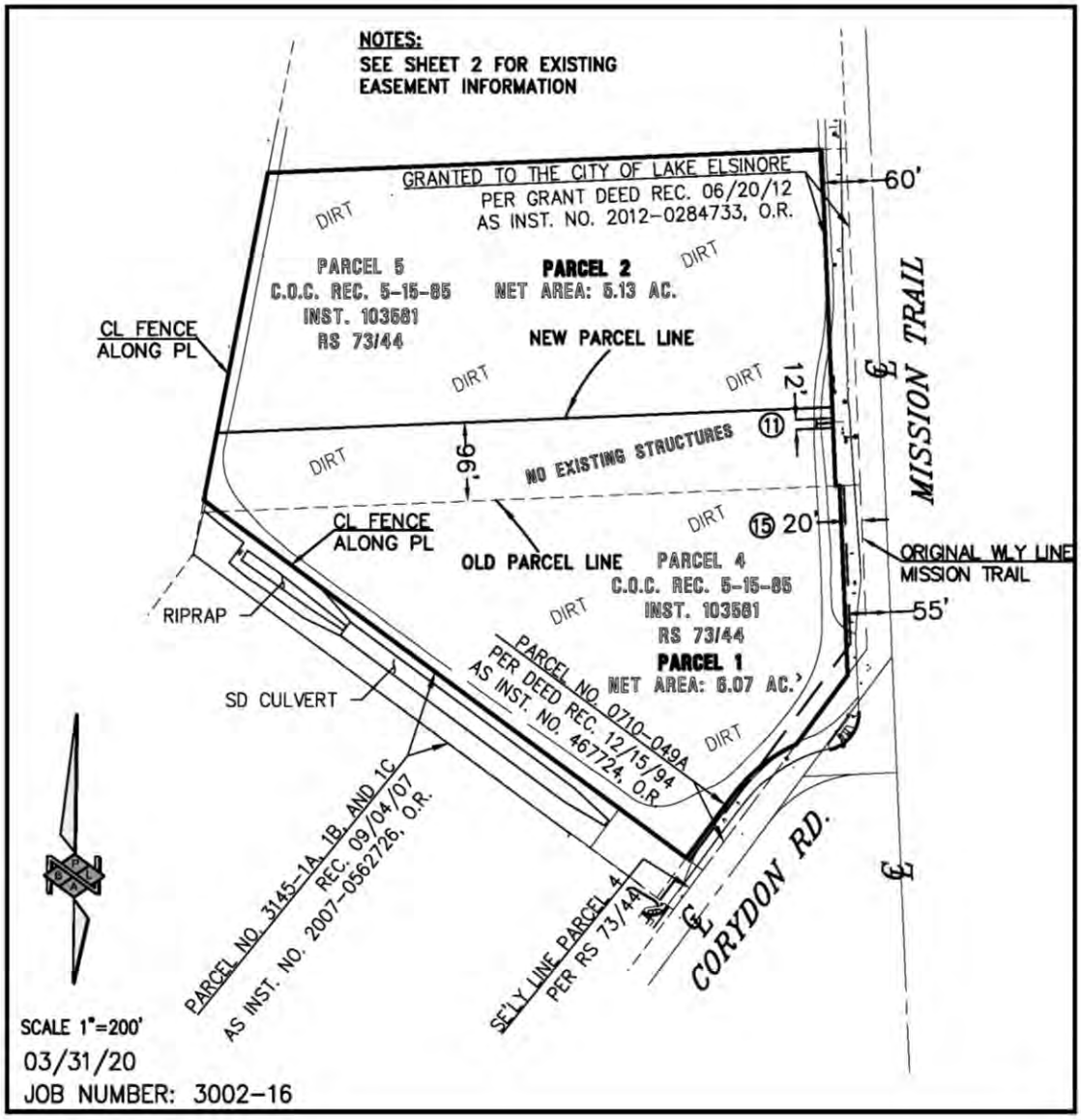

Figure 2a. Lot Line Adjustment.

SHEET 2 OF 2

SITE PLAN

Lot Line Adjustment No. ELLA 2020–00005

Owners	Existing Parcels Assessor's Parcels No.	Proposed Parcels Reference Number
DEVELOPMENT AT MISSION TRAILS LAKE ELSINORE	370–050–026	Parcel 1
	370–050–030	Parcel 2

EXISTING EASEMENTS:

Items shown hereon were taken from a Preliminary Title Report Order Number NCS-961757-ONT1, with an effective date of May 10, 2019, and prepared by First American Title Company, and has the same numerical designation as in said report.

Easements are plotted hereon with reference to Schedule B Exception Number. Example = (#) Schedule B Exception Number.

(11.) An easement in favor of Elsinore Valley Municipal Water District, for sanitary sewer and incidental purposes in the document recorded October 24, 1985 as Instrument No. 85-239660 of Official Records.

(15.) An easement in favor of County of Riverside, for utilities and incidental purposes in the document recorded April 13, 2001 as Instrument No. 01-155718 of Official Records.

03/31/20
JOB NUMBER: 3002–16

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Figure 3

Aerial Photograph
(Aerial obtained from Google Earth, December 2018)

PAR 2019-09, City of Lake Elsinore
County of Riverside, California

1.3) Soils and Topography

Soils onsite are mapped as Ramona very fine sandy loam (0-8% slopes, eroded) across the majority of the site; however, Waukena loamy fine sand (saline-alkali) is mapped within the western portion of the site (Figure 4). Soils observed matched those mapped, with the exception of imported piles of fill that are located within the southwestern portion of the site. Some of the fill is distinctly gray in appearance and of a sandy gravelly texture. Some discarded concrete pieces and rock area also present giving the surface of the ground a patchwork of lighter colors (Google Earth / Feb. 2016).

Based on aerial images (Google Earth 2020, NETR 2020), soils on the site have been subject to ongoing disturbance through clearing, tilling, and/or disking since at least 1938.

Elevation within the property ranges between 1,278 feet above mean sea level (AMSL) along the eastern edge of the site and 1,267 AMSL along the western boundary. Soils at the time of the site visit on January 4, 2020 were damp from a recent rain, but no standing water was present on the project, with the exception of a single soil test pit which contained potable water added by the soils technician. Soil test pits were later backfilled.

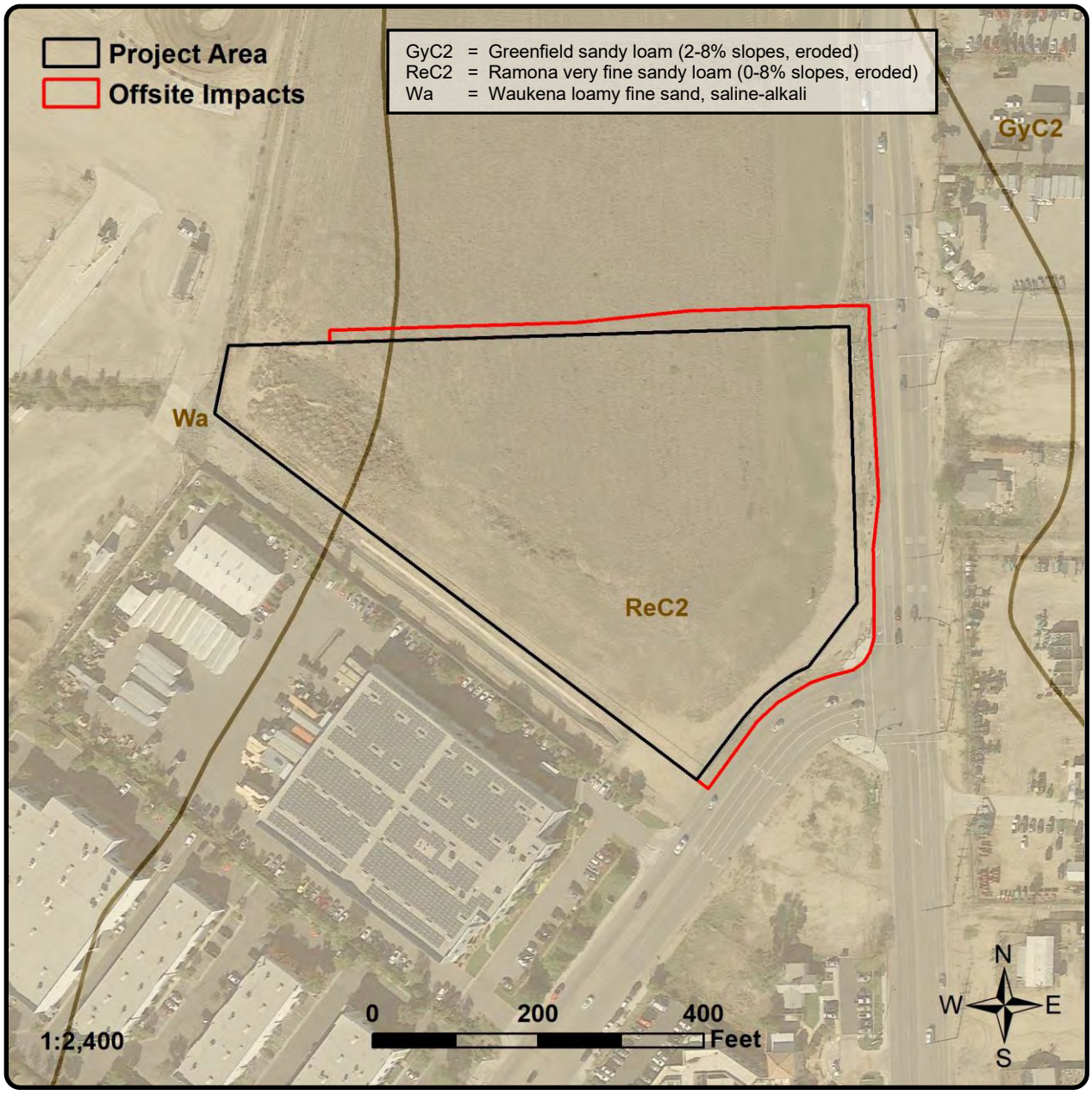

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Figure 4

Soils Map
(Aerial obtained from Google Earth, December 2018, USDA Nat. Res. Cons. Serv. SSURGO Data)

PAR 2019-09, City of Lake Elsinore
County of Riverside, California

2.0) METHODS AND PERSONNEL

2.1) Literature Review

Pertinent literature was reviewed to identify local occurrences and habitat requirements of special status species and communities occurring in the region. Literature reviewed included the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and CNDDB (2020) reports for the vicinity.

Scientific names of plants follow Baldwin et al. (2012) with updates from the online Jepson eFlora (Jepson 2020). Scientific names of animals follow Stebbins (1985), Jameson and Peeters (1988), BNA (2020), Sibley (2000), and Arnett (2000) with updates from academic sources. Vegetation community classifications follow Sawyer et al. (2009). Ranking of sensitive vegetation communities is from the California Department of Fish and Wildlife (CDFW 2018). Current conservation status of plant and wildlife species determined from CDFW (2019, 2020a).

2.2) General Habitat Assessment Survey Methods

L&L biologist Guy Bruyea visited the project area on January 4, 2020 to describe vegetation and habitat and evaluate probabilities that special status animals and plants might occur within the project site. Weather conditions are shown in Table 1.

Table 1. Survey dates and conditions.

Date	Time	Weather	Wind	Biologist	Purpose
01.04.2020	1115-1330	Clear (Sunny), 68-74°F	1-3 mph	Bruyea	Habitat Assessment

A total of ±2.25 person-hours were spent onsite. All habitat types on the site were visited on foot. The site was surveyed by conducting a series of transects across the subject property, stopping periodically for observations and notations. The entire project area was visually assessed and a buffer area of 500 feet from the project boundary was surveyed around the site for potentially suitable habitat for burrowing owl. A general habitat map and field notes were completed at the time of the survey. All field surveys were conducted during daylight hours. Digital photographs were taken to record the condition of the site during the present survey.

Plants of uncertain identity were collected and subsequently identified from keys, descriptions, and illustrations in Abrams (1923, 1944, 1951, 1960), Abrams and Ferris (1960), Hickman (1993), Munz (1974), and Parker (1999). These procedures provide a general assessment of

habitat and vegetation on a site and act as a tool to determine the probability of special status species occurring onsite. A species list is included in Appendix A (Table 4).

2.3) Burrowing Owl Survey Methods

L&L biologist Guy Bruyea visited the project area during the nesting season to conduct focused breeding season burrowing owl surveys (Table 2). Mr. Bruyea has extensive experience conducting surveys for burrowing owl.

Table 2. Burrowing Owl Survey Dates, Times, and Weather Conditions

Date	Time	Sunrise*	Weather	Wind (mph)
06.29.2020	0600-0800	0544	Marine layer, 64-68º F	0-2
07.12.2020	0615-0730	0551	Clear, 67-73º F	0-1
07.28.2020	0615-0730	0602	Clear, 66-75º F	0-1
08.07.2020	0630-0745	06.09	Clear, 60-65º F	0-1

*sunrise times from www.timeanddate.com

A total of ±5.75 person-hours were spent onsite during burrowing owl surveys. The site was examined for suitable burrow sites and for signs of occupation by burrowing owl, including pellets, feathers, whitewash, prey remains, and eggshell fragments, as well as individual owls. A search for potentially suitable burrows within dirt, wood, and rock debris piles, artificially created berms, and other locations was conducted during the surveys.

The surveys included the entire project site and an additional 150-meter (500-foot) buffer area surrounding the site (Figure 5). These areas were visually inspected, where possible, in areas identified as potential burrowing owl habitat. Any developed areas in the buffer were visually surveyed with binoculars due to trespassing concerns on private property. Transects were walked throughout the property. Coupled with binocular surveys of any restricted areas, this allowed for complete visual coverage of the survey area. Distance between transects was approximately 15 to 20 meters.

The surveys were conducted in accordance with the Burrowing Owl Survey Instructions for the MSHCP (RCA 2006). MSHCP Burrowing Owl Survey Instructions require four (4) daylight surveys on separate days conducted during the breeding season from March 1 to August 31. The instructions specify that surveys should be conducted during weather conditions that are conducive to detecting owls and owl sign. Surveys are not acceptable if they are conducted during rain, high winds (> 20 mph), dense fog, or temperatures over 90° F. The current survey was conducted during suitable weather conditions, as summarized in Table 2.

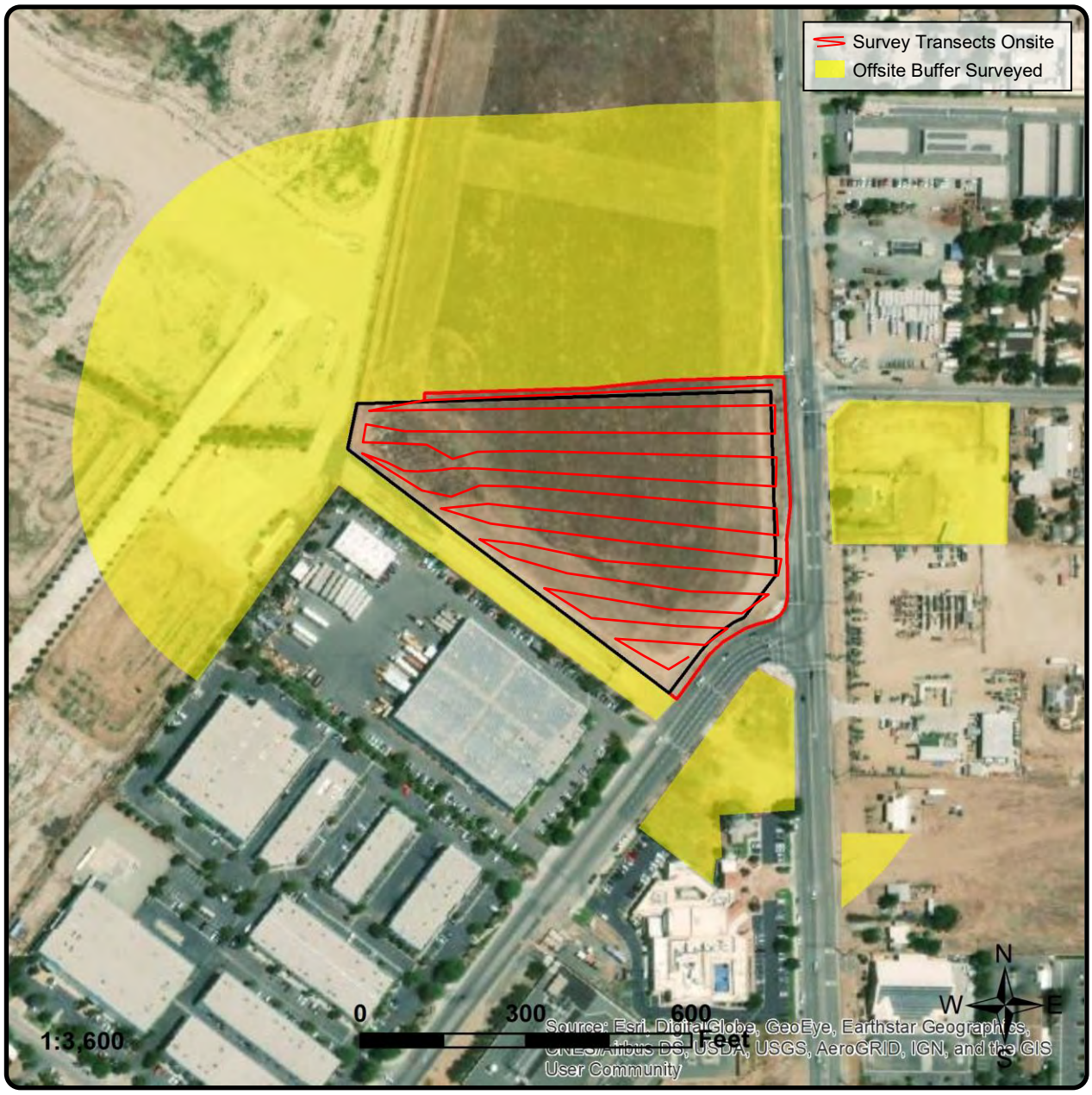

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Figure 5

Burrowing Owl Survey Area
(Aerial obtained from Google Earth, December 2018)

PAR 2019-09, City of Lake Elsinore
County of Riverside, California

3.0) RESULTS

3.1) Literature Review Results

Certain plants and animals have been listed as threatened or endangered under state or federal Endangered Species Acts. Other species have not been formally listed but declining populations or habitat availability are reasons for concern regarding their long-term viability. These species are included in lists compiled by resource management agencies or private conservation organizations. In this report the term "special status species" refers to all species included in one or more compendia or formal list of rare, threatened, or endangered species. The CNDDB was examined to determine if special status species (in particular those "not adequately conserved" under the MSHCP) have been previously documented onsite.

The MSHCP requires additional surveys for certain species if the project is within certain locations. The property is not located within survey areas for criteria area species, amphibian species, or mammal species and surveys for those species are not required. The project is also not in a Narrow Endemic Plant Species Survey Area (NEPSSA). The MSHCP Conservation Summary Report (2020) identifies only burrowing owl as a species requiring a habitat assessment and focused survey if suitable habitat is present.

A small portion of the project area (1.12 acres in the western corner of the project site) is located within Criteria Cell 5131. The Cell's criteria call for conservation of 30 to 40 percent of the Cell (see Section 4.0) and conservation of that area is intended to provide a Proposed Extension of Existing Core 3 and grassland habitat.

3.1.1) Precipitation Data

Regional precipitation data was obtained from the El Cariso and Santa Rosa Plateau Remote Automated Weather Stations (RAWS) and the Perris-Menifee (#240) California Irrigation Management Information System (CIMIS) Station (WRCC 2020, CDWR 2020). Precipitation data are provided in Appendix D.

The El Cariso RAWS is located about 6.9 miles west of the site at an elevation of 3,038 feet. The Santa Rosa Plateau RAWS is located about 8.7 miles south-southeast of the site at 1,980 feet. The Perris-Menifee CIMIS is located about 10.0 miles northeast of the site at an elevation of 1,421 feet. Average annual precipitation in the region is 10 to 15 inches (WRCC 2018).

Average precipitation for these three stations for January through December 2019 is 25.79 inches. Precipitation recorded in the two weeks preceding the habitat assessment survey

averaged 2.39 inches and fell on December 23 through 26, 2019. There was no additional recorded precipitation prior to the survey on January 4, 2020.

3.2) Vegetation Series

3.2.1) Non-native Grassland

The entire site can be classified as non-native grassland (*Bromus rubens – Schismus* (*arabicus, barbatus*) Semi-Natural Herbaceous Stands) (Figure 6). Grasses observed and identified onsite include Mediterranean grass (*Schismus barbatus*) and foxtail chess (*Bromus diandrus*). Additional non-native grass species are likely present but not identified due to season. The most conspicuous weedy annuals observed onsite include (but may not be limited to) Russian thistle (*Salsola tragus*), short-pod mustard (*Hirschfeldia incana*), London rocket (*Sisymbrium irio*), red-stemmed filaree (*Erodium cicutarium*), and tocalote (*Centaurea melitensis*). Native annuals that are tolerant of disturbed or waste places observed include fiddleneck (*Amsinckia menziesii* var. *intermedia*), cudweed aster (*Corethrogyne filaginifolia*), annual sunflower (*Helianthus annuus*), horseweed (*Conyza canadensis*), doveweed (*Croton setiger*), telegraph weed (*Heterotheca grandiflora*), and annual bur-weed (*Ambrosia acanthicarpa*). Other plants less commonly observed include tree tobacco (*Nicotiana glauca*), vinegar weed (*Trichostemma lanceolatum*), nightshade (*Solanum* species), and western jimsonweed (*Datura wrightii*).

3.3) Plant Species

A total of 39 plant species were observed and identified during the survey. A list of observed plant species is included in Appendix A. No special status plants were identified on the project site during the survey.

Smooth tarplant (*Centromadia pungens* ssp. *laevis*) has been documented about 700 feet north of the site as recently as 2017 according to CNDDB records (CDFW 2020). It was not found on the project site during the survey, but was observed just to the north and outside of the project boundary on parcel APN 370-050-030.

Smooth tarplant is an annual herb in the Asteraceae (Aster) family. It flowers from April to September and is found on alkaline soils in chenopod scrub, meadows and seeps, playas, riparian woodland, and valley and foothill grassland at elevations from sea level to 2,100 feet. It is found in coastal southern California (CNPS 2020).

Within Riverside County, this species has a scattered distribution, but is primarily restricted to the alkali floodplains of the San Jacinto River, Mystic Lake, and Salt Creek in association with Willows, Domino, and Traver soils (Dudek 2003).

Unlike many other rare plants, smooth tarplant is tolerant of disturbance. In the spring, when in juvenile form, it is difficult to distinguish from paniculate tarplant (*Deinandra paniculata*) (Dudek 2003).

The species is not state or federally listed; it has a CRPR of 1B.1 (rare, threatened, or endangered in California and elsewhere; seriously threatened in California). Smooth tarplant is a covered species under the MSHCP and considered adequately conserved. Surveys are required within certain areas, but the project site is not within those areas. Impacts to the species, if any, would be covered under the MSHCP.

3.4) MSHCP Riparian/Riverine and Vernal Pool Habitat

Woody water-dependent vegetation or drainages are not present on the project. Approximately 2.4 inches of rain fell on December 23 through 26, 2019 (Appendix D). Nine days later, at the time of the survey on January 4, 2020, areas of the site had damp soils but no evidence of ponding. The only water observed occurred in a single soil test pit which contained potable water added by the soils technician. The soil pit was later backfilled.

No cracked soils, evidence of vegetation changes or other evidence of long-term inundation is present. Botanical species present on the site did not include facultative, obligate, or vernal pool species. No fairy shrimp or potential fairy shrimp habitat was observed during this study. Vernal pools are not present on the parcel. Habitat subject to Section 6.1.2 of the MSHCP is not present on the project site.

Eighty (80) feet to the west of the site, a double row of planted oaks, mulefat, and willow is present in a fenced area at the end of a constructed concrete trapezoidal channel about 190 feet long and 30 feet wide (Figure 7). L&L observed this habitat from accessible public vantage points and using aerial and street view images on Google Earth. Based on the height of the fence, the trees appear to be recently planted and range in height between 6 and 8 feet. Birds maybe present on occasion and is the basis for a recommendation to construct the project outside of the nesting season. If construction cannot avoid the nesting season a pre-construction nesting season clearance survey should be conducted within three (3) days prior to the start of vegetation or ground disturbance. If nesting birds are found to be present an avoidance buffer of at least 350 feet as determined by the biologist should be avoided until the

biologist has determined that the birds have fledged from the nest or the nest is otherwise inactive.

The habitat in this channel is located in a motorcycle recreation area (Lake Elsinore Motorsport Park) and surrounded by large areas of highly disturbed and developed land subject to ongoing and high levels of noise and disturbance. The habitat is not suitable for special status riparian birds, as discussed in Section 3.5.

Another concrete lined trapezoidal channel is located between the property and the adjacent industrial complex on the south. This channel is unvegetated with limited ruderal vegetation adjacent to the channel; there is no riparian habitat present (see photos in Appendix C).

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Figure 6

Habitat Map
(Aerial obtained from Google Earth, December 2018)

PAR 2019-09, City of Lake Elsinore
County of Riverside, California

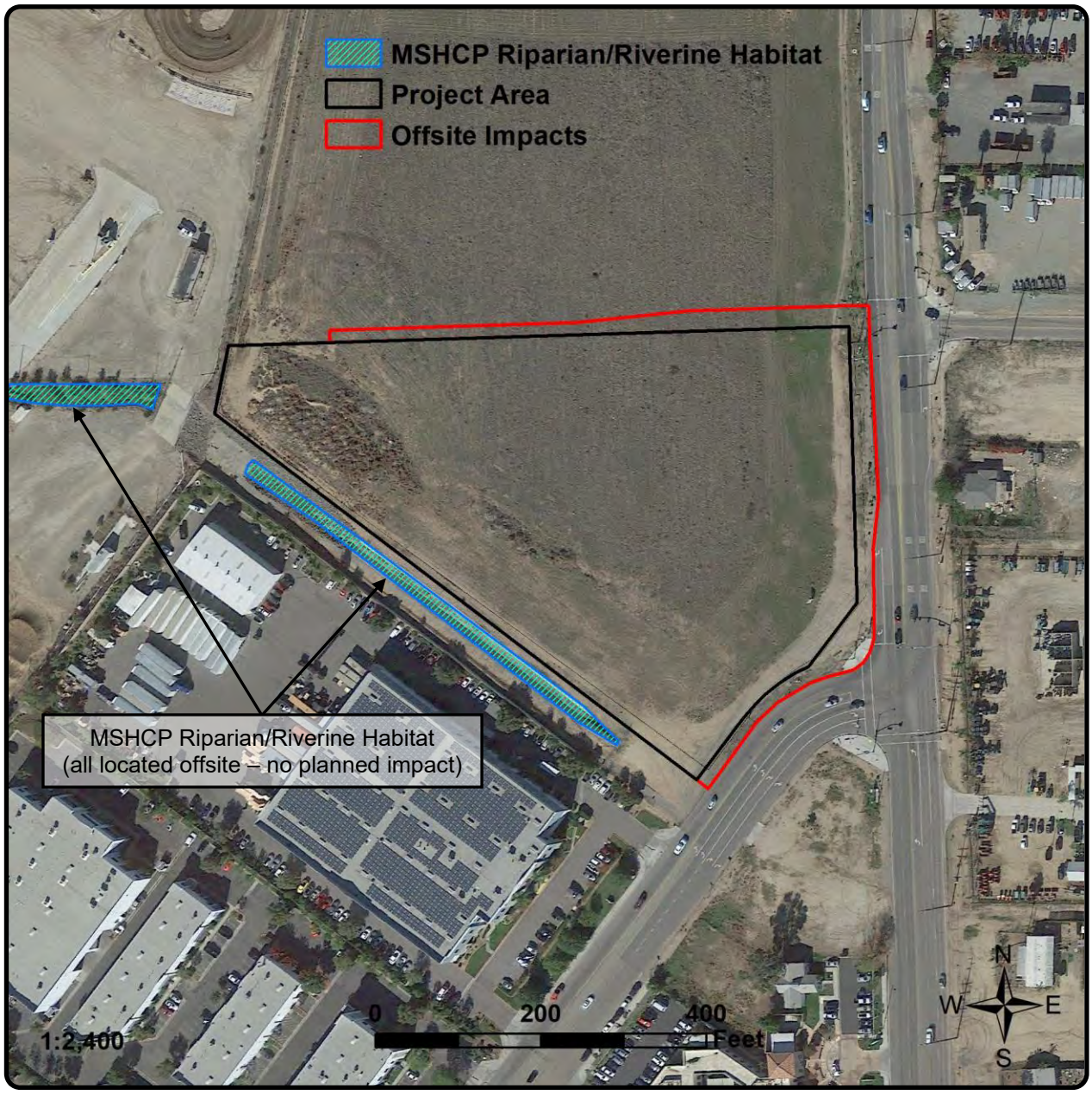

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Figure 7

MSHCP Riparian/ Riverine Habitat
(Aerial obtained from Google Earth, December 2018)

PAR 2019-09, City of Lake Elsinore
County of Riverside, California

3.5) Wildlife Species

Nineteen wildlife species were detected during the field survey, consisting of 16 bird species and three (3) mammal species (see Appendix A). This includes two special status wildlife species, San Diego black tailed jackrabbit (*Lepus californicus bennettii*; CDFW Species of Special Concern) and great egret (fly over) (*Ardea alba*; CDFW Special Animal). San Diego black tailed jackrabbit is CDFW Species of Special Concern. It is a covered species under the MSHCP and considered adequately conserved. Great egret is a CDFW Special Animal. It is not covered under the MSHCP but was not observed utilizing the site.

Riparian Birds

Habitat on the project site consists of non-native grassland. There is no riparian vegetation present. Eighty (80) feet to the west of the site, about 0.06 acre of scattered oaks, mulefat, and willow is present in a fenced area at the end of a constructed concrete trapezoidal channel (Figure 7). The trees appear to range in height between 6 and 8 feet (see photos in Appendix C).

The habitat in this channel is located in a motorcycle recreation area (Lake Elsinore Motorsport Park) and surrounded by large areas of highly disturbed and developed land subject to ongoing and high levels of noise and disturbance.

Another concrete lined trapezoidal channel is located between the property and the adjacent industrial complex on the south. This channel is unvegetated with limited ruderal vegetation adjacent to the channel; there is no riparian habitat present (see photos in Appendix C).

Least Bell's vireo (*Vireo bellii pusillus*) is state and federally listed as endangered. It is a covered species under the MSHCP and considered adequately conserved, but surveys are required in suitable habitat as described in MSHCP Section 6.1.2. This species is migratory and breeds in California, arriving in March and departing by September or October. Males establish and defend territories in riparian woodlands and riparian scrub. Dense shrub cover is required for nesting.

CNDDB documented occurrences of least Bell's vireo territories in the project vicinity include three records in the Lake Elsinore Back Basin (Element Occurrence [EO] #404 through 406) and one record along the San Jacinto River (EO #407). EO #404 is from 2006 and located about 1.5 miles west-northwest of the site (two territorial males in willow/mulefat scrub), EO

#405 is from 2009 and located about 2.3 miles west of the site (two territories), EO #406 is from 2009 and 2010 and located about 1.0 miles east-southeast of the site (one territory in 2009 and one territory in 2010) (CDFW 2020).

There is no riparian habitat on the site. The few willows present in the motorcycle park channel are small, scattered, and isolated and do not provide the dense riparian habitat required by this species. The lack of any immediately adjacent habitat and the ongoing high levels of noise and disturbance in and adjacent to the motorcycle park also create unsuitable conditions for least Bell's vireo. Therefore, there is no suitable habitat for least Bell's vireo on or adjacent to the site and this species is considered absent.

Southwestern willow flycatcher (*Empidonax traillii extimus*) is state and federally listed as endangered. It is a covered species under the MSHCP and considered adequately conserved, but surveys are required in suitable habitat as described in MSHCP Section 6.1.2. This species inhabits dense riparian forests with ample numbers of willows and other associated trees and shrubs. There are no CNDDB documented occurrences of southwestern willow flycatcher within 10 miles of the site.

There is no riparian habitat on the site. The few willows present in the motorcycle park channel are small, scattered, and isolated and do not provide the dense riparian habitat required by this species. The lack of any adjacent habitat and the ongoing high levels of noise and disturbance associated with the motorcycle park create unsuitable conditions for southwestern willow flycatcher. Therefore, there is no suitable habitat for southwestern willow flycatcher and this species is considered absent.

Western yellow-billed cuckoo (*Coccyzus americanus occidentalis*) is federally listed as threatened and state listed as endangered. It is a covered species under the MSHCP and considered adequately conserved, but surveys are required in suitable habitat as described in MSHCP Section 6.1.2. This species inhabits extensive riparian thickets or forests with dense, low-level or understory foliage and abutting on slow-moving watercourses, backwaters, or seeps. There are no CNDDB documented occurrences of western yellow-billed cuckoo within 10 miles of the site.

There is no riparian habitat on the site. The few willows present in the motorcycle park channel are small, scattered, and isolated and do not provide the dense riparian habitat required by this species. The lack of any adjacent habitat and the ongoing high levels of noise and disturbance in and adjacent to the motorcycle park also create unsuitable conditions for western yellow-

billed cuckoo. Therefore, there is no suitable habitat for western yellow-billed cuckoo on or adjacent to the site and this species is considered absent.

Nesting Bird Habitat

No trees or woody shrubs are present onsite. Ornamental landscape trees (mostly small to medium in size) are present about 65 feet to the south within an industrial park and native trees are present 80 feet west within a constructed channel which may be utilized by nesting birds. Suitable habitat for ground nesting birds is present onsite. Common ground nesting species known from the region include western meadowlark (*Sturnella neglecta*), killdeer (*Charadrius vociferus*), mourning dove (*Zenaida macroura*) (which nests on the ground only if a more secure location is not available), and horned lark (*Eremophila alpestris*). Western meadowlark was observed onsite during this study, but no nesting was observed.

If construction cannot avoid the nesting season a pre-construction nesting season clearance survey should be conducted within three (3) days prior to the start of vegetation or ground disturbance. If nesting birds are found to be present an avoidance buffer of at least 350 feet as determined by the biologist should be avoided until the biologist has determined that the birds have fledged from the nest or the nest is otherwise inactive.

Burrowing Owl (BUOW)

California ground squirrels or burrows were not observed on the site or adjacent to the property within the buffer area. Botta's pocket gopher (*Thomomys bottae*) mounds were identified onsite, but no other conspicuous small mammal burrows were observed during this study. No burrowing owl (BUOW), sign of BUOW (pellets, scat, feathers, tracks, etc.), or suitable BUOW burrows are present on onsite or within the buffer area. However, a preconstruction clearance survey for BUOW will be required under the MSHCP.

4.0) MSHCP CONSISTENCY ANALYSIS

Approximately 1.12 acres of the project site is located in the northeastern corner of Criteria Cell 5131, which is in MSHCP Elsinore Area Plan, Subunit 3 (Elsinore), and will be impacted by the Proposed Project. The conservation requirements set forth for this Criteria Cell have been replaced with the preservation of habitat in the Back Basin of Lake Elsinore through the 770-acre Agreement; however, the Joint Project Review (JPR) process is still required. The 770-acre preservation areas were negotiated between the City of Lake Elsinore and the Wildlife Agencies.

> The MSHCP states the Criteria for Cell 5131 as follows: "Conservation within this Cell will contribute to assembly of Proposed Extension of Existing Core 3. Conservation within this Cell will focus on grassland habitat. Areas conserved within this Cell will be connected to grassland habitat proposed for conservation in Cell #5137 to the west. Conservation within this Cell will range from 30%-40% of the Cell focusing in the southwestern portion of the Cell."

The proposed project will develop the site with small retail shops or offices, a restaurant, and fuel station/convenience store (Figure 8a and 8b and Appendix F). Figure 9 identifies already conserved land in the vicinity and Figure 10 shows that 71 percent of Cell 5131 is still available for conservation.

Cell 5131 is part of the Proposed Extension of Existing Core 3 (see Figure 11). Orange shading indicates the areas of focus within Core 3. A text description also indicates that conservation will be focused within the southwestern portion of the Cell. The project is located in the most northeastern portion of the Cell.

As proposed, the project would impact 6.05 acres on site and 0.66 acres offsite (only 1.12 acres of which are located within Cell 5131 and will be impacted). All of the land proposed for development as a result of this project is previously disturbed (Figure 8b). No part of the site is proposed for conservation because the site is isolated from other habitat in Cell 5131 by existing development.

Surveys that must be conducted on the parcel according to the MSHCP include burrowing owl (BUOW) and riparian/riverine and vernal pool resources which are subject to Section 6.1.2 of the MSHCP.

4.1) Summary of Survey Findings

No special status plants were identified on the project site during the survey. Smooth tarplant (*Centromadia pungens* ssp. *laevis*; CRPR 1B.1) was observed just to the north and outside of the project boundary on parcel APN 370-050-030. Smooth tarplant is a covered species under the MSHCP and considered adequately conserved.

Two special status wildlife species were identified onsite during the present survey, San Diego black-tailed jackrabbit (*Lepus californicus bennettii*; CDFW Species of Special Concern) and great egret (fly over) (*Ardea alba*; CDFW Special Animal). San Diego black tailed jackrabbit is a covered species under the MSHCP and considered adequately conserved. Great egret is not covered under the MSHCP but was not observed utilizing the site.

Prior to visiting the site, a list of special status species found in the vicinity was compiled for evaluation of probability of presence onsite, based upon habitat that might be observed during the field survey. Special status species previously found in the vicinity include California glossy snake (*Arizona elegans occidentalis*), smooth tarplant (*Centromadia pungens* ssp. *laevis*), and California Orcutt grass (*Orcuttia californica*). Smooth tarplant and California Orcutt grass are covered by the MSHCP and surveys are not required at this location. California glossy snake is known from the region and documented from a 1946 "Sedco Hills" record in the CNDDB. California glossy snake inhabits arid places associated with rocky washes, grasslands, and chaparral and prefers loose soils for burrowing. Quality habitat capable of supporting this species is largely absent from the site due to past and ongoing disturbances onsite and surrounding land use to the south, east, and west. Less disturbed areas just north of the site associated with riparian scrub and adjoining non-native grasslands may still support habitat for the species. California glossy snake is not a state or federal listed threatened or endangered species. It is a CDFW Species of Special Concern and has a State Rank of S2 (imperiled, vulnerable to extirpation).

No cracked soils, evidence of vegetation changes or other evidence of long-term inundation is present. Botanical species present on the site did not include facultative, obligate, or vernal pool species. No fairy shrimp or potential fairy shrimp habitat was observed during this study. Vernal pools are not present on the parcel. The only water observed occurred in a single soil test pit which contained potable water added by the soils technician. The soil pit was later backfilled. Habitat subject to Section 6.1.2 of the MSHCP is not present on the project site.

Riparian Birds

Habitat on the project site consists of non-native grassland. There is no riparian vegetation present. Eighty (80) feet to the west of the site, about 0.06 acre of scattered oaks, mulefat, and willows is present in a fenced area at the end of a constructed concrete trapezoidal channel (Figure 7). The trees appear to range in height between 6 and 8 feet (see photos in Appendix C).

The habitat in this channel is located in a motorcycle recreation area (Lake Elsinore Motorsport Park) and surrounded by large areas of highly disturbed and developed land subject to ongoing and high levels of noise and disturbance.

A concrete lined trapezoidal channel is located between the property and the adjacent industrial complex on the south. This channel is unvegetated with limited ruderal vegetation adjacent to the channel; there is no riparian habitat present (see photos in Appendix C).

Least Bell's vireo (*Vireo bellii pusillus*) is state and federally listed as endangered. It is a covered species under the MSHCP and considered adequately conserved, but surveys are required in suitable habitat as described in MSHCP Section 6.1.2. This species is migratory and breeds in California, arriving in March and departing by September or October. Males establish and defend territories in riparian woodlands and riparian scrub. Dense shrub cover is required for nesting. There is no riparian habitat on the site. The few willows present in the motorcycle park channel are small, scattered, and isolated and do not provide the dense riparian habitat required by this species. The lack of any adjacent habitat and the ongoing high levels of noise and disturbance in and adjacent to the motorcycle park also create unsuitable conditions for least Bell's vireo. Therefore, there is no suitable habitat for least Bell's vireo on or adjacent to the site and this species is considered absent.

Southwestern willow flycatcher (*Empidonax traillii extimus*) is state and federally listed as endangered. It is a covered species under the MSHCP and considered adequately conserved, but surveys are required in suitable habitat as described in MSHCP Section 6.1.2. This species inhabits dense riparian forests with ample numbers of willows and other associated trees and shrubs. There is no riparian habitat on the site. The few willows present in the motorcycle park channel are small, scattered, and isolated and do not provide the dense riparian habitat required by this species. The lack of any adjacent habitat and the ongoing high levels of noise and disturbance in and adjacent to the motorcycle park also create unsuitable conditions for

southwestern willow flycatcher. Therefore, there is no suitable habitat for southwestern willow flycatcher on or adjacent to the site and this species is considered absent.

Western yellow-billed cuckoo (*Coccyzus americanus occidentalis*) is federally listed as threatened and state listed as endangered. It is a covered species under the MSHCP and considered adequately conserved, but surveys are required in suitable habitat as described in MSHCP Section 6.1.2. This species inhabits extensive riparian thickets or forests with dense, low-level or understory foliage and abutting on slow-moving watercourses, backwaters, or seeps. There is no riparian habitat on the site. The few willows present in the motorcycle park channel are small, scattered, and isolated and do not provide the dense riparian habitat required by this species. The lack of any adjacent habitat and the ongoing high levels of noise and disturbance in and adjacent to the motorcycle park also create unsuitable conditions for western yellow-billed cuckoo. Therefore, there is no suitable habitat for western yellow-billed cuckoo on or adjacent to the site and this species is considered absent.

Nesting Birds

No trees or shrubs are present onsite or immediately adjacent to the property. Ornamental trees that could be used for nesting are present within the industrial complex about 65 feet to the south. Riparian vegetation is present within a stormwater channel located 80 feet to the west. These trees are suitable for various bird species known from the region which are protected by the Migratory Bird Treaty Act and California Fish and Game Code.

If construction cannot avoid the nesting season, a pre-construction nesting season clearance survey should be conducted within three (3) days prior to the start of vegetation or ground disturbance. If nesting birds are found to be present an avoidance buffer of at least 350 feet as determined by the biologist should be avoided until the biologist has determined that the birds have fledged from the nest or the nest is otherwise inactive.

Burrowing Owl

No sign of BUOW or BUOW activity was identified on the site or 500-foot buffer area. A clearance survey for BUOW will be required prior to construction under the MSHCP.

4.2) Availability of Conservation Area within Cell 5131

> The MSHCP states the Criteria for Cell 5131 as follows: "Conservation within this Cell will contribute to assembly of Proposed Extension of Existing Core 3. Conservation within this Cell will focus on grassland habitat. Areas conserved within this Cell will be connected to grassland habitat proposed for conservation in Cell #5137 to the west. Conservation within this Cell will range from 30%-40%of the Cell focusing in the southwestern portion of the Cell."

The MSHCP calls for conservation within Cell 5131 of 30 to 40 percent. The proposed project will develop a portion of the site with small retail sales/offices, a restaurant, and fuel station/convenience store (Figure 8a and 8b and Appendix F). Figure 9 identifies already conserved land in the vicinity and Figure 10 shows that 71 percent of Cell 5131 is still available for conservation.

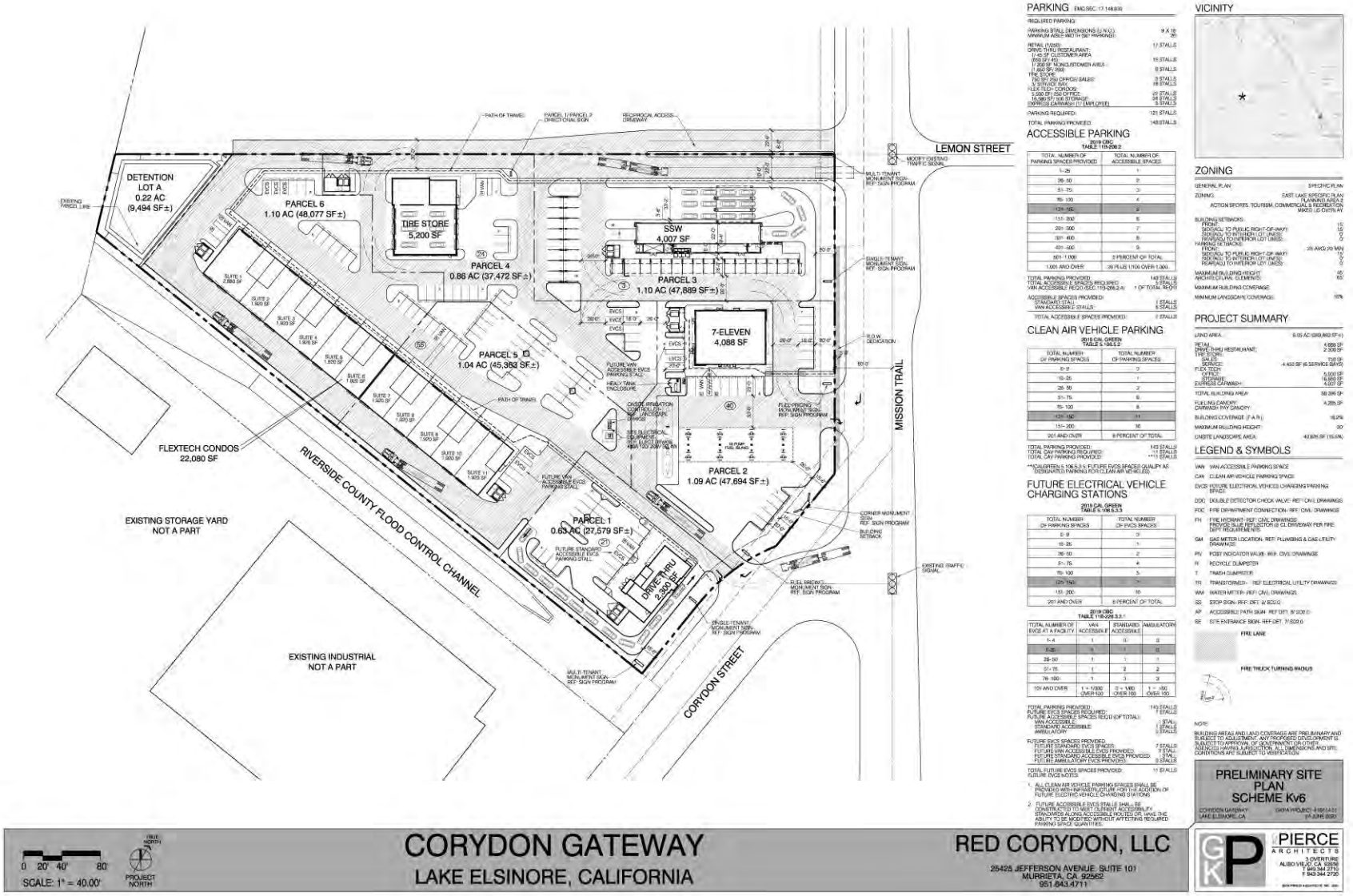
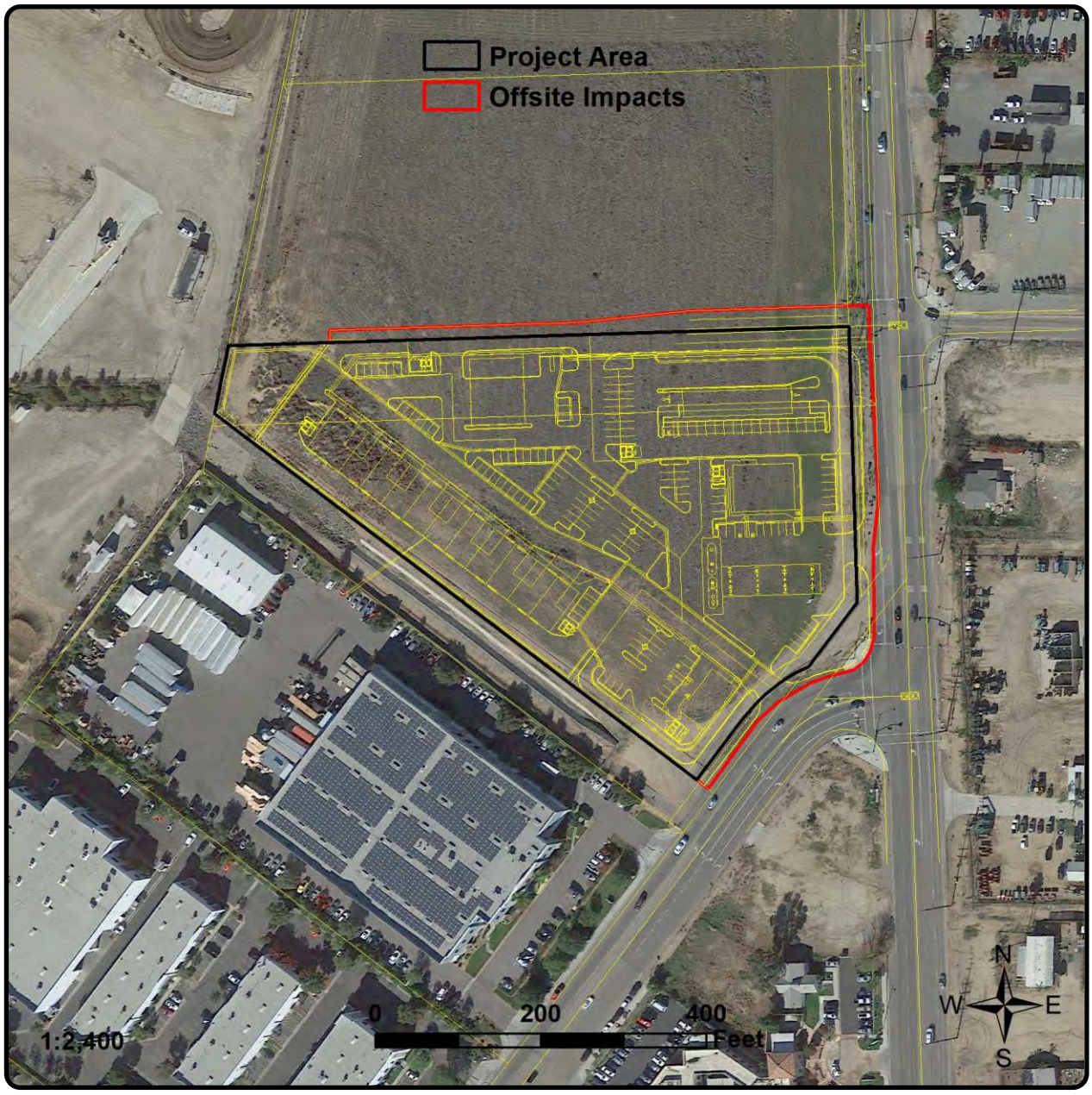


Figure 8a. Development Plan. See Appendix F for larger version.



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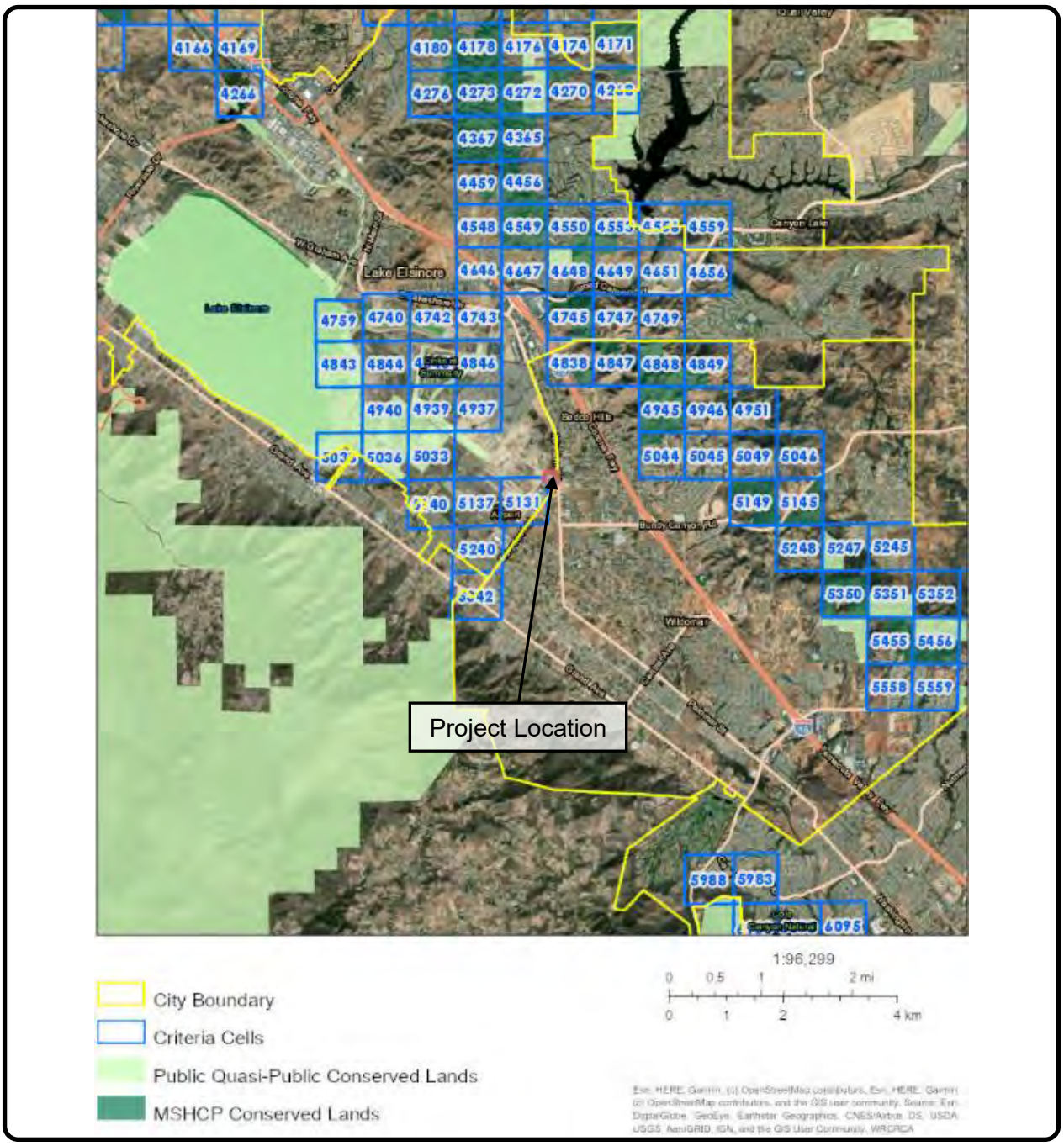
BIOLOGICAL AND CULTURAL INVESTIGATIONS AND MONITORING

REDC-19-746
September 2020

Figure 8b

Planned Impact Area
(Aerial obtained from Google Earth, December 2018)

PAR 2019-09, City of Lake Elsinore
County of Riverside, California



L&L Environmental, Inc.

BIOLOGICAL AND CULTURAL INVESTIGATIONS AND MONITORING

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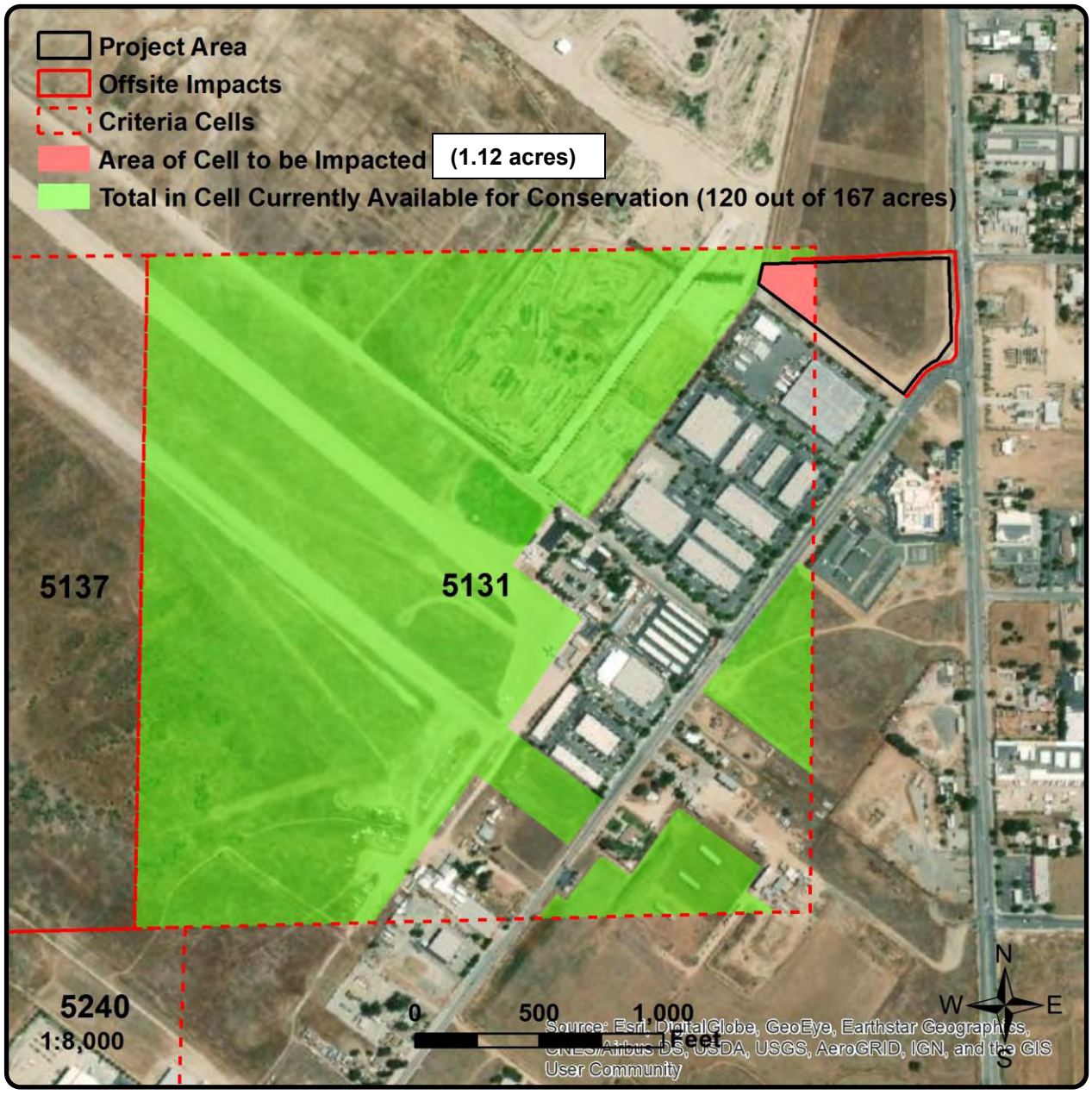
Figure 9

MSHCP Conserved Areas

PAR 2019-09, City of Lake Elsinore
County of Riverside, California



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BIOLOGICAL AND CULTURAL INVESTIGATIONS AND MONITORING

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Figure 10

Available Areas for Conservation Remaining

PAR 2019-09, City of Lake Elsinore
County of Riverside, California

A summary of factors leading to determination of consistency with the MSHCP is provided in Table 3.

Table 3. Cell 5131 analysis.

Cell 5131		
Feature	**Acres**	**Comments**
Total Area of Cell 5131	**167.0**	**Described 30-40 percent, focused in southwestern portion**
Proposed Project Impact	1.12	Portion of the project impact area within Cell 5131.
Existing Development	47.0	Developed Area in the Cell
Future Covered Roads	----	All covered roads already exist.
Public/Quasi-Public Land	---	None within Cell 5131.
Easements/Rights-of-Way	---	None.
Exempt Lands	---	None.
Undeveloped Lands that Would Not Contribute	---	None
Subtotal – Development within Cell Group S'	**48.12**	
ARL Conserved Lands (Existing and Pending)		
RCA Owned/Managed Lands	---	None
Other Existing Conserved Lands (MOU with RCA)	---	None
Subtotal – ARL Conserved Lands	---	None
Undeveloped Lands Potentially Available for Conservation in Cell 5131		
Undeveloped Lands	118.88	Total area of Cell 5131 (167 acres) – Total area of development (48.12 acres) Total ARL Conserved Lands (0 acres)
Conclusion		
A mid-range goal of 35 percent conservation in the Cell would require **58.45 acres**. This project is consistent with MSHCP Reserve Assembly.		

Approximately 1.12 acres of the project site is located in the northeastern corner of Criteria Cell 5131, which is in MSHCP Elsinore Area Plan, Subunit 3 (Elsinore), and will be impacted by the Proposed Project.

Conservation within this Cell will contribute to assembly of Proposed Extension of Existing Core 3. Conservation within this Cell will focus on grassland habitat. Areas conserved within this Cell will be connected to grassland habitat proposed for conservation in Cell #5137 to the west. Conservation within this Cell will range from 30 to 40 percent of the Cell, focusing in the southwestern portion of the Cell.

The project is located within the MSHCP Elsinore Area Plan. The East Lake Specific Plan is located in Criteria Cells 4740, 4742, 4743, 4759, 4843, 4844, 4845, 4846, 4937, 4939, 4940, 5033, 5036, 5038, 5131, 5137, 5140, 5240, 5342. A portion of the East Lake Specific Plan is not located within a MSHCP Criteria Cell. However, as a result of the City's discussions with the Wildlife Agencies and RCA, it was determined that conservation in the Back Basin is not tied to protection of specific habitat or wildlife movement corridors, but rather to the need to conserve a minimum of 770 acres in the Back Basin in order to meet the numeric requirements for the MSHCP (770-acre Plan).

As described in an October 2013 CDFW letter to the City of Lake Elsinore, conservation lands used to achieve the 770-acre Plan should target lands that benefit shorebirds or wetland/marsh associated species, vernal pool species, sensitive plant species, and/or Planning Species for Subunit 3 and Proposed Extension of Existing Core 3, as described in the MSHCP. All lands should be managed consistent with the MSHCP and protected in perpetuity, and will be reviewed and approved by CDFW, USFWS, and RCA. The exact final acreage of the properties identified for conservation has yet to be determined pending preparation and recordation of conservation easements. However, following recordation of all conservation easements, the total acreages conserved would total or exceed 770 acres and would fulfill the MSHCP criteria for the Back Basin.

Since 71 percent of Cell 5131 remains available for conservation and the area desired for conservation is not present onsite, this project's use of the 1.12 acres of land within Cell 5131 is consistent with the goals and objectives of the MSHCP.

4.3) Urban/Wildlands Interface Guidelines (MSHCP Section 6.1.4)

The guidelines in Section 6.1.4 of the MSHCP are intended to address indirect effects associated with development near MSHCP Conserved Areas. Developments in proximity to MSHCP Conserved Areas may result in "edge effects" that might adversely affect biological resources within MSHCP Conserved Areas. To minimize such "edge effects," the following guidelines will be implemented for this project. Since a portion of Cell 5131 may be conserved in the future, the following general measures should be incorporated into the site's development plan.

Drainage: The proposed project will incorporate measures, including measures required through the National Pollutant Discharge Elimination System (NPDES) requirements, to ensure that the quantity and quality of runoff discharged from the site is not altered in an adverse way when compared with existing conditions. Measures shall be put in place to avoid discharge of untreated surface runoff from developed and paved areas into any MSHCP Conserved Area. Stormwater systems shall be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant materials, or other elements that might degrade or harm biological resources or ecosystem processes within MSHCP Conserved Area or any state or federal jurisdictional areas downstream. This project will use a detention basin (Figure 8a and Appendix F); however, grass swales or mechanical trapping devices are also acceptable. Regular maintenance will occur to ensure effective operation of runoff control systems.

Toxics: Land use in proximity to MSHCP Conserved Area that uses chemicals or generates bioproducts that are potentially toxic or may adversely affect wildlife species, habitat, or water quality will incorporate measures to ensure that application of such chemicals does not result in discharge into MSHCP Conserved Area or any state or federal jurisdictional areas downstream. Measures such as those employed to address drainage issues (see above) will be implemented.

Lighting: Night lighting within the project development area will be directed away from MSHCP Conserved Area to protect species within the area from direct night lighting. Shielding will be incorporated in project designs to ensure ambient lighting in MSHCP Conserved Area is not increased.

Noise: Proposed noise generating land uses affecting MSHCP Conserved Area will incorporate setbacks, berms, or walls to minimize the effects of noise on MSHCP Conserved Area resources pursuant to applicable rules, regulations, and guidelines related to land use noise

standards. For planning purposes, wildlife within MSHCP Conserved Area should not be subject to noise that would exceed residential noise standards.

Invasives: When approving landscape plans for Development that is proposed adjacent to the MSHCP Conservation Area, Permittees shall consider the invasive, non-native plant species (see MSHCP Table 6-2) and shall require revisions to landscape plans (subject to the limitations of their jurisdiction) to avoid the use of invasive species for the portions of development that are adjacent to the MSHCP Conservation Area. Considerations in reviewing the applicability of this list shall include proximity of planting areas to the MSHCP Conservation Areas, species considered in the planting plans, resources being protected within the MSHCP Conservation Area and their relative sensitivity to invasion, and barriers to plant and seed dispersal, such as walls, topography and other features.

The project landscaping shall avoid the use of plants shown on MSHCP Table 6.2. Those species will be excluded from landscape plans on the project. Therefore, the project is consistent with the invasives requirements of Section 6.1.4 of the MSHCP.

Barriers: Proposed land uses adjacent to the MSHCP Conservation Area shall incorporate barriers, where appropriate in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass or dumping in the MSHCP Conservation Area. Such barriers may include native landscaping, rocks/boulders, fencing, walls, signage, and/or other appropriate mechanisms.

A chain link fence will surround the project development area. Fencing will prevent access to adjacent MSHCP Conserved Area. The fencing will also minimize unauthorized public access, domestic animal predation, illegal trespass, and/or dumping in MSHCP Conserved Area. Therefore, the project is consistent with the barrier requirements of Section 6.1.4 of the MSHCP.

Grading/Land Development: Manufactured slopes associated with proposed development adjacent to MSHCP Conserved Area will not extend into MSHCP Conserved Area.

5.0) CONCLUSIONS AND RECOMMENDATIONS

Approximately 1.12 acres of the project site is located in the northeastern corner of Criteria Cell 5131, which is in MSHCP Elsinore Area Plan, Subunit 3 (Elsinore), and will be impacted by the proposed project. Conservation within this Cell will range from 30 to 40 percent of the Cell, focusing in the southwestern portion of the Cell. The conservation requirements set forth for this Criteria Cell has been replaced with the preservation of habitat in the Back Basin of Lake Elsinore through the 770-acre Agreement. The Project Site is not located within 3,200 feet of proposed preservation land in the 770-acre Plan. Even without consideration of the 770-acre Plan, the Project site falls outside of that portion of Criteria Cell 5131 identified for conservation and the project site does not meet the conservation requirements set forth for Subunit 3 of the Elsinore Area Plan. Therefore, conservation of the project site, or any portion thereof, is not required. The proposed project is consistent with the MSHCP.

Due to the presence of potential habitat for nesting birds protected by the Migratory Bird Treaty Act and California Fish and Game Code, construction should avoid the nesting season. In the event that construction cannot avoid the nesting season (February 1 to August 31), a nesting bird clearance survey is recommended. In the event that nesting birds are found to be present within or immediately adjacent the project, a buffer of 350 feet will be avoided until the nest has fledged its young or the project biologist has determined that the nest has become inactive.

There is no suitable habitat for riparian birds (least Bell's vireo, southwestern willow flycatcher, and western yellow-billed cuckoo) on or adjacent to the site and these species are considered absent.

No burrowing owls, owl sign, or suitable burrows were observed on the site or within the buffer area. The City of Lake Elsinore will require a pre-construction presence/absence survey for burrowing owl to be conducted within 30 days of the commencement of project-related grading or other land disturbance activities to ensure that the species has not moved onto the site since completion of the surveys. The pre-construction survey should occur within 30 days prior to ground or vegetation disturbing activity. Owls located as a result of survey efforts will be relocated. If burrowing owl have colonized the project site prior to the initiation of construction, the project proponent should immediately inform the City, RCA, and the Wildlife Agencies, and coordinate on the potential need for preparation, review, and approval of a Burrowing Owl Protection and Relocation Plan, prior to any ground disturbance. Therefore, the project is consistent with the Additional Survey Needs and Procedures of the MSHCP.

No cracked soils, evidence of vegetation changes or other evidence of long-term inundation is present. Botanical species present on the site did not include facultative, obligate, or vernal pool species. No fairy shrimp or potential fairy shrimp habitat was observed during this study. Vernal pools are not present on the parcel. The only water observed occurred in a single soil test pit which contained potable water added by the soils technician. The soil pit was later backfilled. Habitat subject to Section 6.1.2 of the MSHCP is not present on the project site.

The project as proposed and analyzed in this report is consistent with the MSHCP.

6.0) REGULATORY ENVIRONMENT

This portion of the report is provided for information to the project proponent and is not intended for review or approval by the agencies.

6.1) Federal Endangered Species Act

By law, it is a requirement of the federal Endangered Species Act (FESA), 1973 (as amended) at Section 7(a)(2) that federal agencies ensure that any action authorized, funded, or carried out by a federal agency is not likely to jeopardize the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of critical habitat. In order to comply with this requirement, the federal agency must conduct a Biological Assessment (BA), in which effects to listed species are analyzed and disclosed in the form of an "effects determination."

Section 7 requires federal agencies to consult with the U. S. Fish and Wildlife Service (USFWS) should it be determined that their actions may affect federally listed threatened or endangered species. Section 9 of FESA prohibits "take" (e.g., harm, harassment, pursuit, injury, kill) of federally listed wildlife. "Harm" is further defined to include habitat modification or degradation where it kills or injures wildlife by impairing essential behavioral patterns such including breeding, feeding, or sheltering. Take that is incidental to otherwise lawful activities can be authorized under Section 7 of FESA.

Procedures for obtaining a permit for incidental take are identified under Section 7 of FESA for federal properties or where federal actions are involved and are identified under Section 10 of FESA for non-federal actions. During the Section 7 process, measures to avoid and minimize project effects to listed species and their habitat will be identified and incorporated into a Biological Opinion (prepared by the USFWS) that includes an incidental take by the federal agency and applicant.

The County of Riverside has been issued a Section 10(a) permit for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). This project falls within the area covered by the MSHCP.

6.2) Jurisdictional Waters and Wetlands"

Three (3) agencies generally regulate activities within streams, wetlands, and riparian areas in California: (1) the U.S. Army Corps of Engineers (USACE) regulates activities under Section

404 of the federal Clean Water Act; (2) the Regional Water Quality Control Board (RWQCB) regulates activities under Section 401 of the federal Clean Water Act and the State Porter-Cologne Water Quality Control Act; and (3) the California Department of Fish and Wildlife (CDFW) regulates activities under California Fish and Game Code Sections 1600-1616.

6.2.1) Federal Clean Water Act, Section 404

Section 404 of the federal Clean Water Act applies to "Waters of the United States" (WoUS). By definition these include waterways that could be used for interstate commerce and their tributaries, including any waters with a nexus with (ultimately flow into) traditional navigable waters. In non-tidal waters, the limits of jurisdiction are "ordinary high water marks" (OHWM) such as stream banks. Where wetlands occur above high water marks, they are considered "adjacent wetlands" and are included within USACE jurisdiction. USACE jurisdiction has often been extended to wetlands not adjacent to WoUS ("isolated wetlands"), such as vernal pools. Under the current administration, there have been recent changes to the definition of USACE jurisdictional waters.

Final determination and delineation of federal jurisdiction is made by the USACE and not by project biologists. Therefore, fieldwork and documentation of site conditions are done as a preliminary delineation until the USACE reviews and concurs with the results.

6.2.2) Federal Clean Water Act, Section 401

The RWQCB has jurisdiction over wetlands, WoUS, and Waters of the State under Section 401 of the CWA and the Porter-Cologne Water Quality Control Act (Porter-Cologne) under the California Water Code (§ 13000, et seq.) Permitting is required for activities that will result in a discharge of soils, nutrients, chemicals, detrital materials, or other pollutants into WoUS, Waters of the State, or adjacent wetlands that will affect the water quality of those bodies and the watershed.

6.2.3) California Fish and Game Code, Section 1600

The CDFW, through provisions of the California Fish and Game Code (Sections 1600-1616), is empowered to issue agreements (“Lake and Streambed Alteration Agreements”) for projects that will adversely affect wildlife habitat associated with any river, stream, or lake edges. The Lake and Streambed Alteration Agreement will typically include required measures to mitigate impacts.

6.3) California Endangered Species Act

California Endangered Species Act (CESA) definitions of endangered and threatened species parallel those defined in the FESA. The CESA defines an endangered species as ". . . a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes including loss of habitat, change in habitat, overexploitation, predation, competition or disease." Endangered species are in serious danger of becoming extinct and threatened species are likely to become endangered species in the foreseeable future (according to Sections 2062 and 2067, respectively, of the California Fish and Game Code). Candidate species are those under formal review by the CDFW for listing as endangered or threatened (Section 2067). Prior to being considered for protected status, the CDFW designates a species as being of special concern. Species of Special Concern are wildlife species for which the CDFW has information indicating population decline. Plant species of concern are designated by California Rare Plant Ranks, described below.

6.4) California Environmental Quality Act

The California Environmental Quality Act (CEQA) and CEQA Guidelines (§ 15000 et seq.) require identification of environmental effects from discretionary projects. Significant effects are to be mitigated by avoidance, minimization, rectification, or compensation whenever possible.

Effects to all state and federal listed species are considered significant under CEQA. In addition to formally listed species, CEQA considers effects to species that are demonstrably endangered or rare as important or significant. These definitions can include state designated species of special concern, federal candidate and proposed species, California Natural Diversity Database (CNDDB) tracked species, and CRPR list 1B and list 2 plants.

Appendix G of the CEQA Guidelines specifically addresses biological resources and encompasses a broad range of resources to be considered.

6.5) California Natural Diversity Database

The California Natural Diversity Database (CNDDB) includes documented occurrences of special status species that have been reported to the CDFW. It also includes ranks of overall condition of sensitive species and vegetation communities on global (throughout its range) and state (within California) levels. State ranking is numerical, ranging from one to five (S1 to S5),

with one (1) indicating very few remaining individuals or little remaining habitat and five (5) indicating a demonstrably secure population condition.

6.6) California Rare Plant Rank

The California Native Plant Society (CNPS) Inventory of Rare and Endangered Species includes documented occurrences of special status plant species that are available through the Consortium of California Herbaria and other sources. The CNPS, in coordination with CDFW, has cataloged California's rare and endangered plants into lists according to population distributions and viability. These lists are numbered and indicate the following California Rare Plant Ranks (CRPR): (1A) presumed extinct in California; (1B) rare, threatened, or endangered throughout their range; (2A) presumed extirpated in California, but more common in other states; (2B) threatened or endangered in California, but more common in other states; (3) more information is needed to establish rarity; and (4) plants of limited distribution in California (i.e., naturally rare in the wild), but whose populations do not appear to be susceptible to threat. A CRPR may also have an extension (e.g., 1B.x) that indicates current level of threat: seriously threatened (x.1), moderately threatened (x.2), or not very threatened (x.3).

6.7) Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) of 1918 (16 USC 703-711) is an international treaty that makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed in 50 CFR Part 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). Executive Order 13186 ensures that environmental analyses of federal actions required by the National Environmental Policy Act (NEPA) or other established environmental review processes evaluate the effects of actions on migratory birds, with emphasis on species of concern. Disturbance that causes nest abandonment and/or loss of reproductive effort (e.g., killing or abandonment of eggs or young) or loss of habitat upon which the birds depend could be considered “take” and constitute a violation of the MBTA.

6.8) California Fish and Game Code, Sections 3503 and 3513

California Fish and Game Code Section 3503 prohibits take, possession, or needless destruction of bird nests or eggs except as otherwise provided by the Code; Section 3503.5 prohibits take or possession of birds of prey or their eggs except as otherwise provided by the Code; and Section 3513 provides for the adoption of the provisions of the federal Migratory Bird Treaty Act, described above.

6.9) Western Riverside County Multiple Species Habitat Conservation Plan

The County of Riverside, eight (8) additional land jurisdictions, and 14 cities have prepared a Multiple Species Habitat Conservation Plan (MSHCP). The plan, under development by the Riverside County Integrated Project, will build upon existing preserves and attempts to provide connectivity and wildlife corridors throughout the region. The plan proposes to conserve approximately 500,000 acres and 146 different species. Approximately 347,000 acres are anticipated to be conserved on existing Public/Quasi-Public lands with additional contributions of approximately 153,000 acres from willing sellers (http://www.rcip.org).

The MSHCP was approved by the county on June 17, 2003 and an Implementation Agreement (IA) between the USFWS, the CDFG, and the county was executed and an associated USFWS Section 10(a)(1)(B) Permit (No. TE-088609) was issued on June 22, 2004. The permit grants take authorization for certain species identified in Attachment 2 of the permit as "Covered Species Adequately Conserved."

The MSHCP establishes seven (7) core reserve areas and associated linkages between proposed and existing core areas. The MSHCP divides areas into Cells using USGS coordinates. According to the Riverside County Integrated Project website, parcels that compose the current project site are located within Santa Ana Mountains habitat management unit. Conservation efforts for the project site will be evaluated with regard to Criteria Cell/Group goals, sensitive species identified as not adequately conserved and observed onsite, riverine/riparian or vernal pool habitat and their associated sensitive species (if located onsite), fairy shrimp, jurisdictional areas, and sage scrub. The MSHCP Conservation Summary Report lists only burrowing owl as a species requiring specific habitat assessment and/or presence absence surveys. The project site is not within any Narrow Endemic plant/Criteria Area species survey area.

Focused surveys are required for species identified as not adequately conserved under the MSHCP if suitable habitat is present onsite. Following completion of surveys, the proponent must undergo a Habitat Acquisition and Negotiation Strategy (HANS) with the County of Riverside if the site falls within a Criteria Cell. If a single family home or mobile home is to be placed on an existing legal lot permitting will be reviewed according to the procedures outlined in MSHCP Section 6.1.1, *Expedited Review Process for Single-Family Homes or Mobile Homes To Be Located on an Existing Lot Within the Criteria Area*. The project site is located within Cell 5131. The listed criteria for Cell 5131 are as follows:

Conservation within this Cell will contribute to assembly of Proposed Extension of Existing Core 3. Conservation within this Cell will focus on grassland habitat. Areas conserved within this Cell will be connected to grassland habitat proposed for conservation in Cell #5137 to the west. Conservation within this Cell will range from 30-40 percent of the Cell focusing in the southwestern portion of the Cell.

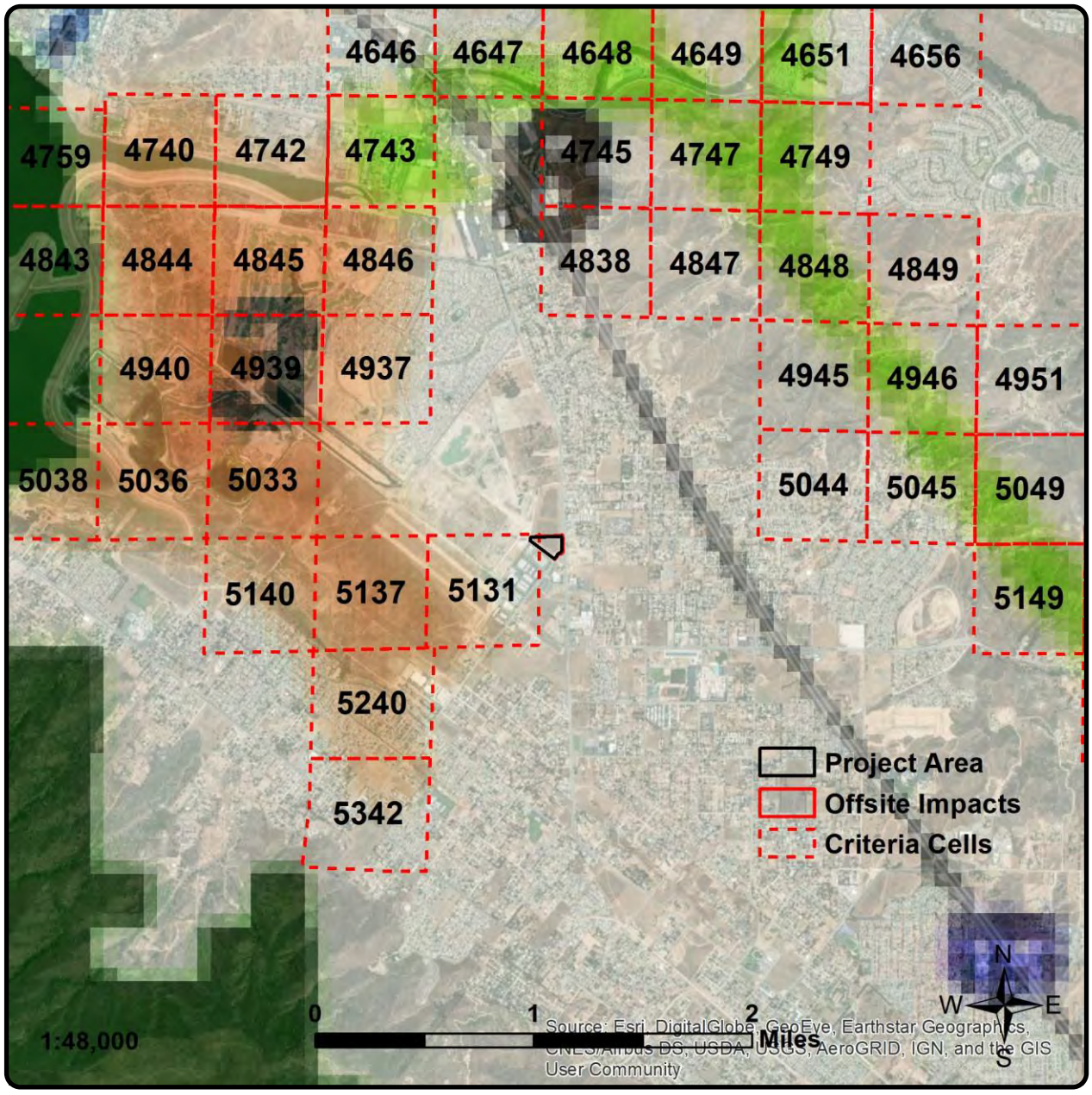
6.9.1) Section 6.1.2 (Riparian/Riverine Habitat)

Section 6.1.2 of the MSHCP requires an assessment of the potentially significant effects of the proposed project on Riparian/Riverine areas, and vernal pools as currently required by CEQA using available information augmented by project-specific mapping. Riparian/Riverine areas and vernal pools are defined as follows:

- Riparian/Riverine Areas are lands that have flow for all or a portion of the year and which contain habitat dominated by trees, shrubs, persistent emergents, 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.

- Vernal pools are seasonal wetlands that occur in depression areas that have wetlands indicators of all three parameters (soils, vegetation and hydrology) during the wetter portion of the growing season but normally lack wetlands indicators of hydrology and/or vegetation during the drier portion of the growing season. Obligate hydrophytes and facultative wetlands plant species are normally dominant during the wetter portion of the growing season, while upland species (annuals) may be dominant during the drier portion of the growing season. The determination that an area exhibits vernal pool characteristics, and the definition of the watershed supporting vernal pool hydrology, must be made on a case-by case basis. Such determinations should consider the length of the time the area exhibits upland and wetland characteristics and the manner in which the area fits into the overall ecological system as a wetland. Evidence concerning the persistence of an area's wetness can be obtained from its history, vegetation, soils, and drainage characteristics, uses, to which it has been subjected, and weather and hydrologic records.

With the exception of wetlands created for the purpose of providing wetlands habitat or resulting from human actions to create open waters or from the alteration of natural stream courses, areas demonstrating characteristics as described above which are artificially created are not included in these definitions.



L&L Environmental, Inc.

BIOLOGICAL AND CULTURAL INVESTIGATIONS AND MONITORING

REDC-19-746
September 2020

Figure 11

MSHCP Cores, Linkages, & Criteria Cells

PAR 2019-09, City of Lake Elsinore
County of Riverside, California

7.0) REFERENCES

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APPENDIX A: PLANT AND WILDLIFE SPECIES

Table 4. List of plant and wildlife species identified on the site. An asterisk (*) indicates non-native species; two asterisks (**) indicates special status species.

Scientific Name	**Common Name**
VASCULAR PLANTS	
DICOTYLEDONS	
AIZOACEAE	FIG-MARIGOLD or ICEPLANT FAMILY
Sesuvium verrucosum	Sea purslane
AMARANTHACEAE	AMARANTH FAMILY
* *Amaranthus albus*	Tumbleweed, tumbling pigweed
ASTERACEAE	ASTER FAMILY
Ambrosia acanthicarpa	Annual bur-sage, annual sandbur
* *Centaurea melitensis*	Tocalote
* *Centaurea solstitalis*	Yellow star-thistle
Corethrogyne filaginifolia var. filaginifolia (Lessingia filaginifolia)	California-aster, sand-aster
Deinandra sp. (Hemizonia sp.)	Unid. annual tarplant
* *Erigeron bonariensis (Conyza bonariensis)*	Flax-leaved horseweed
Erigeron canadensis (Conyza canadensis)	Horseweed, mare's tail
Helianthus annuus	Western sunflower
Heterotheca grandiflora	Telegraph weed
* *Lactuca serriola*	Prickly lettuce
* *Oncosiphon pilulifer (Matricaria globosa)*	Stinknet
Stephanomeria diegensis	San Diego wreath plant
BORAGINACEAE	BORAGE OR WATERLEAF FAMILY
Amsinckia intermedia (A. menziesii var. intermedia)	Large flower rancher's fiddleneck
Heliotropium curassavicum	Wild heliotrope
BRASSICACEAE	MUSTARD FAMILY
* *Hirschfeldia incana (Brassica geniculata)*	Shortpod mustard
Lepidium nitidum	Shining peppergrass
* *Raphanus sativus*	Wild radish
* *Sisymbrium irio*	London rocket
CHENOPODIACEAE	GOOSEFOOT FAMILY
* *Salsola tragus*	Russian thistle
CONVOLVULACEAE	MORNING-GLORY FAMILY

Scientific Name	**Common Name**
* *Convolvulus arvensis*	Common bindweed
EUPHORBIACEAE	SPURGE FAMILY
Croton setiger (C. setigerus, Eremocarpus setiger, E. setigerus)	Turkey-mullein, doveweed
Euphorbia species	Unid. spurge
* *Ricinus communis*	Castor bean
FABACEAE	LEGUME FAMILY, PEA FAMILY
Acmispon americanus (Lotus purshianus, L. unifoliatus)	"Spanish" clover
Lupinus bicolor	Miniature lupine, dove lupine
GERANIACEAE	GERANIUM FAMILY
* *Erodium cicutarium*	Redstem filaree
LAMIACEAE	MINT FAMILY
Trichostema lanceolatum	Vinegar weed
MALVACEAE	MALLOW FAMILY
Malvella leprosa	Alkali-mallow
POLYGONACEAE	BUCKWHEAT FAMILY
Eriogonum fasciculatum var. foliolosum	Leafy California wild buckwheat, interior California buckwheat
* *Polygonum aviculare (P. arenastrum)*	Common knotweed
SOLANACEAE	NIGHTSHADE FAMILY
Datura wrightii (D. meteloides)	Jimsonweed, tolguacha
* *Nicotiana glauca*	Tree tobacco
* *Solanum elaeagnifolium*	White horse-nettle, silverleaf horse-nettle
MONOCOTYLEDONS	
POACEAE	GRASS FAMILY
* *Avena fatua*	Wild oat
* *Bromus diandrus (B. rigidus)*	Ripgut brome
* *Bromus madritensis ssp. rubens (B. rubens)*	Red brome
* *Schismus barbatus*	Mediterranean grass

Scientific Name	**Common Name**
Birds	
Accipitridae	Hawks, Eagles, and Harriers
Buteo jamaicensis	Red-tailed hawk
Ardeidae	Herons
** *Ardea alba*	Great egret (fly over)
Cathartidae	Vultures
Cathartes aura	Turkey vulture
Columbidae	Pigeons and Doves
Zenaida macroura	Mourning dove
Corvidae	Crows and Jays
Corvus brachyrhynchos	American crow
Corvus corax	Common raven
Fringillidae	Finches
Spinus (Carduelis) psaltria	Lesser goldfinch
Haemorhous (Carpodacus) mexicanus	House finch
Hirundinidae	Swallows
Hirundo rustica	Barn swallow
Icteridae	Blackbirds
Sturnella neglecta	Western meadowlark
Mimidae	Mockingbirds
Mimus polyglottos polyglottos	Northern mockingbird
Passerellidae	New World Sparrows
Zonotrichia leucophrys	White-crowned sparrow
Passeridae	Old World Sparrows
* *Passer domesticus*	House sparrow
Trochilidae	Hummingbirds
Calypte anna	Anna's hummingbird
Tyrannidae	Tyrant Flycatchers
Sayornis nigricans	Black phoebe
Tyrannus verticalis	Western kingbird
Mammals	

Scientific Name	**Common Name**
Geomyidae	Pocket Gophers
Thomomys bottae	Botta's pocket gopher (sign)
Leporidae	Rabbits
** *Lepus californicus bennettii*	San Diego black-tailed jackrabbit
Sylvilagus audubonii	Audubon's cottontail

APPENDIX B: MSHCP TABLE 6-2
TABLE 6-2. PLANTS THAT SHOULD BE AVOIDED ADJACENT TO THE MSHCP CONSERVATION AREA

(Taken Directly from the MSHCP Section 6.1.4)

BOTANICAL NAME	COMMON NAME
Acacia spp. (all species)	acacia
Achillea millefolium var. *millefolium*	common yarrow
Ailanthus altissima	tree of heaven
Aptenia cordifolia	red apple
Arctotheca calendula	cape weed
Arctotis spp. (all species & hybrids)	African daisy
Arundo donax	giant reed or arundo grass
Asphodelus fistulosus	asphodel
Atriplex glauca	white saltbush
Atriplex semibaccata	Australian saltbush
Carex spp. (all species*)	sedge
Carpobrotus chilensis	ice plant
Carpobrotus edulis	sea fig
Centranthus ruber	red valerian
Chrysanthemum coronarium	annual chrysanthemum
Cistus ladanifer (incl. hybrids/varieties)	gum rockrose
Cortaderia jubata [*syn.C. Atacamensis*]	jubata grass, pampas grass
Cortaderia dioica [syn. *C. sellowana*]	pampas grass
Cotoneaster spp. (all species)	cotoneaster
Cynodon dactylon (incl. hybrids varieties)	Bermuda grass
Cyperus spp. (all species*)	nutsedge, umbrella plant
Cytisus spp. (all species)	broom
Delosperma 'Alba'	white trailing ice plant
Dimorphotheca spp. (all species)	African daisy, Cape marigold
Drosanthemum floribundum	rosea ice plant
Drosanthemum hispidum	purple ice plant
Eichhornia crassipes	water hyacinth
Elaegnus angustifolia	Russian olive
Eucalyptus spp. (all species)	eucalyptus or gum tree
Eupatorium coelestinum [syn. *Ageratina* sp.]	mist flower
Festuca arundinacea	tall fescue
Festuca rubra	creeping red fescue
Foeniculum vulgare	sweet fennel
Fraxinus uhdei (and cultivars)	evergreen ash, shamel ash
Gaura (spp.) (all species)	gaura
Gazania spp. (all species & hybrids)	gazania
Genista spp. (all species)	broom
Hedera canariensis	Algerian ivy
Hedera helix	English ivy
Hypericum spp. (all species)	St. John's Wort
Ipomoea acuminata	Mexican morning glory
Lampranthus spectabilis	trailing ice plant
Lantana camara	common garden lantana
Lantana montevidensis [syn. *L. sellowiana*]	lantana
Limonium perezii	sea lavender

TABLE 6-2. PLANTS THAT SHOULD BE AVOIDED ADJACENT TO THE MSHCP CONSERVATION AREA (*Cont.*)

BOTANICAL NAME	COMMON NAME
Linaria bipartita	toadflax
Lolium multiflorum	Italian ryegrass
Lolium perenne	perennial ryegrass
Lonicera japonica (incl. 'Halliana')	Japanese honeysuckle
Lotus corniculatus	birdsfoot trefoil
Lupinus arboreus	yellow bush lupine
Lupinus texanus	Texas blue bonnets
Malephora crocea	ice plant
Malephora luteola	ice plant
Mesembryanthemum nodiflorum	little ice plant
Myoporum laetum	myoporum
Myoporum pacificum	shiny myoproum
Myoporum parvifolium (incl. 'Prostratum')	ground cover myoporum
Oenothera berlandieri	Mexican evening primrose
Olea europea	European olive tree
Opuntia ficus-indica	Indian fig
Osteospermum spp. (all species)	trailing African daisy, African daisy,
Oxalis pes-caprae	Bermuda buttercup
Parkinsonia aculeata	Mexican palo verde
Pennisetum clandestinum	Kikuyu grass
Pennisetum setaceum	fountain grass
Phoenix canariensis	Canary Island date palm
Phoenix dactylifera	date palm
Plumbago auriculata	cape plumbago
Polygonum spp. (all species)	knotweed
Populus nigra 'italica'	Lombardy poplar
Prosopis spp. (all species*)	mesquite
Ricinus communis	castorbean
Robinia pseudoacacia	black locust
Rubus procerus	Himalayan blackberry
Sapium sebiferum	Chinese tallow tree
Saponaria officinalis	bouncing bet, soapwart
Schinus molle	Peruvian pepper tree, California pepper
Schinus terebinthifolius	Brazilian pepper tree
Spartium junceum	Spanish broom
Tamarix spp. (all species)	tamarisk, salt cedar
Trifolium tragiferum	strawberry clover
Tropaelolum majus	garden nasturtium
Ulex europaeus	prickly broom
Vinca major	periwinkle
Yucca gloriosa	Spanish dagger

An asterisk (*) indicates some native species of the genera exist that may be appropriate.

Sources: California Exotic Pest Plant Council, United States Department of Agriculture-Division of Plant Health and Pest Prevention Services, California Native Plant Society, *Fremontia* Vol. 26 No. 4, October 1998, *The Jepson Manual: Higher Plants of California*, and County of San Diego-Department of Agriculture.

APPENDIX C: SITE PHOTOGRAPHS

Photo 1. West end of concrete channel that runs along the southern boundary of the site, facing east (01.04.2020).

Photo 1a. East end of concrete channel that runs along the southern boundary of the site, facing west. The project site is to the right of the chain link fence (01.04.2020).

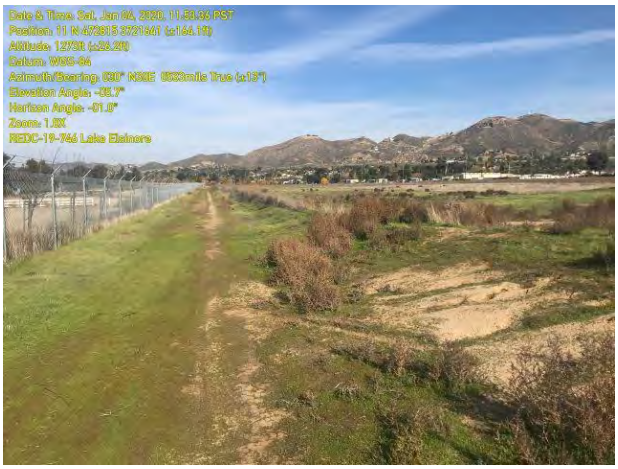


Photo 2. Non-native grassland and ruderal vegetation along the western border of the site, facing north (01.04.2020).

Photo 3. Non-native grassland and ruderal vegetation in the southern portion of the site, facing southeast (01.04.2020).

Photo 4. Non-native grassland and ruderal vegetation in the southern portion of the site, facing northeast (01.04.2020).

Photo 5. Soil test pit in the southeastern portion of the site, facing southeast (01.04.2020).

Photo 6a. Vegetation in channel located 80 feet west of the site, facing east (screen capture from Google Earth street view, dated 03.2018, white arrows are from Google Earth).

Photo 6b. Channel located 80 feet west of the site, facing south (screen capture from Google Earth street view, dated 03.2018).

APPENDIX D: PRECIPITATION DATA

Monthly precipitation data (inches) for January 2019 to January 4, 2020.

Weather Station	2019												2020	Total
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan*	
El Cariso RAWS	6.33	9.96	3.03	0.13	1.53	0.09	0.05	0	0.02	0	3.29	4.55	0*	28.98
Santa Rosa Plateau RAWS	6.53	11.53	3.35	0.61	1.42	1.13	0.02	0.01	0.01	0	3.52	4.10	0*	32.23
Perris Menifee CIMIS (240)	2.96	4.94	1.57	0.07**	1.02	0	0	0**	0	0	2.52	3.08**	0*	16.16**
Average	5.27	8.81	2.65	0.27	1.32	0.41	0.02	0.003	0.01	0	3.11	3.91	0*	25.79

*as of January 4, 2020; **missing data

Daily precipitation data (inches) for December 22, 2019 to January 4, 2020.

Weather Station	2019										2020				Total
	12.22	12.23	12.24	12.25	12.26	12.27	12.28	12.29	12.30	12.31	01.01	01.02	01.03	01.04	
El Cariso RAWS	0	1.48	0.04	0.38	1.04	0	0	0	0	0	0	0	0	0	2.94
Santa Rosa Plateau RAWS	0	0.89	0.01	0.13	1.05	0	0	0	0	0	0	0	0	0	2.08
Perris Menifee CIMIS (240)	0	1.14	0	0.06	0.96	0	0	0	0	0	0	0	0	0	2.16
Average	0	1.17	0.02	0.19	1.02	0	0	0	0	0	0	0	0	0	2.39

APPENDIX E: RIVERSIDE COUNTY DOCUMENTATION

Certification

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

DATE: August 18, 2020 SIGNED: _____

Leslie Irish, Principal, L&L Environmental, Inc.
909-335-9897

1) Fieldwork Performed By:

Guy Bruyea
Name

2) Fieldwork Performed By:

_____
Name

3) Fieldwork Performed By:

_____
Name

4) Fieldwork Performed By:

_____
Name

5) Fieldwork Performed By:

_____
Name

6) Fieldwork Performed By:

_____
Name

Check here __ if adding any additional names/signatures below or on other side of page.

BIOLOGICAL REPORT SUMMARY SHEET

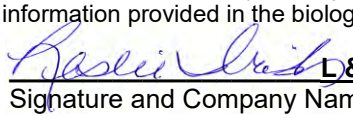
Applicant Name: RED Corydon, LLC
Assessor's Parcel Number(s): 370-050-026 & a portion of 370-050-030
Section, Township and Range: Sections 21 & 22, Township 6 South, Range 4 West
Building and Safety Log Number: _____
Case Number: PAR 2019-09 Lot/Parcel _____ EA Number _____

MARK ITEM(S) SURVEYED FOR	**SPECIES or ENVIRONMENTAL ISSUE of CONCERN**	***(Mark Yes, No, or N/A regarding species findings on the referenced site)***		
		Yes	**No**	**n/a**
	Arroyo Southwestern Toad	Yes	No	n/a
X	Blueline Stream(s)	Yes	No	n/a
X	Burrowing Owl	Yes	No	n/a
	Coachella Valley Fringed-toed Lizard	Yes	No	n/a
	Coastal California Gnatcatcher	Yes	No	n/a
X	Coastal Sage Scrub	Yes	No	n/a
	Delhi Sands Flower-loving Fly	Yes	No	n/a
	Desert Pupfish	Yes	No	n/a
	Desert Slender Salamander	Yes	No	n/a
	Desert Tortoise	Yes	No	n/a
	Flat-tailed Horned Lizard	Yes	No	n/a
X	Least Bell's Vireo	Yes	No	n/a
X	Oak Woodlands	Yes	No	n/a
	Quino Checkerspot Butterfly	Yes	No	n/a
X	Riverside Fairy Shrimp	Yes	No	n/a
	Santa Ana River Woolystar	Yes	No	n/a
	San Bernardino Kangaroo Rat	Yes	No	n/a
	Slender-horned Spineflower	Yes	No	n/a
	Stephens' Kangaroo Rat	Yes	No	n/a
X	Vernal Pools	Yes	No	n/a
X	Wetlands	Yes	No	n/a

MARK ITEM(S) SURVEYED FOR	SPECIES or ENVIRONMENTAL ISSUE of CONCERN	*(Mark Yes, No, or N/A regarding species findings on the referenced site)*		
	Other	Yes	No	n/a
	Other	Yes	No	n/a
	Other	Yes	No	n/a
	Other	Yes	No	n/a
	Other	Yes	No	n/a
	Other	Yes	No	n/a

Species of concern shall be any unique, rare, endangered, or threatened species. It shall include species used to delineate wetlands and riparian corridors. It shall also include any hosts, perching, or food plants used by any animals listed as rare, endangered, threatened, or candidate species by either state, or federal regulations, or for Riverside County as listed by the California Department of Fish and Game Natural Diversity Data Base (CNDDB).

I declare under penalty of perjury that the information provided on this summary sheet is in accordance with the information provided in the biological report or habitat assessment.



L & L Environmental, Inc. August 18, 2020

Signature and Company Name Date

10(a) Permit Number (if applicable) Permit Expiration Date

County Use Only

Received By: _____ Date: _____

PD-B# _____

Attachment E-4

LEVEL OF SIGNIFICANCE CHECKLIST
For Biological Resources
(Submit two copies to the County)

Case Number: PAR 2019-09 Lot/Parcel No. _____ EA Number _____

Assessor's Parcel Number(s): 370-050-026 & a portion of 370-050-030

Date: August 12, 2020

Biological Resources: (Check the level of impact that applies to the following questions.)

Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact

a) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan?

☐ ■ ☐ ☐

b) Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?

☐ ☐ ■ ☐

c) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game, or U. S. Wildlife Service?

☐ ■ ☐ ☐

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?

☐ ☐ ■ ☐

LEVEL OF SIGNIFICANCE CHECKLIST
For Biological Resources

e) Have a substantial adverse effect on any riparian habitat, or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game, or the U. S. Fish and Wildlife Service?

☐ ☐ ■ ☐

f) Have a substantial adverse effect on federally protected wetlands, as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pools, coastal, etc.) through direct removal, filling, hydrological interruption)

☐ ☐ ☐ ■

g) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

☐ ☐ ☐ ■

Findings of Fact:

The project area is regularly disturbed for weed abatement purposes and contains non-native grassland and ruderal vegetation. Smooth tarplant was observed just to the north and outside of the project boundary. San Diego black tailed jackrabbit was observed on the site. Great egret was observed flying over, but not utilizing, the site.

There is no suitable habitat for least Bell's vireo, southwestern willow flycatcher, or western yellow-billed cuckoo on or adjacent to the site. No burrowing owls or owl sign were observed during a focused breeding season survey. Potential nesting habitat for birds is present on and adjacent to the site.

No fairy shrimp or potential fairy shrimp habitat was observed during this study. Vernal pools are not present on the parcel. The only water observed occurred in a single soil test pit which contained potable water added by the soils technician. The soil pit was later backfilled. Habitat subject to Section 6.1.2 of the MSHCP is not present on the project site.

Proposed Mitigation:

Preconstruction clearance survey for nesting birds within three (3) days prior to ground or vegetation disturbance (if within the nesting season, February 1 through August 31).

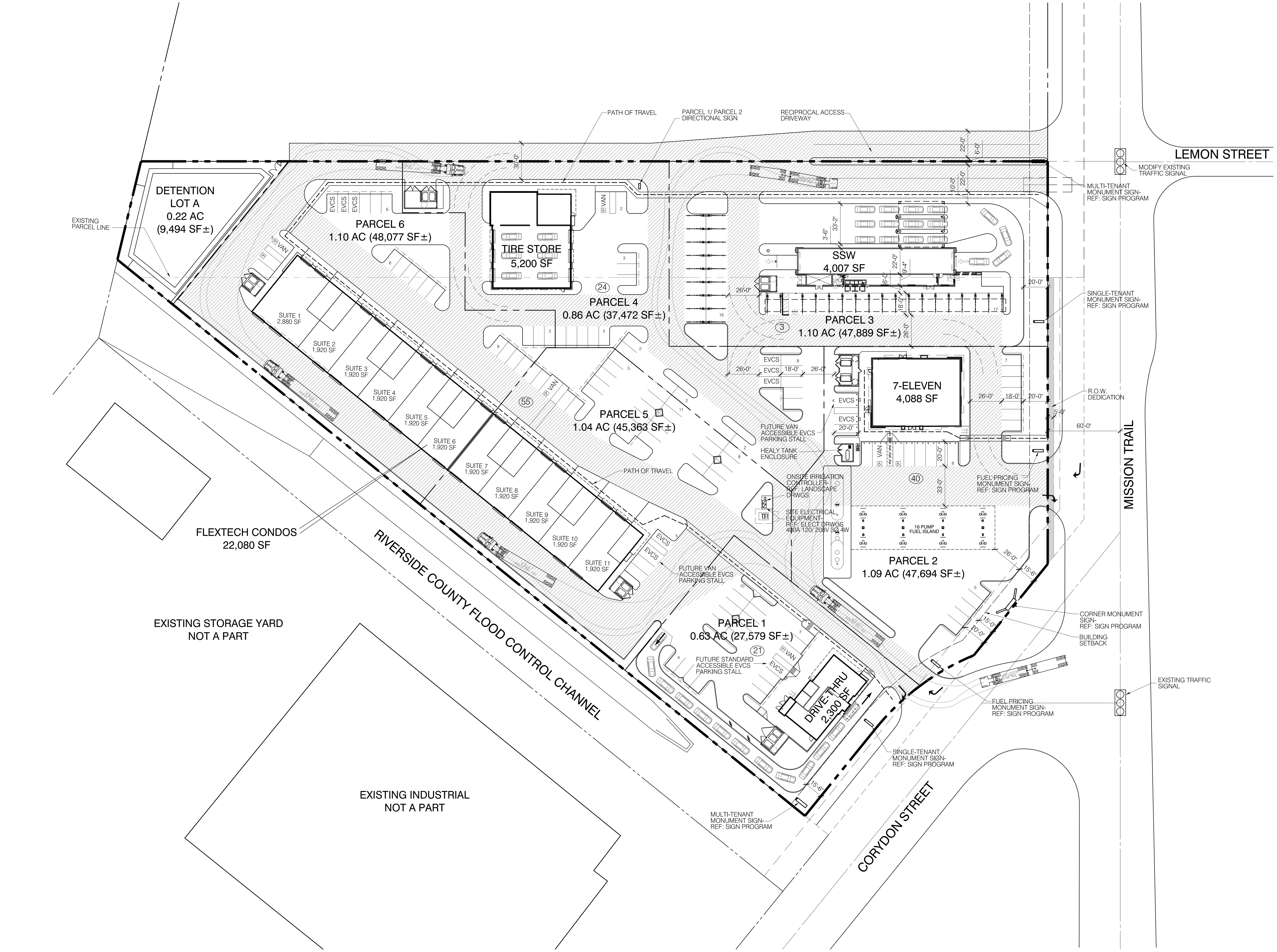
Preconstruction clearance survey for burrowing owl within 30 days prior to initiation of site clearing.

Monitoring Recommended:

None.

Source: CGP Fig. VI.36-VI.40
Revised October 1999

APPENDIX F: DEVELOPMENT PLAN



PARKING EMC SEC. 17.148.030

REQUIRED PARKING:

PARKING STALL DIMENSIONS (U.N.O.):	9' X 18'
MINIMUM AISLE WIDTH (90° PARKING):	26'
RETAIL (1/250):	17 STALLS
DRIVE-THRU RESTAURANT:	
1/ 45 SF CUSTOMER AREA (650 SF/ 45):	15 STALLS
1/ 200 SF NONCUSTOMER AREA (1,650 SF/ 200):	9 STALLS
TIRE STORE:	
750 SF/ 250 OFFICE/ SALES:	3 STALLS
3/ SERVICE BAY:	18 STALLS
FLEX-TECH CONDOS:	
5,500 SF/ 250 OFFICE:	22 STALLS
16,580 SF/ 500 STORAGE:	34 STALLS
EXPRESS CARWASH (1/ EMPLOYEE)	3 STALLS
PARKING REQUIRED:	121 STALLS
TOTAL PARKING PROVIDED:	143 STALLS

ACCESSIBLE PARKING

2019 CBC
TABLE 11B-208.2

TOTAL NUMBER OF PARKING SPACES PROVIDED	TOTAL NUMBER OF ACCESSIBLE SPACES
1- 25	1
26- 50	2
51- 75	3
76- 100	4
101- 150	5
151- 200	6
201- 300	7
301- 400	8
401- 500	9
501- 1,000	2 PERCENT OF TOTAL
1,001 AND OVER	20 PLUS 1/100 OVER 1,000

TOTAL PARKING PROVIDED:	143 STALLS
TOTAL ACCESSIBLE SPACES REQUIRED:	5 STALLS
VAN ACCESSIBLE REQ'D (SEC.11B-208.2.4)	1 OF TOTAL REQ'D
ACCESSIBLE SPACES PROVIDED:	
STANDARD STALL:	1 STALLS
VAN ACCESSIBLE STALLS:	6 STALLS
TOTAL ACCESSIBLE SPACES PROVIDED:	7 STALLS

CLEAN AIR VEHICLE PARKING

2019 CAL GREEN
TABLE 5.106.5.2

TOTAL NUMBER OF PARKING SPACES	TOTAL NUMBER OF PARKING SPACES
0- 9	0
10- 25	1
26- 50	3
51- 75	6
76- 100	8
101- 150	11
151- 200	16
201 AND OVER	8 PERCENT OF TOTAL

TOTAL PARKING PROVIDED:	143 STALLS
TOTAL CAV PARKING REQUIRED:	11 STALLS
TOTAL CAV PARKING PROVIDED:	**11 STALLS

**(CALGREEN 5.106.5.3.5: FUTURE EVCS SPACES QUALIFY AS DESIGNATED PARKING FOR CLEAN AIR VEHICLES)

FUTURE ELECTRICAL VEHICLE CHARGING STATIONS

2019 CAL GREEN
TABLE 5.106.5.3.3

TOTAL NUMBER OF PARKING SPACES	TOTAL NUMBER OF EVCS SPACES
0- 9	0
10- 25	1
26- 50	2
51- 75	4
76- 100	5
101- 150	7
151- 200	10
201 AND OVER	6 PERCENT OF TOTAL

2019 CBC
TABLE 11B-228.3.2.1

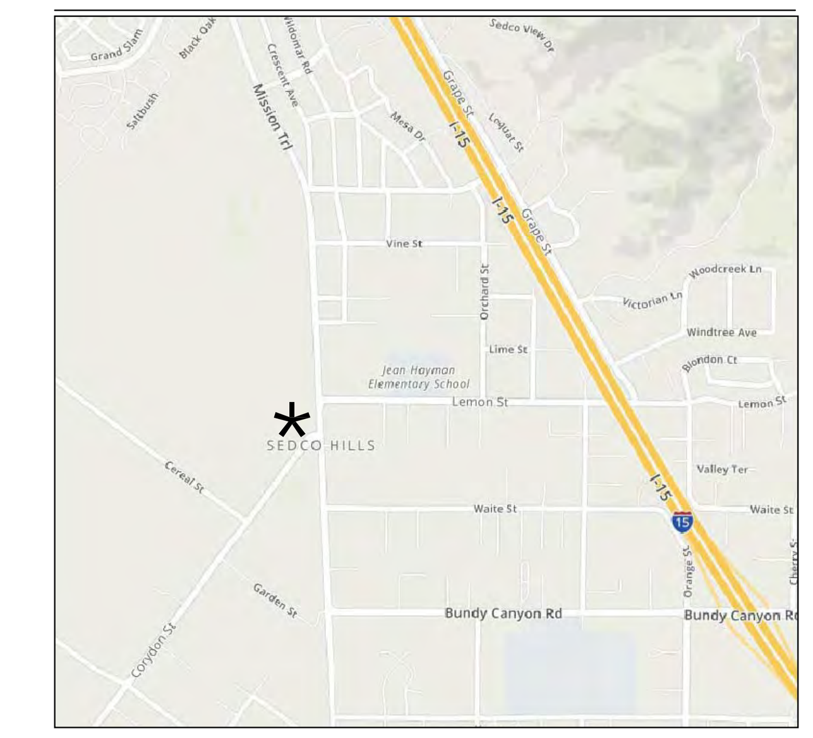
TOTAL NUMBER OF EVCS AT A FACILITY	VAN ACCESSIBLE	STANDARD ACCESSIBLE	AMBULATORY
1- 4	1	0	0
5-25	1	1	0
26- 50	1	1	1
51- 75	1	2	2
76- 100	1	3	3
101 AND OVER	1 + 1/300 OVER 100	3 + 1/60 OVER 100	1 + 1/50 OVER 100

TOTAL PARKING PROVIDED:	143 STALLS
FUTURE EVCS SPACES REQUIRED:	7 STALLS
FUTURE ACCESSIBLE SPACES REQ'D (OF TOTAL):	
VAN ACCESSIBLE:	1 STALL
STANDARD ACCESSIBLE:	1 STALLS
AMBULATORY:	0 STALLS
FUTURE EVCS SPACES PROVIDED:	
FUTURE STANDARD EVCS SPACES:	7 STALLS
FUTURE VAN ACCESSIBLE EVCS PROVIDED:	2 STALL
FUTURE STANDARD ACCESSIBLE EVCS PROVIDED:	1 STALL
FUTURE AMBULATORY EVCS PROVIDED:	0 STALLS
TOTAL FUTURE EVCS SPACES PROVIDED:	11 STALLS

FUTURE EVCS NOTES:

1. ALL CLEAN AIR VEHICLE PARKING SPACES SHALL BE PROVIDED WITH INFRASTRUCTURE FOR THE ADDITION OF FUTURE ELECTRIC VEHICLE CHARGING STATIONS.
2. FUTURE ACCESSIBLE EVCS STALLS SHALL BE CONSTRUCTED TO MEET CURRENT ACCESSIBILITY STANDARDS ALONG ACCESSIBLE ROUTES OR, HAVE THE ABILITY TO BE MODIFIED WITHOUT AFFECTING REQUIRED PARKING SPACE QUANTITIES.

VICINITY



ZONING

GENERAL PLAN:	SPECIFIC PLAN
ZONING:	EAST LAKE SPECIFIC PLAN PLANNING AREA 2 ACTION SPORTS, TOURISM, COMMERCIAL & RECREATION MIXED US OVERLAY
BUILDING SETBACKS:	
FRONT:	15'
SIDE(ADJ TO PUBLIC RIGHT-OF-WAY):	15'
SIDE(ADJ TO INTERIOR LOT LINES):	0'
REAR(ADJ TO INTERIOR LOT LINES):	0'
PARKING SETBACKS:	
FRONT:	25' AVG/ 20' MIN
SIDE(ADJ TO PUBLIC RIGHT-OF-WAY):	15'
SIDE(ADJ TO INTERIOR LOT LINES):	0'
REAR(ADJ TO INTERIOR LOT LINES):	0'
MAXIMUM BUILDING HEIGHT:	45'
ARCHITECTURAL ELEMENTS:	65'
MAXIMUM BUILDING COVERAGE:	
MINIMUM LANDSCAPE COVERAGE:	15%

PROJECT SUMMARY

LAND AREA:	6.05 AC (263,663 SF±)
RETAIL:	4,088 SF
DRIVE-THRU RESTAURANT:	2,300 SF
TIRE STORE:	
SALES:	750 SF
SERVICE:	4,450 SF (6 SERVICE BAYS)
FLEX-TECH:	
OFFICE:	5,500 SF
STORAGE:	16,580 SF
EXPRESS CARWASH:	4,007 SF
TOTAL BUILDING AREA:	38,395 SF
FUELING CANOPY:	4,285 SF
CARWASH PAY CANOPY:	
BUILDING COVERAGE (F.A.R.):	16.2%
MAXIMUM BUILDING HEIGHT:	30'
ONSITE LANDSCAPE AREA:	40,826 SF (15.5%)

LEGEND & SYMBOLS

VAN	VAN ACCESSIBLE PARKING SPACE
CAV	CLEAN AIR VEHICLE PARKING SPACE
EVCS	FUTURE ELECTRICAL VEHICLE CHARGING PARKING SPACE
DDC	DOUBLE DETECTOR CHECK VALVE- REF: CIVIL DRAWINGS
FDC	FIRE DEPARTMENT CONNECTION- REF: CIVIL DRAWINGS
FH	FIRE HYDRANT- REF: CIVIL DRAWINGS PROVIDE BLUE REFLECTOR @ CL DRIVEWAY PER FIRE DEPT REQUIREMENTS
GM	GAS METER LOCATION- REF: PLUMBING & GAS UTILITY DRAWINGS
PIV	POST INDICATOR VALVE- REF: CIVIL DRAWINGS
R	RECYCLE DUMPSTER
T	TRASH DUMPSTER
TR	TRANSFORMER- REF ELECTRICAL UTILITY DRAWINGS
WM	WATER METER- REF: CIVIL DRAWINGS
SS	STOP SIGN- REF: DET. 9/ SD2.0
AP	ACCESSIBLE PATH SIGN- REF DET. 8/ SD2.0
SE	SITE ENTRANCE SIGN- REF DET. 7/ SD2.0

FIRE LANE

FIRE TRUCK TURNING RADIUS

R45'-0" R33'-0"

NOTE:

BUILDING AREAS AND LAND COVERAGE ARE PRELIMINARY AND SUBJECT TO ADJUSTMENT. ANY PROPOSED DEVELOPMENT IS SUBJECT TO APPROVAL OF GOVERNMENT OR OTHER AGENCIES HAVING JURISDICTION. ALL DIMENSIONS AND SITE CONDITIONS ARE SUBJECT TO VERIFICATION.

PRELIMINARY SITE PLAN SCHEME Kv6

CORYDON GATEWAY
LAKE ELSINORE, CA

GKPA PROJECT #19114.01
24 JUNE 2020

CORYDON GATEWAY

LAKE ELSINORE, CALIFORNIA

RED CORYDON, LLC
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