WESTERN RIVERSIDE COUNTY

MULTIPLE SPECIES HABITAT CONSERVATION PLAN

CONSISTENCY ANALYSIS

PLANNING APPLICATION 2021-13

ASSESSOR'S PARCEL NUMBERS 389-220-003, 004, 005, and 006

LOCATION:

±250 feet north of the northeast corner of intersection of Collier Avenue and Riverside Drive in the City of Lake Elsinore, Riverside County, California. A portion of Section 36, Township 5 South and Range 5 West of the USGS Topographic Map, 7.5 Minute Series, Lake Elsinore, California Quadrangle

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REPORT DATE:

July 26, 2021

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July 26, 2021

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Subject: Planning Application No. 2021-13
Parcel Map 38124 and Industrial Design Review 2021-01
North Elsinore Business Park
MSHCP Consistency Analysis

Principe and Associates was hired by Saddleback Associates, Inc. to prepare a Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Consistency Analysis on 7.22 acres of land located approximately 250 feet north of the northeast corner of intersection of Collier Avenue and Riverside Drive in the City of Lake Elsinore, Riverside County, California **(Site Vicinity Map)**. Assessor's Parcel Numbers are 389-220-003, 004, 005, and 004. The site is mapped in a portion of Section 36, Township 5 South and Range 5 West of the USGS Topographic Map, 7.5 Minute Series, Lake Elsinore, California Quadrangle **(USGS Location Map)**.

Section 1 of this report describes the project and the project site. Section 2, 'Environmental Assessment', describes the topographic, hydrographic, soils, and biological environments present on the site. The purpose of Section 3, 'Consistency Analysis', is to identify and discuss (1) how the site relates to MSHCP Reserve Assembly and (2) how the site meets requirements of MSHCP Implementation Structure. Thresholds of Significance presented in Section 4 are used to determine the significance of environmental impacts. Levels of Significance are then applied to a checklist of questions (Thresholds BIO A-F) addressing biological resources to be answered during the initial assessment of a project. Section 5 lists Project Design Features and Mitigation Measures That Reduce Impacts.

Source of Aerial Photo: Google Earth 8-2018

Scale: 1"= 1000'

0 1000 2000 Feet

SITE VICINITY MAP

PA 2021-13

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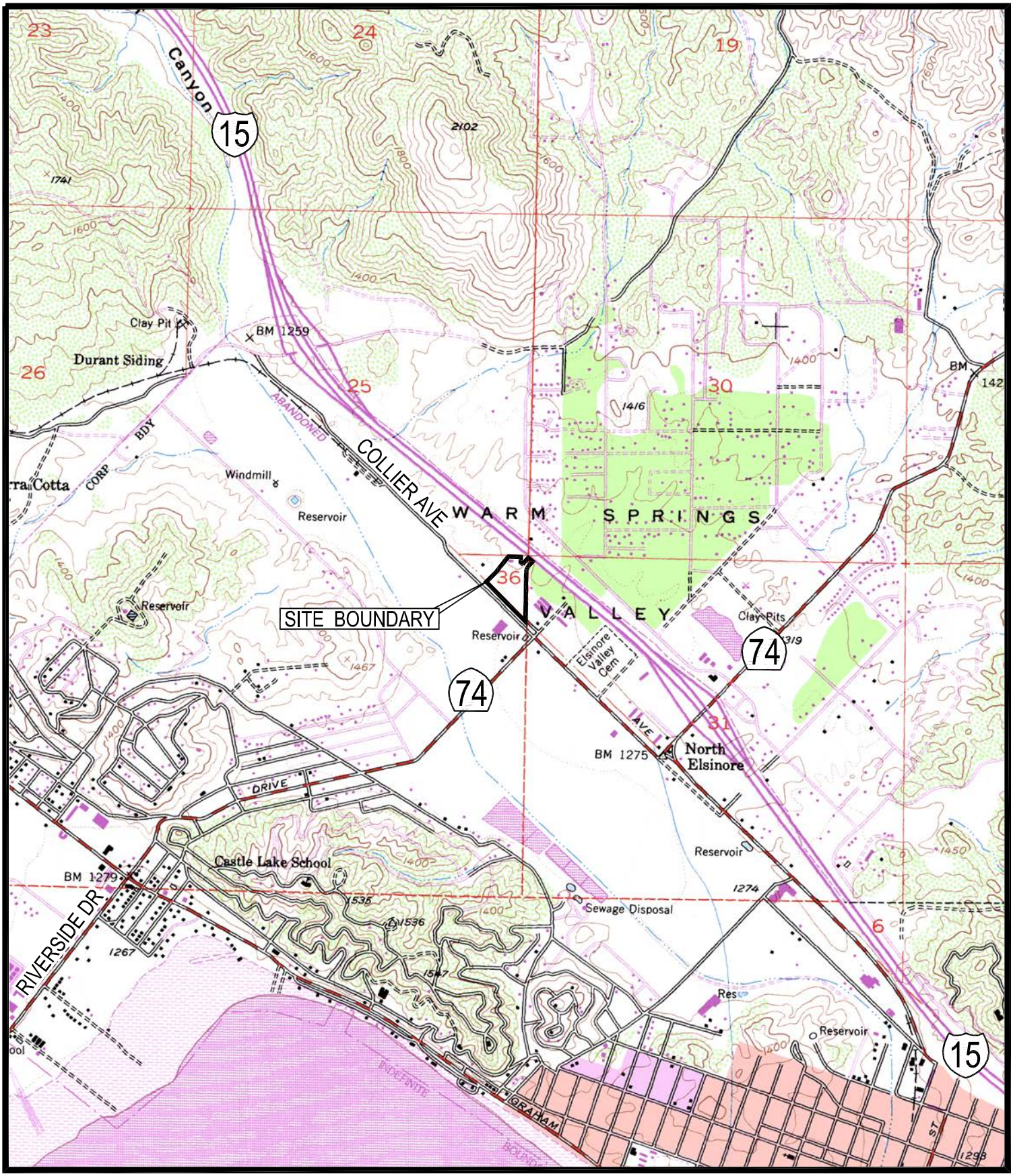


Base Map Source: USGS 7.5 Min.
Elsinore, Calif. Quad.

Feet

0 2000 4000

USGS LOCATION MAP

PA 2021-13

PRINCIPE AND ASSOCIATES

SECTION 1. PROJECT AND SITE DESCRIPTIONS

1.1 Project Description - The North Elsinore Business Park

Parcel Map 38124 is the subdivision of a 7.22-acre site into 12 parcels of land ranging in size from 0.34 acres to 0.88 acres. The North Elsinore Business Park (Industrial Design Review 2021-01) will include limited industrial and limited manufacturing land uses permitted by the City's General Plan and Zoning Code. The proposed project will include the construction of 12 buildings ranging in size from 5,900 square feet to 10,200 square feet. Total building area is 94,665 square feet, including 82,665 square feet of warehouse space and 12,000 square feet of office space. A total of 276 parking spaces will be provided, including standard parking stalls and A.D.A. stalls. 20.4 percent of total site area (66,889 square feet) will be landscaped.

Earthwork quantities for the grading operations have been estimated as 17,000 cubic yards of cut and 7,000 cubic yards of fill. The balance of 10,000 cubic yards will be exported from the site.

Primary access will be taken from three new driveway entrances located on Collier Avenue, while secondary accesses will be taken from a new driveway entrance located on El Toro Road. The westside of the El Toro Road cul-de-sac will be widened adjacent to the site, with new pavement, curb and gutter, and sidewalk construction and installation of parkway landscaping and street lights. The existing concrete drainage channel located along the site's southwest property line will be replaced by a 36-inch underground drainage culvert to allow access to the site from Collier Avenue. A network of concrete driveways will provide internal circulation to the buildings and parking spaces.

The site is currently served by water, sewer and overhead electrical lines. Additional public services and utilities will be provided at the site through the extensions of existing services onto the site in easements.

Due to the relatively small size of the site, the main component of the storm drain system designed for the project site includes a new box culvert placed underground adjacent to the site's northwest property that will convey runoff beneath Collier Avenue, replacing the existing undersized box culvert. Similarly, all water quality facilities will also be placed underground.

1.2 Site Description

A single-family residence was constructed in the northeast corner of the site in 1965. An aerial photograph from 1967 shows that a shrub vegetation had been cleared and removed from the site. Aerial photographs from 1978 and 1980 show that an addition to the single-family residence was constructed and landscaping materials were being planted in the north and east portions of the site. At the same time, two small concrete-lined drainage ditches were dug along the site's south and east property lines. Sections

of cinderblock wall, chain-link fencing and wooden three-rail fencing were placed along property lines. Aerial photographs from 1996 and 2004 show that the residence was enlarged to apparently include office space for a contractor's business. An area enclosed by a chain-link fence was either paved or covered with gravel in the eastern portion, and appears to have been used as a contractor's vehicle and materials storage yard. An aerial photograph from 2007 shows that the area located around the residence was cleared and paved, and other smaller structures like mobile homes were moved onto the site. All undeveloped areas were mowed/disced/scraped. In 2016, the paved area located in the eastern portion of the site was cleared of all vehicle and materials storage, and some of the small structures were removed from the site. The undeveloped aeras were cleared down to bare ground. In 2019, the structures and most of the paved areas were removed. Since that time, all of the structures and foundations have been in the process of being demolished, and the associated rubble and accumulated trash removed from the site. Most of the trees, windrows and retaining walls remain on the site, and the sparse Non-native grasslands vegetation is periodically mowed/disced/scraped for fire prevention purposes.

SECTION 2. ENVIRONMENTAL SETTING

2.1 Topography

Topography on the majority of the site is flat-lying and featureless. Natural topography has been completely altered in the past by vegetation clearing and removal, mowing/dicing/scraping for fire prevention purposes and rough grading. A hill is present in the northeast corner of the site. Topography slopes downward 20 feet in a northeast-to-southwest direction from the hill (1280→1260 feet), and only about 5 feet across the flat-lying central and western portions of the site (1270→1265 feet and 1265→1260 feet).

2.2 Hydrography

Natural watercourses of any kind are not present on the site (*e.g.,* perennial or intermittent blueline streams, ephemeral drainages, historical drainages, etc.). There are two manmade drainage features located on the site. A concrete v-ditch is present along the entire length of the site's west property line, and an earthen drainage channel is present along the entire length of the site's south property line.

Drainage on the site is by overland flow or downslope movement of storm water runoff (sheet flow) originating on higher elevated areas located to the north that is characterized by low volume, infrequent and short duration flows that only occur during and after precipitation events. Based on the existing development, slope and soils present in the northern portion of the site, storm water drains downslope in this area then either percolates into the very fine sandy loams present in the southern portion of the site or drains into the existing v-ditch or earthen drainage channel.

2.3 Soils

Review of the "Soil Survey of Western Riverside Area, California" revealed that the surficial soils at the site are included in the Hanford-Tujunga-Greenfield Association (Soils of the Southern California Coastal Plain). Within this association, three soil types have been mapped on the site **(Soils Map)**:

- AlD – Arbuckle gravelly loam, 8-15 percent slopes, eroded
- GaA – Garretson very fine sandy loam, 0-2 percent slopes
- GaC – Garretson very fine sandy loam, 2-8 percent slopes

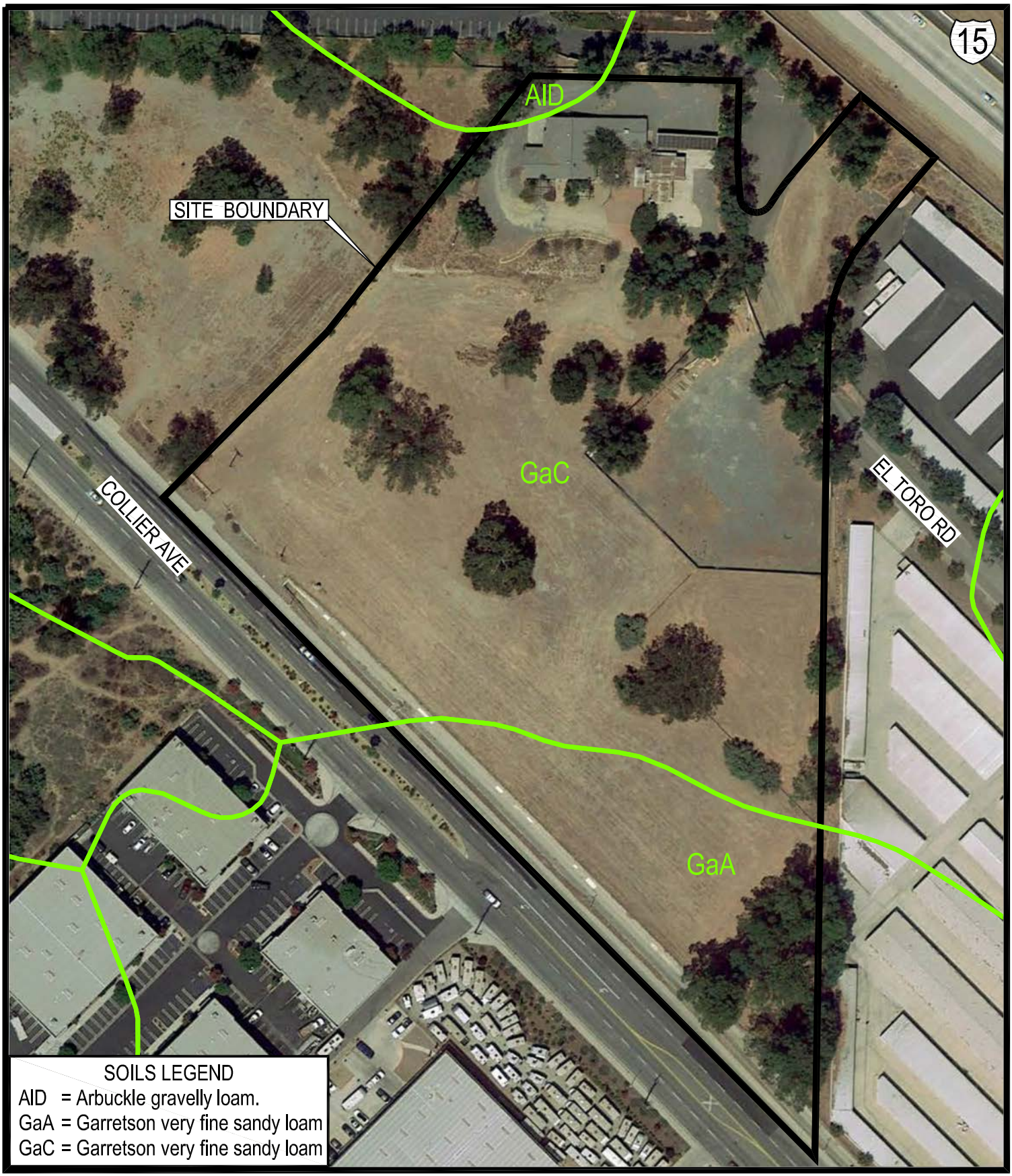
2.4 Vegetation Associations and Species Composition

Based on the MSHCP Habitat Accounts in Volume 2 of the MSHCP, the Vegetation Association present on the site is classified as Grasslands (5.92 acres) **(Biological Resources Map)**.

Previously disturbed/developed areas (2.35 acres) that are void of vegetation include the (1) single-family residential and commercial developments that occurred in the northeast corner of the site, (2) a contractor's vehicle and materials storage yard in the eastern portion of the site, (3) a concrete v-ditch and sidewalk along the site's west property line, and (4) a portion of El Toro Road in the northeast portion of the site.

The **Grasslands Vegetation Association** occurs throughout most of Western Riverside County, and covers approximately 11.8% (154,421 acres) of the Plan Area. The **Grasslands Vegetation Subassociation** growing on the site is **Non-native grasslands**. Non-native grasslands occur throughout the majority of the Plan Area (11.6%), usually within close proximity to urbanized or agricultural land uses. Non-native grasslands are primarily composed of annual grass and weed species introduced from the Mediterranean basin and other Mediterranean-climate regions with variable presence of non-native and native herbaceous species. Non-native grasslands also typically support an array of annual forbs from the Mediterranean-climate regions. Low abundances of native species are sometimes present within Non-native grasslands. These species usually include disturbance specialists with several different growth forms (*e.g.,* subshrubs, succulents and herbaceous annuals).

Non-native grasslands are growing throughout the site. It is growing on heavily compacted soils with little available oxygen, and could easily be classified as Ruderal Vegetation. Invasive, non-native species are abundant, and dominate the landscape. Other species are not that abundant and diverse, and include a few spring annuals that take root after the winter rains. Species composition also includes a few typical native species. The surface of the site also includes large areas that are bare ground with exposed soils and areas covered by gravel that are void of any vegetation.



Source of Aerial Photo: Google Earth 8-2018

Scale: 1"= 120'

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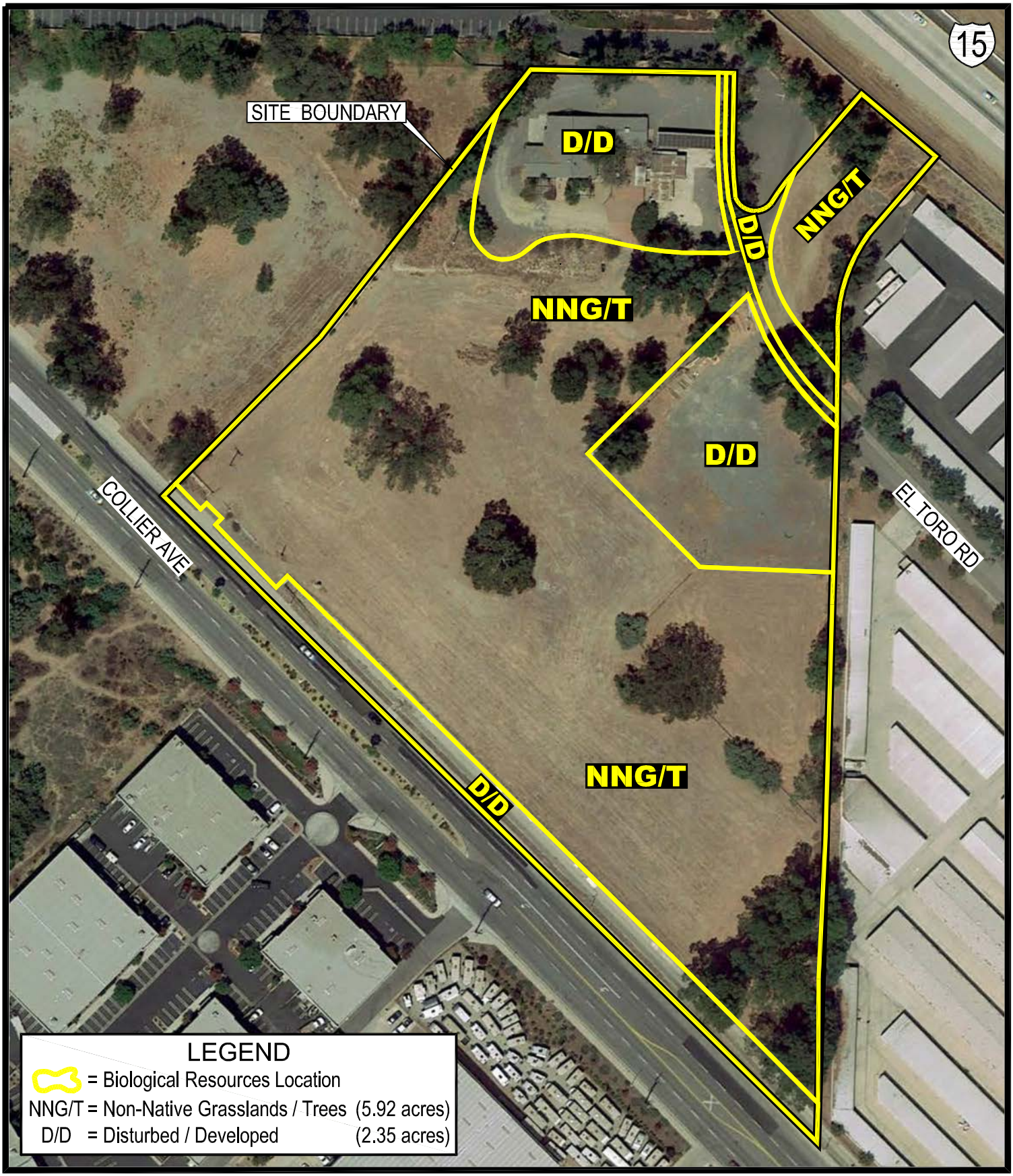
SOILS MAP

PA 2021-13

PRINCIPE AND ASSOCIATES



Source of Aerial Photo: Google Earth 8-2018

Scale: 1"= 120'

0 120 240 Feet

BIOLOGICAL RESOURCES MAP

PA 2021-13

PRINCIPE AND ASSOCIATES

Non-native plant species identified include * Australian saltbush *(Atriplex semibaccata),* *slender wild oat *(Avena barbata),* *shortpod mustard *(Brassica geniculata),* *brome grasses *(Bromus diandrus* and *B. madritensis* subsp. *rubens),* *Tocalote (C*entaurea melitensis),* *common horseweed *(Conyza canadensis),* *filarees *(Erodium brachycarpum* and *B. cicutarium),* *spotted spurge *(Euphorbia maculata),* *weedy cudweed *(Gnaphalium luteo-album),* *foxtail barley *(Hordeum murinum* subsp. *leporinum),* *Spanish clover *(Lotus purshianus),* *common horehound *(Marrubium vulgare),* *sourclover *(Melilotus indicus),* *oleander *(Nerium oleander),* *annual bluegrass *(Poa annua),* *curly dock *(Rumex crispus), *Russian thistle (Salsola tragus),* and *London rocket *(Sisymbrium irio).*

A large number of non-native tree species are growing on the site, and are included in the Non-native grasslands Vegetation Subassociation. Species identified include *Tree of Heaven *(Ailanthus altissima),* *river red gum *(Eucalyptus camaldulensis),* *common fig *(Ficus carica),* *Chinaberry *(Melia azedarach),* *tree tobacco *(Nicotiana glauca), *Mexican palo verde (Parkinsonia aculeata),* and *Mediterranean tamarisk *(Tamarix ramosissima).*

Native species include common fiddleneck *(Amsinckia menziesii* var*. intermedia),* sand pigmy-stonecrop *(Crassula connata),* doveweed *(Croton setiger),* jimsonweed *(Datura wrightii),* brittlebush *(Encelia farinosa),* interior California buckwheat *(Eriogonum fasciculatum* subsp. *foliolosum),* rattlesnake weed *(Euphorbia albomarginata),* California everlasting *(Gnaphalium californicum),* slender sunflower *(Helianthus gracilentus),* alkali heliotrope *(Heliotropium curassavicum),* telegraph weed *(Heterotheca grandiflora),* laurel sumac *(Malosma laurina),* and black willow *(Salix gooddingii).*

2.5 Wildlife Species Observed

Wildlife is neither abundant nor diverse at the site due to the lack of suitable native habitats. Only common and opportunistic species that inhabit urban areas inhabit and/or forage at the site. Species observed during the surveys conducted at the site on June 23, 26 and 29, 2021 include the western fence lizard *(Sceloporus occidentalis),* mourning dove *(Zenaida macroura)* Anna's hummingbird *(Calypte anna),* black phoebe *(Sayornis nigricans),* yellow-rumped warbler *(Dendroica coronata),* song sparrow *(Melospiza melodia),* house finch *(Carpodacus mexicanus),* desert cottontail *(Sylvilagus audubonii),* and California ground squirrel *(Spermophilus beecheyi).*

Diagnostic animal signs were discovered on the site (*e.g.,* mounds, small burrows and nests), and indicated the presence of Botta's pocket gophers *(Thomomys bottae),* pocket mice *(Perognathus* sp.*)* and/or deer mice *(Peromyscus* sp.*)* and wood rats (Neotoma sp.). There were no perching birds or raptor nests observed on the ground or in the trees growing on the site.

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*Denotes non-native species

Scientific nomenclature after Roberts, Jr., Fred M., Scott D. White, Andrew C. Sanders, David E. Bramlet, and Steve Boyd. 2004.

2.6 Wildlife Movement Corridors

Wildlife movement corridors link together areas of suitable wildlife habitat that are otherwise separated by rugged terrain, changes in vegetation, by human disturbance, or by the encroachment of urban development. The fragmentation of natural habitat creates isolated 'islands' of vegetation that may not provide sufficient area to accommodate sustainable populations and can adversely impact genetic and species diversity. Wildlife movement corridors can often mitigate the effects of fragmentation by (1) allowing animals to move between remaining habitats, thereby allowing depleted populations to be replenished, (2) providing escape routes from fire, predators and human disturbances, thus reducing the risk that catastrophic events such as fire or disease will result in population or local species extinction, and (3) serving as travel routes for individual animals as they move within their home ranges in search of food, water, mates, and other needs.

Wildlife Movement on the site

The site is not providing a wildlife movement corridor for juvenile animal dispersals, seasonal migrations, foraging movements for food or water, and/or for searching for mates, breeding areas or cover through this portion of the City. Also, the site does not connect two or more larger core habitat areas that would otherwise be fragmented or isolated from one another. It does not contain suitable cover, food or water for species to survive at the site and facilitate movement within a corridor. Therefore, future development at the site will not interfere with the movements of native wildlife species, established native wildlife corridors or uses of native wildlife nursery sites.

SECTION 3. MSHCP CONSISTENCY ANALYSIS

3.1 Western Riverside County MSHCP

Based on the final Western Riverside County MSHCP (adopted June 17, 2003), the site is located within a proposed Conservation Planning (MSHCP) Criteria Area. The entire site is located within Cell #4266 of an Independent Cell Group in the Elsinore Sub Unit (3) of the Elsinore Area Plan.

Cell #4266

> "Conservation within this Cell will contribute to assembly of Proposed Linkage 2. Conservation within this Cell will focus on meadow, marsh, riparian scrub, woodland and forest habitat along Alberhill Creek and adjacent grassland habitat. Areas conserved within this Cell will be connected to meadow, marsh and grassland habitat proposed for conservation in Cell #4169 to the north. Conservation within this Cell will range from 30%-40% of the Cell focusing in the western portion of the Cell."

It appears that the MSHCP Cell Criteria does not describe conservation for the proposed project site. The site has no physical connectivity to Proposed Linkage 2, and

therefore has no direct or indirect relationship to the assembly of Proposed Linkage 2. Meadow, marsh, riparian scrub, woodland and forest habitats along Alberhill Creek and adjacent grassland habitat are not present on the site. There are no viable native biological resources present on the site that could be connected to meadow, marsh and grassland habitats located off the site. The site is located in the northeast corner of the Cell and conservation in the Cell is focused in the western portion of the Cell.

The site is not located within or along the boundaries of Western Riverside County Regional Conservation Agency (RCA) Conserved Lands or Public/Quasi-Public Conserved Lands. The most proximate RCA Conserved Lands to the site are located approximately 1.4 miles northwest of the site and approximately 1.6 miles northeast of the site. Public/Quasi-Public Conserved Lands are located approximately 0.3 miles southwest of the site.

3.2 Project Site Relationship to MSHCP Reserve Assembly

As stated above, the entire site is located within Cell #4266 of an Independent Cell Group in the Elsinore Sub Unit (3) of the Elsinore Area Plan. Conservation within Cell #4266 will contribute to the assembly of Proposed Linkage 2:

> "Proposed Linkage 2 is comprised of wetland Habitat associated with Collier Marsh in the City of Lake Elsinore. It supports key populations of the following species: yellow-breasted chat, San Diego ambrosia, downy woodpecker, least Bell's vireo, yellow warbler and southwestern willow flycatcher. Maintenance of wetland functions and values and water quality of Collier Marsh is important for these species. As shown below, areas not affected by edge within this Linkage total approximately 70 acres of the total 160 acres occupied by this Linkage. Since this Linkage may be affected by edge, treatment and management of edge conditions will be necessary to ensure that land uses adjacent to the Linkage do not degrade water quality or inhibit floodplain processes. Guidelines Pertaining to Urban/Wildlands Interface for the management of edge factors such as lighting, urban runoff, toxics, and domestic predators are presented in *Section 6.1* of this document."

The proposed project site is developed on three sides. There are no native habitats present on the site. The site is located in the northeast corner of the Cell approximately 0.2 miles east of areas located in the western portion that are targeted for conservation. It was concluded in the RCA JPR #: 09-06-09-01 case completed for the previous project proposed at the site did not conflict with the Reserve Assembly requirements of the MSHCP (see ***Section 6.1.1*** below).

The project site then has no direct or indirect relationship to the assembly of Proposed Linkage 2.

3.3 MSHCP Implementation Structure

In addition, Section 6.0 of the MSHCP, the MSHCP Implementation Structure, imposes all other terms of the MSHCP, including but not limited to the protection of species associated with riparian/riverine areas and vernal pools, narrow endemic plant species, urban/wildlands interface guidelines, and additional survey needs and procedures set forth in Sections 6.1.1, 6.1.2, 6.1.3, 6.1.4, 6.3.2 and 6.4.

Section 6.1.1 - Property Owner Initiated Habitat Evaluation and Acquisition Negotiation Strategy (HANS)

The Lake Elsinore Automotive Center project was proposed at the site in 2008. As the proposed project site is located within a MSHCP Criteria Cell, a Property Owner Initiated Application for a MSHCP Consistency Determination was filed on May 27, 2008 to initiate the Lake Elsinore Acquisition Process (LEAP). LEAP Case Number 2008-02 was issued for the proposed project. The submittal was based on the findings contained in the "*General Biological Resources Report for the Lake Elsinore Automotive Center, in the City of Lake Elsinore, Riverside County, California."* prepared by LSA Associates, Inc. dated June 10, 2008.

The LEAP process was then submitted to the RCA for a Joint Project Review (JPR) involving the RCA, U.S. Fish and Wildlife Service and California Department of Fish and Game. JPR Case Number 09-06-09-01 was issued to initiate the Criteria Consistency Review.

In the transmittal from the RCA to the City of Lake Elsinore on June 22, 2009, the Criteria Consistency Review concluded that the project was consistent with both the MSHCP Criteria and other Plan requirements (LSA Associates, Inc. June 10, 2008).

The project is consistent with Section 6.1.1 of the MSHCP.

Section 6.1.2 - Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools

Riparian/Riverine Areas

Natural watercourses or riparian vegetation and habitat of any kind are not present on the site. Therefore, based on the MSHCP definition of Riparian/Riverine Areas: *"lands 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",* the biological functions and values of Riparian/Riverine Areas do not exist on the site. Suitable habitats for the plant and animal species listed under 'Purpose' in Volume 1, Section 6.1.2 of the MSHCP are not present there.

Riparian Birds

A U.S. Fish and Wildlife Service (USFWS) protocol presence/absence survey for the federally endangered least Bell's vireo (*Vireo bellii pusillus*; LBVI) conducted by HELIX Environmental Planning, Inc. (HELIX) for the Collier Commercial Development Project (project).

The survey consisted of eight site visits conducted by HELIX biologists between April 21 and July 13, 2020. Surveys were conducted in accordance with the current USFWS survey protocol. The surveys were conducted by walking along the edges of, as well as within, potential LBVI habitat within 500 feet of the study area (survey area) while listening for LBVI and viewing birds with the aid of binoculars. The survey route was designed to ensure complete survey coverage of habitat potentially occupied by LBVI. No suitable habitat was observed on the study area (proposed project site). Accessible suitable habitat within the survey area was surveyed, which included approximately 5.5 acres of off-site southern willow scrub.

Three single males were detected adjacent to the study area during the 2020 survey effort, though not all individuals were detected during each survey visit. No individuals were observed within the study area. One male (Male No. 1) was observed to the west of the study area, one male (Male No. 2) was observed to the southwest of the study area, and one male (Male No. 3) was observed to the southwest of the study area. No banded individuals were observed during the survey; however, not all individuals were directly observed. A detailed description of LBVI locations and observations is included below.

A single male vireo (Male No. 1) was detected approximately 500 feet to the west of the study area (**HELIX Figure 4**). The male was heard singing within the area during all of the survey visits, except during the sixth survey. The male was visually observed during the first, second, fifth, seventh, and eighth survey and was confirmed to be unbanded.

A single male vireo (Male No. 2) was detected approximately 300 feet to the southwest of the study area **(HELIX Figure 4)**. The male was heard singing within the area during the second, third, seventh, and eighth survey visits, but was not detected during the first survey or the fourth through sixth surveys. The male was visually observed during the third, seventh, and eighth survey and was confirmed to be unbanded.

A single male vireo (Male No. 3) was detected approximately 650 feet to the southwest of the study area **(HELIX Figure 4)**. The male was heard singing within the area during the third, fourth, fifth, seventh, and eighth survey visits, but was not detected during the first, second, or sixth surveys. The male was visually observed during the third and fourth surveys and was confirmed to be unbanded.

The brown-headed cowbird (*Molothrus ater*), a nest parasite of the LBVI, was not detected during any of the surveys.

H:\GIS\PROJECTS\SLS_All\SLS-01_Collier\Map\LBVI\Fig4_LBVI_SurveyResults.mxd SLS-01 8/14/2020 -EC

0 200 Feet

Source: Aerial (NAIP, 2018)

HELIX Environmental Planning

2020 Least Bell's Vireo Survey Results

Figure 4

Vernal Pools

The biological functions and values of Vernal Pools do not exist on the site. Kinds of natural-occurring or manmade aquatic features that could provide suitable habitats for endangered and threatened species of fairy shrimp are not present on the site (*e.g.,* wetlands, vernal pools, vernal pool-like ephemeral ponds, stock ponds, other human-modified depressions like borrow pits, tire ruts, cement culverts, etc.). Therefore, suitable habitats for the species listed under 'Purpose' in Volume 1, Section 6.1.2 of the MSHCP are not present there.

Vernal Pools Discussion

Aerial photographs dating back to 1967 show that the site has been continuously disturbed, developed and occupied. Paved areas and/or areas covered with gravel have long been present in the northern and eastern portions of the site. Topography on the majority of the site is flat-lying and featureless. Natural topography has been completely altered in the past by vegetation clearing and removal, mowing/dicing/scraping for fire prevention purposes and rough grading. A hill is present in the northeast corner of the site. Topography slopes downward 26 feet in a north-to-south direction from the hill (1296→1270 feet). Garretson very fine sandy loams were mapped on the majority of site area. Arbuckle gravelly loams were mapped in the northern portion of the site where all the previous development had taken place. Drainage on the site is by overland flow or downslope movement of storm water runoff (sheet flow) originating on higher elevated areas located to the north that is characterized by low volume, infrequent and short duration flows that only occur during and after precipitation events. Based on the development, slope and soils present in the northern portion of the site, storm water drains downslope in this area then either percolates into the very fine sandy loams present in the southern portion of the site or drains into the existing v-ditch or earthen drainage channel.

Garretson very fine sandy loams consist of well-drained soils on alluvial fans. Permeability is moderate, and runoff is slow to medium on these fine sandy loams. The hazard of erosion is slight to moderate. This soil is massive, slightly hard, very friable, slightly sticky, and slightly plastic. A friable material is a material that is easily crumbled or broken up and not adhering together. This characteristic allows the soil to be permeable, and therefore allows water to percolate and drain through the soil. Also, there is very little vegetation on the site that would slow down the percolation rates of the soils. Based on the existing soil characteristics, no features are present in the southern portion of the site that would provide aquatic habitats that support fairy shrimp.

The watershed supporting vernal pool hydrology on the site is not a valid source of freshwater to provide suitable habitats for fairy shrimp. The northern portion of the site is located approximately 150 feet from the Corona Freeway (Interstate 15) pavement, approximately 80 feet from the top of slope of the freeway, approximately 100 feet from CALTRANS culverts present at the toe of the slope, and approximately 20 feet from the Lake Elsinore Outlet's paved parking lot. The stormwater runoff flowing from any of these sources, especially the CALTRANS culverts, drains into earthen channels located

on both sides of El Toro Road that empty into a significant earthen channel that was constructed adjacent to the site's south property line. A certain amount of stormwater runoff also drains down the sides of El Toro Road and not into the site.

Based on the survey conducted in April 2008 by LSA Associates, Inc., they found that there were no vernal pools on the site and that the site did not contain habitat suitable for fairy shrimp species. On the basis of that information, JPR 09-06-09-01 concluded that the project demonstrated compliance with Section 6.1.2 of the MSHCP.

During the walk-over surveys conducted in June, 2021 by Principe and Associates, there was no evidence discovered on the site of the retention of storm water in naturally-occurring pools or manmade depressions long enough to support fairy shrimp. Importantly, cracked soils or hydric soils were not discovered in the areas where runoff water would likely accumulate on the surface. It is apparent that runoff water flowing into these areas quickly percolates into the permeable soils or drains off the site. The statement was then made that the biological functions and values of Vernal Pools did not exist. Suitable habitats for the species listed under the heading "Purpose" in this section of the MSHCP were not present there.

Wetlands

Other kinds of perennial or seasonal aquatic features that could be classified as federally protected wetlands as defined by Section 404 of the Clean Water Act are not present on the site (*e.g.,* rivers, open waters, swamps, marshes, bogs, fens, vernal pools and swales, vernal pool-like ephemeral ponds, etc.). Wetlands indicators (*e.g.,* soils, vegetation and hydrology) of any kind were not discovered on the site.

The site does not have a relationship to existing wetland regulations.

The project is consistent with Section 6.1.2 of the MSHCP.

Section 6.1.3 - Protection of Narrow Endemic Plant Species

Based on the RCA MSHCP Information Map for this site, it is located in Roughstep 8(HMU-Santa Ana Mountains). The map's Conservation Description for the site states that it is not located in a Narrow Endemic Plant Survey Area where additional surveys are needed for certain species in conjunction with MSHCP implementation in order to achieve coverage for these species.

The project is consistent with Section 6.1.3 of the MSHCP.

Section 6.1.4 - Guidelines Pertaining to the Urban/Wildlands Interface

As stated above, the site has no physical connectivity to Proposed Linkage 2, and therefore has no direct or indirect relationship to the assembly of Proposed Linkage 2. Also, the site is not located within the 250-foot buffer used in the MSHCP to complete an edge analysis for indirect effects of land uses located adjacent to a MSHCP

Conservation Area. As such, the treatment and management of edge conditions will not be necessary to ensure that land uses adjacent to the Linkage do not degrade water quality or inhibit floodplain processes. The project will not then be subject to Guidelines Pertaining to the Urban/Wildlands Interface for the management of edge conditions such as lighting, urban runoff, toxics, and domestic predators as presented in *Section 6.1.4 of the MSHCP, Volume 1, The Plan.*

The Guidelines Pertaining to the Urban/Wildlands Interface are intended to address indirect effects associated with locating development in proximity to the MSHCP Conservation Area, where applicable. Prior to the approval of any project, the City of Lake Elsinore will issue a list of conditions that must be satisfied. Existing local regulations are generally in place that address the same issues presented in the Guidelines Pertaining to the Urban/Wildlands Interface section of the MSHCP such as lighting, urban runoff, toxics, and domestic predators. Specifically, the City of Lake Elsinore has an approved General Plan, Building Codes and Zoning Ordinances and polices that include mechanisms to regulate the development of land. In addition, project review and impact mitigation that are currently provided through the California Environmental Quality Act process also addresses the same issues that regulate land development. Therefore, a project will not be approved that would result in indirect effects to a MSHCP Conservation Area.

The project is consistent with Section 6.1.4 of the MSHCP.

Section 6.3.2 - Additional Survey Needs and Procedures

Based on the RCA MSHCP Information Map for this site, it is located in Roughstep 8(HMU-Santa Ana Mountains). The map's Conservation Description for the site states that it is not located in a Criteria Area Species Survey Area, Amphibian Species Survey Area, Burrowing Owl Survey Area, or Mammal Species Survey Area where additional surveys are needed for certain species in conjunction with MSHCP implementation in order to achieve coverage for these species.

Also, the site is not located in a Special Linkage Area.

The project is consistent with Section 6.3.2 of the MSHCP.

Section 6.4 - Fuels Management

Fuels management focuses on hazard reduction for humans and their property. Fuels management for human safety must continue in a manner that is compatible with public safety and conservation of biological resources. Fuels management for human hazard reduction involves reducing fuel loads in areas where fire may threaten human safety or property, suppressing fires once they have started, and providing access for fire suppression equipment and personnel. It is recognized that brush management to reduce fuel loads and protect urban uses and public health and safety shall occur where development is adjacent to the MSHCP Conservation Area.

The site is not located in the vicinity of a MSHCP Conservation Area. The most proximate conservation area is Proposed Linkage 2 which is located approximately 0.3 miles west of the site. In accordance with existing policies, brush management will not be required for future development on the site. Plant communities with shrub species that create fuel loads are not present along site property lines. The trees growing on the site will be removed.

The project is consistent with Section 6.4 of the MSHCP.

SECTION 4. THRESHOLDS OF SIGNIFICANCE

Thresholds of Significance are used by public agencies in the determination of the significance of environmental effects. A Threshold of Significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect. In general, exceeding Thresholds of Significance means the effect will be determined to be significant by the agency, while deceeding Thresholds of Significance means the effect will be determined to be less than significant.

Impacts on biological resources resulting from the proposed project will be based on the following **Levels of Significance:**

- ***Potentially Significant Impact*** applies where a project is one that has the potential to (1) substantially degrade the quality of the environment, (2) substantially reduce the habitat of a fish or wildlife species, (3) cause a fish or wildlife population to drop below self-sustaining levels, (4) threaten to eliminate a plant or wildlife community, or (5) reduce the number or restrict the range of an endangered, rare or threatened Species (CEQA Section 15065(a)).

- ***Less Than Significant Impact with Mitigation Measures Incorporated*** applies where a project proponent agrees to mitigation measures or project modifications that would avoid any significant effect on biological resources, and/or would mitigate the significant effect to a point where clearly no significant effect on biological resources would occur.

- ***Less Than Significant Impact*** applies where the project creates no significant impact on biological resources.

- ***No Impact*** applies where a project does not create an impact on biological resources.

The Levels of Significance are then applied to a checklist of questions addressing biological resources to be answered during the initial assessment of a project. The impacts on biological resources resulting from the proposed project have been analyzed and used to answer the checklist of questions on Thresholds of Significance.

Threshold BIO A - Will the proposed project 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 Wildlife or U.S. Fish and Wildlife Service?

Answer: Less Than Significant Impact with Mitigation Measures Incorporated

The California Natural Diversity Database (CNDDB) for the Lake Elsinore, California Quadrangle does not include any occurrence records of plant and wildlife species identified as candidate, sensitive or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS) on this site.

Suitable habitats for any species identified as a candidate, sensitive or special status species are not present on the site. The onsite habitat is dominated by non-native grasses and weeds, and ornamental trees, and have not exhibited viable native habitat characteristics since a survey was conducted on the site in April 11, 2008 by LSA Associates, Inc.

The Migratory Bird Treaty Act (MBTA) of 1918 (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). In addition, Sections 3503, 3503.5, and 3800 of the CDFG Code prohibit the take, possession, or destruction of birds, their nests or eggs.

Suitable nesting habitats for migratory birds are present on the site. The onsite Non-native grasslands and trees provide potential nesting habitats for ground dwelling and perching bird species. In addition, the trees growing on the site and in the surrounding areas surrounding provide potential nesting habitats for predatory bird species. The bird species observed at or have a probability of occurring on the site are bird species governed by the MBTA, and are listed in 50 CFR Part 10. The MBTA requires that project-related disturbances at active nesting territories be reduced or eliminated during critical phases of the nesting cycle. The removal of vegetation and/or destruction of nests during the breeding season are considered potentially significant impacts. Compliance with the MBTA would reduce impacts to a less than significant level (see Section 5. Project Design Features and Mitigation Measures That Will Reduce Impacts below).

In summary, the proposed project will not 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 CDFW or USFWS.

Threshold BIO B - Will the proposed project 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 Wildlife or U. S. Fish and Wildlife Service?

Answer: No Impact

Riparian habitat or other sensitive natural community are not present on the site.

Threshold BIO C - Will the proposed project 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 pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Answer: No Impact

Federally protected wetlands as defined by Section 404 of the Clean Water Act are not present on the site.

Threshold BIO D - Will the proposed project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery areas?

Answer: No Impact

The site is not providing a viable wildlife movement corridor for migrations, foraging movements or for finding a mate through this portion of the City. The site does not connect two or more larger core habitat areas that would otherwise be fragmented or isolated from one another.

Threshold BIO E - Will the proposed project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Answer: No Impact

Land use-based conservation goals and policies are in place to protect:

- the ecological and lifecycle needs of threatened, endangered, or otherwise sensitive species and their associated habitats;
- the groundwater aquifer, water bodies, and water courses, including reservoirs, rivers, streams, and their watersheds located throughout the City, and to conserve and efficiently use water;

- floodplain and riparian areas, wetlands, forest, vegetation, and environmentally sensitive lands; and,
- native trees, specimen trees and trees with historical significance (heritage).

Biological resources protected by local policies or ordinances are not present on the site.

Threshold BIO F - Will the proposed project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Answer: Less Than Significant Impact with Mitigation Measures Incorporated

The project will not conflict with the provisions of the Western Riverside County MSHCP:

Based on the final Western Riverside County MSHCP (adopted June 17, 2003), the site is located within a proposed Conservation Planning (MSHCP) Criteria Area. The entire site is located within Cell #4266 of an Independent Cell Group in the Elsinore Sub Unit (3) of the Elsinore Area Plan.

It appears that the MSHCP Cell Criteria does not describe conservation for the proposed project site. The site has no physical connectivity to Proposed Linkage 2, and therefore has no direct or indirect relationship to the assembly of Proposed Linkage 2. Meadow, marsh, riparian scrub, woodland and forest habitats along Alberhill Creek and adjacent grassland habitat are not present on the site. There are no viable native biological resources present on the site that could be connected to meadow, marsh and grassland habitats located off the site. The site is located in the northeast corner of the Cell and conservation in the Cell is focused in the western portion of the Cell.

The site is not located within or along the boundaries of Western Riverside County Regional Conservation Agency (RCA) Conserved Lands or Public/Quasi-Public Conserved Lands. The most proximate RCA Conserved Lands to the site are located approximately 1.4 miles northwest of the site and approximately 1.6 miles northeast of the site. Public/Quasi-Public Conserved Lands are located approximately 0.3 miles southwest of the site.

Conservation within Cell #4266 will contribute to the assembly of Proposed Linkage 2. The proposed project site is developed on three sides. There are no native habitats present on the site. The site is located in the northeast corner of the Cell approximately 0.2 miles east of areas located in the western portion that are targeted for conservation. It was concluded in the RCA JPR #: 09-06-09-01 case completed for the previous project proposed at the site did not conflict with the Reserve Assembly requirements of the MSHCP (see below). The project site then has no direct or indirect relationship to the assembly of Proposed Linkage 2.

The Lake Elsinore Automotive Center project was proposed at the site in 2008. As the proposed project site is located within a MSHCP Criteria Cell, a Property Owner Initiated Application for a MSHCP Consistency Determination was filed on May 27, 2008 to initiate the Lake Elsinore Acquisition Process (LEAP). LEAP Case Number 2008-02 was issued for the proposed project.

The LEAP process was then submitted to the RCA for a Joint Project Review (JPR) involving the RCA, U.S. Fish and Wildlife Service and California Department of Fish and Game. JPR Case Number 09-06-09-01 was issued to initiate the Criteria Consistency Review.

In the transmittal from the RCA to the City of Lake Elsinore on June 22, 2009, the Criteria Consistency Review concluded that the project was consistent with both the MSHCP Criteria and other Plan requirements.

The biological functions and values of Riparian/Riverine Areas do not exist on the site. Suitable habitats for the species listed under 'Purpose' in Volume 1, Section 6.1.2 of the MSHCP are not present there.

The biological functions and values of Vernal Pools do not exist on the site. Kinds of natural-occurring or manmade aquatic features that could provide suitable habitats for endangered and threatened species of fairy shrimp are not present on the site. Therefore, suitable habitats for the species listed under 'Purpose' in Volume 1, Section 6.1.2 of the MSHCP are not present there.

Kinds of perennial or seasonal aquatic features that could be classified as federally protected wetlands as defined by Section 404 of the Clean Water Act are not present on the site. The site does not have a relationship to existing wetland regulations.

The site has no physical connectivity to Proposed Linkage 2, and therefore has no direct or indirect relationship to the assembly of Proposed Linkage 2. Also, it is not located within the 250-foot buffer used in the MSHCP to complete an edge analysis for indirect effects of land uses located adjacent to a MSHCP Conservation Area. As such, the treatment and management of edge conditions will not be necessary to ensure that land uses adjacent to the Linkage do not degrade water quality or inhibit floodplain processes. The project will not then be subject to Guidelines Pertaining to the Urban/Wildlands Interface for the management of edge conditions such as lighting, urban runoff, toxics, and domestic predators as presented in *Section 6.1.4 of the MSHCP, Volume 1, The Plan.*

Based on the RCA MSHCP Information Map for this site, it is located in Roughstep 8(HMU-Santa Ana Mountains). The map's Conservation Description for the site states that it is not located in a Criteria Area Species Survey Area, Amphibian Species Survey Area, Burrowing Owl Survey Area, or Mammal Species Survey Area where additional surveys are needed for certain species in conjunction with MSHCP implementation in order to achieve coverage for these species. Also, the site is not located in a Special Linkage Area.

The site is not located in the vicinity of a MSHCP Conservation Area. The most proximate conservation area is Proposed Linkage 2 which is located approximately 0.3 miles west of the site. In accordance with existing policies, brush management will not be required for future development on the site. Plant communities with shrub species that create fuel loads are not present along site property lines. The trees growing on the site will be removed.

In summary, the project is consistent with Section 6.0 of the MSHCP, the MSHCP Implementation Structure. It will have a Less Than Significant Impact on biological resources with Project Design Features and Mitigation Measures incorporated **(Biological Resources/Project Footprint Map**).

SECTION 5. PROJECT DESIGN FEATURES AND MITIGATION MEASURES THAT WILL REDUCE IMACTS

Project Design Features

Specifically, the two CALTRANS culverts located on the westside of the I-15 Freeway will convey storm water runoff into a 5 x 8-foot underground box culvert via an inlet structure constructed beneath El Toro Road and into the site. That box culvert will connect to two 3.5 x 6-foot box culverts that will convey runoff to the existing discharge point located beneath Collier Avenue.

Storm water runoff has been designed to drain into grate inlets that empty into four water quality treatment facilities (modular wetlands) before being discharged into one of three subsurface basins. The three subsurface basins ultimately discharge into the primary storm drain system that conveys the treated water off the site.

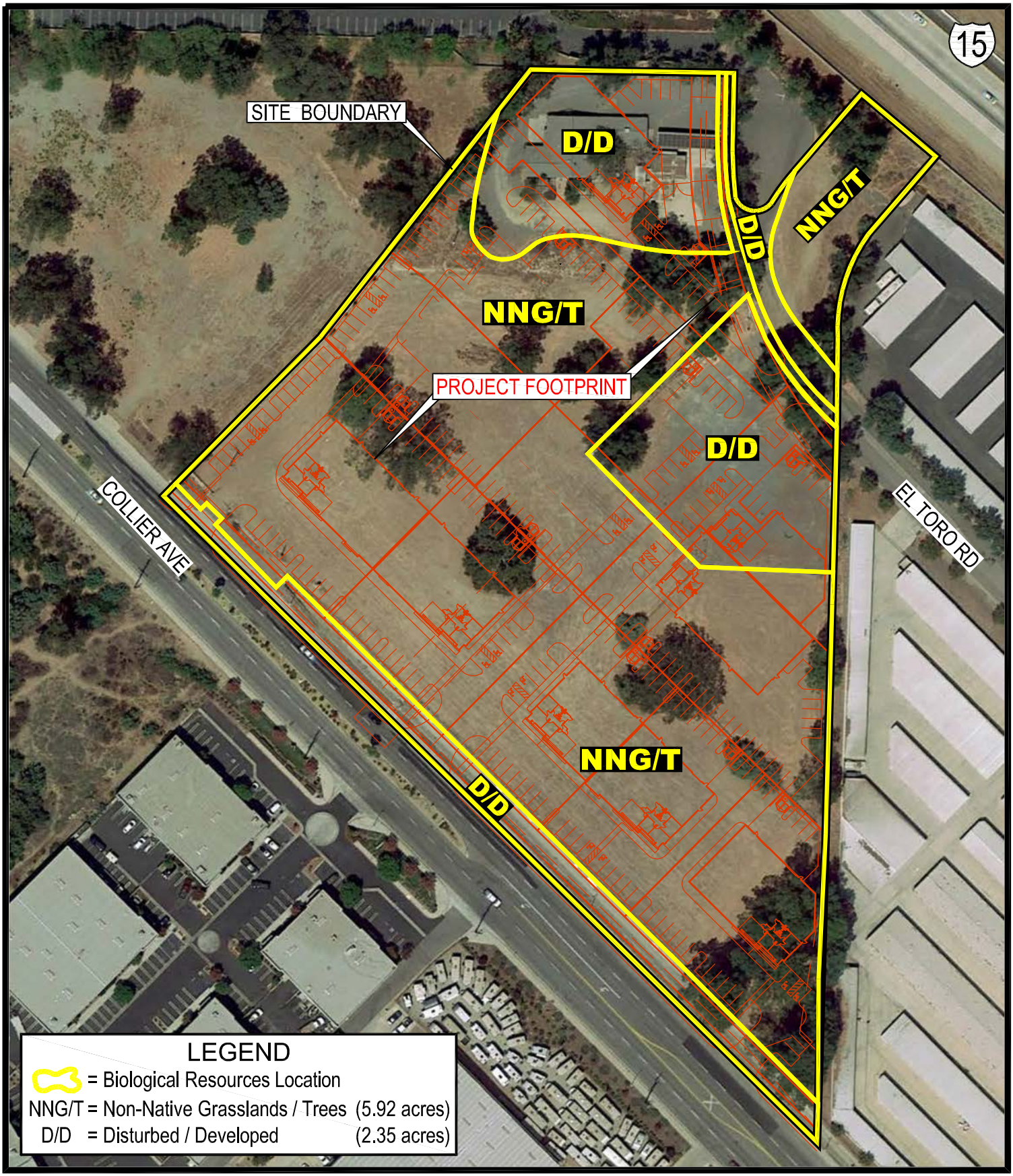
Best management practices (BMPs) will also be used to ensure that siltation and erosion are minimized during construction, and will be incorporated into the final design of the project in order to ensure that water quality is not degraded. Regular maintenance of the proposed BMPs will be provided by Saddleback Associates, Inc. to ensure effective operations of runoff control systems. No disturbed surfaces will be left without erosion control measures in place from October 1 through April 15.

18.5 percent of total site area (60,351 square feet) will be landscaped. An additional 5,500 square feet of landscaping will be used in right-of-way areas

All planting and irrigation will conform to City of Lake Elsinore codes. Xeriscaping and drought tolerant/low maintenance vegetation will be used in all landscaped areas. Forest blend wood mulch (medium grind) will be installed in all shrub planting areas.

A drip irrigation system will be used per the City of Lake Elsinore's Water Conservation ordinance.

All mature plantings will not interfere with utility lines or traffic sight lines.



Source of Aerial Photo: Google Earth 8-2018

Scale: 1"= 120'

0 120 240 Feet

BIOLOGICAL RESOURCES / PROJECT FOOTPRINT MAP

PA 2021-13

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All utilities will be screened with landscaping materials.

All slopes (3 feet in vertical height and steeper than 4:1) will be planted with a combination of groundcover shrubs and trees selected from the plant list or approved by the City's Landscape Architect.

All landscaping will be maintained by the property owner.

Mitigation Measures

The Non-native grasslands and trees present on the site provide suitable habitat for migratory birds. Nesting activity typically occurs from February 15 to August 31. Disturbing or destroying active nests is a violation of the MBTA (16 U.S.C. 703 et seq.). In addition, nests and eggs are protected under Fish and Game Code Section 3503. The removal of vegetation and/or destruction of nests during the breeding season are considered potentially significant impacts. Compliance with the MBTA would reduce potential impacts to a less than significant level.

When the Non-native grasslands and trees are removed from the site, Saddleback Associates, Inc. shall demonstrate to the satisfaction of the City of Lake Elsinore that either of the following has been or will be accomplished:

- Non-native grasslands and tree removal activities shall be scheduled outside the nesting season (September 1 to February 14 for songbirds; September 1 to January 14 for raptors) to avoid potential impacts to nesting birds.
- Any construction activities that occur during the nesting season (February 15 to August 31 for songbirds; January 15 to August 31 for raptors) in the Non-native grasslands and trees and will require that all potential habitat be thoroughly surveyed for the presence of nesting birds by a qualified biologist before commencement of clearing. If any active nests are detected, then a buffer of at least 300 feet (500 feet for raptors) will be delineated, flagged, and avoided until the nesting cycle is complete as determined by the biological monitor to minimize impacts.

The USFWS and CDFW have issued permits pursuant to the federal Endangered Species Act and the California Natural Community Conservation Planning Act authorizing "Take" of certain species in accordance with the terms and conditions of the acts, the Western Riverside County MSHCP and the associated Implementing Agreement. Under the acts, certain activities by the applicant will be authorized to "Take" certain species, provided all applicable terms and conditions of the acts, MSHCP and the associated Implementing Agreement are met.

With the take permits issued to the County, 118 of 146 species covered by the MSHCP will be adequately conserved. The MSHCP has addressed the Federal, State and local project-specific mitigation requirements for each of these species and their specific habitats. The MSHCP will mitigate direct, indirect and cumulative impacts resulting

from the take of these 118 adequately conserved species by establishing and maintaining a reserve system consisting of approximately 500,000 acres (347,000 acres are currently within public ownership, and 153,000 acres are currently in private ownership). Impacts to adequately conserved species will not require additional mitigation under the Endangered Species Act or the California Environmental Quality Act, but will require the following:

- In order to implement the goals and objectives of the MSHCP and to mitigate the impacts caused by new development in the unincorporated area of Riverside County, lands supporting species covered by the MSHCP must be acquired and conserved. A development fee is necessary in order to supplement the financing of the acquisition of lands supporting species covered by the MSHCP and to pay for new development's fair share of this cost. The appropriate funding source to pay the costs associated with mitigating the impacts of new development to the natural ecosystems and covered species is a fee for residential, commercial and industrial development. The amount of the fee is determined by the nature and extent of the impacts from the development to the identified natural ecosystems and the relative cost of mitigating such impacts. Saddleback Associates, Inc. will pay the Western Riverside County MSHCP Mitigation Fee for the development of the project or portions thereof to be constructed within the County (Riverside County Ordinance 810.2).

- As the site is located within the Stephens' Kangaroo Rat Mitigation Fee Area, Saddleback Associates, Inc. will also pay the Stephens' Kangaroo Rat Mitigation Fee (Riverside County Ordinance 663.10).

SECTION 6. CERTIFICATION STATEMENT

Date: July 26, 2021

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

Paul A. Principe

PRINCIPE AND ASSOCIATES
Paul A. Principe
Principal

ATTACMENTS (following this page)

Site Photographs

References

View along the western portion of the north property line. A block wall has been constructed along this portion of the property line in the past. The trees visible in the background are located along the east property line. Looking west to east from the northwest corner of the site.

SITE PHOTOGRAPH 1

PA 2021-13

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View along the central portion of the north property line. A new chain-link fence has recently been installed along this portion of the property line. There is a moderate change in elevation in the north east portion of the site. Looking west to east from the north central portion of the site.

SITE PHOTOGRAPH 2

PA 2021-13

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View along the eastern portion of the north property line. The chain-link fence transitions into a block wall in this portion of the property line. A single-family residence and landscaping were first developed in this portion of the site over 40 years ago. Looking east to west from the northeast corner of the site.

SITE PHOTOGRAPH 3

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View along the south property line. A new chain-link fence has recently been installed along this property line. The topography in the majority of the site is flat-lying and featureless. An earthen drainage channel is present along the entire length of the south property line immediately south of the chain-link fence. Looking east to west from the southeast corner of the site.

SITE PHOTOGRAPH 4

PA 2021-13

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View along the southern portion of the east property line. A new chain-link fence with shade screen has recently been installed along this portion of the property line. This portion of the site was apparently used as a contractor's vehicle and materials storage yard in the past. Looking south to north from the southeast corner of the site.

SITE PHOTOGRAPH 5

PA 2021-13

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View along the east property line from El Toro Road. The extensive eucalyptus tree windrows that were previously planted along the entire length of this property line can be seen in this photograph. Looking north to south from the northeast corner of the site.

SITE PHOTOGRAPH 6

PA 2021-13

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View along the west property line. A new chain-link fence has recently been installed along this property line. The topography in the majority of the site is flat-lying and featureless. A concrete v-ditch is present along the entire length of the site's west property adjacent to Collier Avenue. Looking north to south from the southwest corner of the site.

SITE PHOTOGRAPH 7

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The existing concrete drainage channel located along the site's west property line will be replaced by a 36-inch underground drainage culvert to allow access to the site from Collier Avenue.

SITE PHOTOGRAPH 8

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Demolition of the structures, foundations and paving materials from the previously developed and occupied northeast portion of the site is currently taking place.

SITE PHOTOGRAPH 9

PA 2021-13

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An expanded view of the portion of the site that was used as a contractor's vehicle and materials storage yard in the past. A roll-off trash container has recently been placed in this area to facilitate materials removal from the site.

SITE PHOTOGRAPH 10

PA 2021-13

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Two CALTRANS culverts located on the westside of the I-15 Freeway will convey storm water runoff into a 5 x 8-foot underground box culvert via an inlet structure constructed on the east side of El Toro Road. This structure will convey runoff beneath the roadway and into an underground storm drain constructed through the site.

SITE PHOTOGRAPH 11

PA 2021-13

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