

**Determination of
Biologically Equivalent or Superior Preservation
Report**

**Mead Valley Commerce Center
(PPT 220050, TPM 38601, TPM 38845)**

Riverside County

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1 EXECUTIVE SUMMARY

This report contains the results of the Determination of Biologically Equivalent or Superior Preservation (DBESP) analysis to demonstrate compliance with the requirements of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) for impacts to riparian/riverine resources. The proposed project would develop a warehouse facility and a public park along with off-site street improvements in unincorporated Riverside County, California

The southern portion of the site, where the public park is proposed to be installed, contains a disturbed riparian area within an unnamed stream (Drainage A). No drainage features were observed on the warehouse site or off-site street improvement areas.

Drainage A enters the site from the southwest from an elevated undeveloped rocky outcrop. During the field delineation, approximately 286 feet of moderately disturbed riparian stream was observed. Riparian vegetation associated with Drainage A consisted of black willow (*Salix gooddingii*), mule fat (*Baccharis salicifolia*), tree tobacco (*Nicotiana glauca*), castor bean (*Ricinis communis*), and tamarisk (*Tamarix ramosissima*). Vegetation within the understory of the riparian vegetation consisted of disturbed Riversidean sage scrub and non-native/ruderal grasses and annual species. No hydrophytic vegetation was observed within the riparian understory.

A small tributary to Drainage A (Tributary A-1) was also observed. Tributary A-1 is a small, 108 linear-foot drainage that converges with Drainage A from the northeast. This feature begins at a small rip-rap apron adjacent to a dirt access road. The rip-rap was assumed to have been installed to decrease erosion along the north/south dirt access road. Vegetation associated with Tributary A-1 consisted of upland non-native grasses and ruderal annuals such as London rocket (*Sisymbrium irio*), red-stemmed filaree (*Erodium cicutarium*), cheeseweed (*Malva parviflora*), common fiddleneck (*Amsinckia intermedia*), ripgut grass (*Bromus diandrus*), stink net (*Oncosiphon piluliferum*), summer mustard (*Hirschfeldia incana*), and Russian thistle (*Salsola australis*).

To the east of the confluence of the tributary, Drainage A continues through adjacent properties off-site and under Seaton Road through a pair of 36-inch corrugated metal pipe (CMP) culverts. This portion of Drainage A, adjacent to Seaton Road, was observed to be maintained and vegetation was limited to upland non-native grasses and ruderal annuals. Using aerial imagery, Drainage A appears to terminate approximately 0.25 miles to the east of Seaton Avenue just south of a Metropolitan Water District (MWD) facility.

Additionally, several unvegetated seasonal depressions occur throughout the site within the dirt access roads. These depressions are ephemeral and were noted during the field delineation to pond in direct response to rain events. These features were unnaturally made depressions (e.g., tire ruts, soil disturbance areas) that did not support any vegetation (including hydrophytes) or hydric soils, nor did they have a continuous surface connection to otherwise jurisdictional waters.

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Approximately 0.27 acre (985 linear feet) of riparian/riverine habitat was mapped within the proposed project site. The riparian/riverine habitat is synonymous with the jurisdiction of the California Department of Fish and Wildlife (CDFW) jurisdictional. The proposed project design will result in permanent impacts to 0.27 acre (985 linear feet) of riparian/riverine habitat within Drainage A.

Table 1: Summary of Riparian/Riverine Habitat

Drainage Name	On-site Acres (linear feet)	Impacts Acres (linear feet)
Drainage A	0.27 (877)	0.27 (877)
Drainage A-1	0.003 (108)	0.003 (108)
Total	0.27 (985)	0.27 (985)

The applicant proposes to mitigate via off-site through the purchase of re-establishment and/or enhancement mitigation credits through the Riverpark Mitigation Bank and/or other approved bank (i.e., Skunk Hollow), or combination thereof at an agreed upon ratio of 3:1. Preservation credits would be purchased out of the Skunk Hollow Mitigation bank if no other mitigation credits are available at a 4:1 ratio. The applicant will be responsible for the purchase of mitigation credits to compensate for impacts to riparian/riverine habitat.

The above actions would result in a net increase in the function and ecological value of riparian/riverine habitat (biologically equivalent or superior) within the region by preserving/enhancing high quality habitat in Riverside County.

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2 INTRODUCTION

2.1 Project Area

The project site and off-site street improvement areas are generally located south and west and south of Interstate 215, east of Lake Matthews, and north of State Route 74 in unincorporated Riverside County, California (Exhibit 1, *Regional Vicinity*). The project site and off-site street improvement areas are depicted on the Steele Peak quadrangle of the United States Geological Survey's (USGS) 7.5-minute topographic map within Sections 11 through 14 of Township 4 South, Range 4 West (Exhibit 2, *Site Vicinity*). Specifically, the Warehouse area of the project site is bounded to the north by Cajalco Road, to the west by Decker Road, and to the east by Seaton Avenue within Assessor Parcel Numbers: 317-080-003, -004, -005, -006, -007, -008, -013, -014, -019, -020, -021, -022, -023, -027, -028, and -029.

The Park area is in the southwestern portion of the project site and is separated from the Warehouse development area at its northern boundary by a Metropolitan Water District (MWD) owned parcel. The Park area is bounded to the east, west, and south by undeveloped, vacant and residential land within 317-090-002, -003, -004, -005, -006, -007, and -008. Off-site street improvement areas associated with the project include areas along existing portions of Cajalco Road, Seaton Avenue, Rider Street, and Decker Road, and a new terminus for Decker Road in the southwest portion of the site (Exhibit 3, *Project Site*).

A full list of all the APNs within the four project components areas (i.e., Warehouse Facility, Public Park, Street Improvements, and Stream Impact Area) are provided below:

317050024	317050041	317080007	317080023	317090006	317150021
317050025	317050045	317080008	317080027	317090007	317150033
317050028	317050052	317080013	317080028	317090008	317150041
317050029	317050053	317080014	317080029	317090009	317150051
317050034	317080002	317080016	317080030	317090023	317150052
317050035	317080003	317080019	317090002	317100029	317150053
317050038	317080004	317080020	317090003	317140041	317150054
317050039	317080005	317080021	317090004	317140055	317150060
317050040	317080006	317080022	317090005	317150002	317180008

2.2 Project Description

For this report, the term Project site and off-site street improvement areas are defined as that area proposed for direct impact by the proposed Project, including on-site development, and off-site (road improvement) areas (refer to Appendix B, *Site Plan*). Additionally, the southwest corner of the park site, where the drainage features flow onsite, are assumed to be impacted. The proposed project does not propose any temporary impacts. Staging for the project will occur onsite.

The Project consists of the following components:

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- A warehouse facility (± 50 acres) located south of Cajalco Road, west of Seaton Avenue and east of Decker Road.
- A public park (± 13.6 acres) located south of a Metropolitan Water District (MWD) fee-owned parcel at the future terminus of Decker Road.
- Off-site street improvements (± 21.8 acres) to portions of Cajalco Road, Seaton Avenue, and Decker Road.
- Within the public park, an onsite stream area has been depicted (± 1.3 acres). The stream area consists of approximately 0.27 acre of riparian/riverine resources, and 1.03 acre of upland buffer. Refer to Attachment B, *Site Plan*.
- Fuel modification zones associated with the proposed project include a 100-foot Fuel Modification Buffer and On-site Fuel Modification Equivalent for the northern portion of the \pm site and a 100-foot Fuel Modification Buffer, On-site Fuel Modification Equivalent, and Off-site Fuel Modification Equivalent for the southern portion of the project site. Refer to Appendix E, *Fuel Modification Plan*.

Table 2: Summary of Project Components

Project Component	Area (Acres)
Warehouse Facility	± 50
Public Park	± 13.6
Street Improvements	± 21.8
Onsite Stream Area	± 1.3
Total	86.7

Facilities fronting the proposed building will be maintained by Riverside County Transportation. Larger facilities (greater than 36") such as the Storm Drain within the project park boundary will require maintenance by Riverside County Flood Control. The proposed three-12'x12' RCB culvert and headwalls will require maintenance to maintain flow progression. This maintenance will be conducted by either Riverside County Flood Control or Riverside County Transportation via one or more access roads to the facilities.

2.3 Existing Conditions

The Warehouse area consists of previously disturbed/developed areas bisected by moderately maintained dirt roads, and several non-native grassland fields. The developed areas consist of a mechanical equipment yard, a tenant occupied recreational vehicle (RV) parking lot, and several residential homes. The northwestern portion of the Park area supports a residential home with farm animals and stock infrastructure. The remaining Park area supports mostly undeveloped, vacant land including rocky outcrops and disturbed sage scrub. The majority of the project site supports developed/disturbed land and has been subject to a variety of anthropogenic disturbances associated with current development, historic agricultural activities, routine weed abatement, and illegal dumping. Historic aerials show these activities have been ongoing since at least 1959. Prior to conducting the field investigation, aerial photography was reviewed to document existing site conditions and changes to the project site and surrounding area.

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- 1959: The Warehouse area supports active agricultural fields and two residential homes. The Park area supports primarily non-agricultural undeveloped, vacant land. The site is surrounded by additional agricultural plots as well as undeveloped, vacant land to the south and west. Cajalco Road and Seaton Avenue are present but unpaved.
- 1967: Disturbance to the Park area has occurred as well as development in the northern portion of the project site.
- 1959-1978: Cajalco Road to the north and Seaton Avenue to the east were paved. Development to the north and east of the site has occurred.
- 1978-1994: Additional disturbance to the site and surrounding land occurred including multiple unpaved roads.
- 1994-2005: Increased rural residential development scattered on-site as well as in the north and east of the site. Grading occurred in the northwestern portion of the Park area.
- 2005-Present: No major changes have occurred on the site since 2005.

The disturbances outlined above have eliminated fully intact natural plant communities that historically occurred on the project site and surrounding area. As a result, only disturbed native plant communities occur on-site, and only disturbed native plant communities will be impacted from implementation of the proposed project.

Vegetation

The project site supports four (4) plant communities: Disturbed Riversidian Sage Scrub, Disturbed Southern Willow Scrub, non-native grassland, and ornamental. In addition, the site supports two (2) land cover types that would be classified as disturbed and developed. The vegetation community and land cover types are described in further detail below.

- **Disturbed/Developed:** The majority of the project site consists of approximately 52.09 acres of disturbed/developed lands. These areas consist of residential single-family homes, paved driveways, equestrian and stock facilities, a heavy equipment business, and an RV storage lot. The project site is also bisected with dirt roads, adjacent open lots, and debris piles (e.g., trash, concrete refuse, etc.). The majority of the dirt roads and lots are routinely maintained, but do include areas of non-native (ruderal) vegetation during certain times of the year; as well as several depressions/road ruts that inundate with water, as was the case during the biological study. Ruderal plant species observed included London rocket (*Sisymbrium irio*), red-stemmed filaree (*Erodium cicutarium*), cheeseweed (*Malva parviflora*), common fiddleneck (*Amsinckia intermedia*), ripgut grass (*Bromus diandrus*), and Russian thistle (*Salsola australis*). These plant species were also dominant in the adjacent open fields (nonnative grasslands).
- **Non-Native Grassland:** The Project site supports approximately 29.48 acres of non-native grasslands. These areas occur within the northern and central portions of the site between the

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disturbed/developed areas and along the dirt access roads. This plant community is dominated by non-native ruderal species including common fiddleneck, foxtail brome (*Bromus madritensis susp. rubens*), ripgut grass, Russian thistle, bare barley (*Hordeum murinum*), Mediterranean grass (*Schismus barbatus*), slender wild oat (*Avena barbata*), stink net (*Oncosiphon piluliferum*), summer mustard (*Hirschfeldia incana*), and red-stemmed filaree (*Erodium cicutarium*).

- **Ornamental:** The Project site supports approximately 1.12 acres of ornamental vegetated areas. These areas are located adjacent to paved boulevards and sidewalks near Cajalco Road in the northern portion of the site where Peruvian pepper trees (*Schinus mole*) and Mexican fan palms (*Washingtonia robusta*) occur. A row of Italian cypress trees (*Cupressus sempervirens*) are present within the heavy equipment rental business, and a group of European olive trees (*Olea europaea*) occur along Rider Street in the southern off-site road improvements.
- **Disturbed Southern Willow Scrub:** The Project site supports approximately 0.21 acre of disturbed southern willow scrub in the southern portion of the Project site within a remnant portion of an unnamed ephemeral stream. This area is dominated by a mix of native and non-native vegetation, which in the past may have supported a primarily native riparian corridor through the site, but has been impacted and disturbed by surrounding development, encampments, and hydrology modifications. None-the-less, a small portion is comprised of black willow (*Salix gooddingii*) and mule fat (*Baccharis salicifolia*). Also present in the understory and surrounding uplands was a small area of native scrub vegetation which included California sagebrush (*Artemisia californica*), deerweed (*Acmispon glaber*), miniature lupine (*Lupinus bicolor*), and California buckwheat (*Eriogonum fasciculatum*). Non-native trees were also dominant within this portion of the Project site, which included tree tobacco (*Nicotiana glauca*), castor bean (*Ricinis communis*), and tamarisk (*Tamarix ramosissima*).
- **Disturbed Riversidean Sage Scrub:** The project site supports approximately 3.80 acre of disturbed Riversidean sage scrub within the southwest portion of the site. These areas were historically left un-maintained due to the rocky outcrops that occur sporadically throughout this community and have prevented historic agriculture and/or grazing activities. Thus, the rocky topography has allowed the native Riversidean sage scrub community to persist in areas adjacent to disturbed and/or non-native grasslands that were historically farmed or grazed. Native sage scrub species observed in between the rocky areas were California sagebrush, California buckwheat, deerweed, scarlet monkeyflower (*Erythranthe cardinalis*), coastal prickly pear (*Opuntia littoralis*), and annuals such as miniature lupine, Pomona milk vetch (*Astragalus pomonensis*), ripgut grass, stink-net, and common fiddleneck.

Jurisdictional Resources

The project site supports two channelized features (Drainage A and Tributary A-1) and several seasonal unvegetated depressions, all of which are ephemeral, that flow/pond only in direct response to precipitation (e.g., rain events).

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There is approximately 286 feet of riparian stream area left intact within Drainage A. Riparian vegetation associated with Drainage A is comprised of black willow, mule fat, and dominant presence of invasive tamarisk, tree tobacco, and castor bean in the canopy layer. Widths within the riparian canopy were between 20 and 60 feet. The non-riparian stream bank widths were between 5 and 10 feet. The non-riparian stream areas within Drainage A and Tributary A-1 were characterized as having a defined bed, bank, and/or channel, but no associated riparian vegetation or canopy overlap. Vegetation associated with the non-riparian stream was dominated by a mix of native and non-native upland vegetation such as, California sagebrush (*Artemisia californica*), deerweed (*Acmispon glaber*), miniature lupine (*Lupinus bicolor*), California buckwheat (*Eriogonum fasciculatum*), Mediterranean grass (*Schismus barbatus*), common fiddleneck, ripgut grass, Russian thistle, stink net, summer mustard, and redstemmed filaree.

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3 RIPARIAN/RIVERINE MITIGATION (SECTION 6.1.2)

3.1 Methods

Section 6.1.2 of the MSHCP, identifies Riparian/Riverine resources as lands which contain habitat dominated by trees, shrubs, persistent emergent vegetation, or emergent mosses and lichens, which occur close to or which depend upon soil moisture from nearby fresh water sources, or areas with freshwater flow during all or a portion of the year. Riverine habitat includes all wetlands and deep-water habitats contained in natural or artificial channels periodically or continuously containing flowing water or which forms a connecting link between the two bodies of standing water. Riverine habitat is bounded on the landward side by upland, by the channel bank (including natural and man-made levees), or by wetlands dominated by trees, shrubs, persistent emergents, mosses, or lichens. In braided streams, the system is bounded by the banks forming the outer limits of the depression within which the braiding occurs. Springs discharging into a channel are considered part of the riverine habitat. The term riparian is used to define the type of wildlife habitat found along the banks of a river, stream, lake or other body of water. Riparian habitats are ecologically diverse and can be found in many types of environments including grasslands, wetlands and forests.

The project site supports two channelized features (Drainage A and Tributary A-1). These features will be considered riparian/riverine habitat under Section 6.1.2 of the MSHCP. The Project site contains approximately 0.27 acre of MSHCP Riparian/Riverine areas, of which 0.21 acre is considered disturbed southern willow scrub riparian habitat associated with Drainage A, and 0.06 is considered riverine habitat. Project activities are expected to permanently impact approximately 0.27 acre of riparian/riverine habitat. While stands of black willow and mulefat are present, the majority of the canopy layer of this plant community is comprised of tree tobacco, castor bean, and tamarisk, which diminishes the suitability of the site for special-status wildlife species dependent upon riparian plant communities.

The composition of the disturbed southern willow scrub supported on-site has been degraded by these dominant species such that contiguous willow canopies are no longer present. In addition, these plant species have reduced the availability of suitable habitats for native riparian understory species, and the understory of the disturbed southern willow scrub supported by the project site consists almost of native upland species and non-native herbaceous species with no native wetland obligate species present. Due to incomplete canopy, limited acreage, and lack of riparian plant species diversity of the disturbed southern willow scrub supported on-site, the habitat associated with the on-site drainages features does not provide suitable habitat for any of the riparian obligate species listed under the MSHCP that may occur within the regional vicinity, including the State- and federally-listed as endangered least Bell's Vireo (*Vireo bellii pusillus* [LBVI]), southwestern willow flycatcher (*Empidonax traillii extimus*), or yellow-billed cuckoo (*Coccyzus americanus*).

The highly degraded and inconsistent canopy of the disturbed southern willow scrub precludes nesting by LBVI, southwestern willow flycatcher, and yellow-billed cuckoo, as these species require dense, sprawling canopies to obscure nests from predators. Further, LBVI and southwestern willow flycatcher each require minimum nesting territories of 0.5 acres, which exceeds the available riparian habitats supported on-site.

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In addition, the lack of native plant diversity reduces the availability of insect prey for these species. As a result, no focused surveys were conducted or recommended, and no impacts to this species will occur from project implementation.

Vernal Pools

One of the factors for determining the suitability of the habitat for fairy shrimp would be demonstrable evidence of seasonal ponding in an area of topographic depression that is not subject to flowing waters. These astatic pools are typically characterized as vernal pools. More specifically, vernal pools are seasonal wetlands that occur in depression areas without a continual source of water. They have wetland indicators of all 3 parameters (soils, vegetation, and hydrology) during the wetter portion of the growing season but normally lack wetland 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. The determination that an area exhibits vernal pool characteristics and the definition of the watershed supporting vernal pool hydrology is made on a case-by-case basis. Such determinations should be considered the length of time the areas exhibit upland and wetland characteristics and the manner in which the area fits into the overall ecological system as a wetland. The seasonal hydrology of vernal pools provides for a unique environment, which supports plants and invertebrates specifically adapted to a regime of winter inundation, followed by an extended period when the pool soils are dry.

Vernal pools are seasonally inundated, ponded areas that only form in regions where specialized soil and climatic conditions exist. During fall and winter rains typical of Mediterranean climates, water collects in shallow depressions where downward percolation of water is prevented by the presence of a hard pan or clay pan layer (duripan) below the soil surface. Later in the spring when rains decrease and the weather warms, the water evaporates and the pools generally disappear by May. The shallow depressions remain relatively dry until late fall and early winter with the advent of greater precipitation and cooler temperatures. Vernal pools provide unusual "flood and drought" habitat conditions to which certain plant and wildlife species have specifically adapted as well as invertebrate species such as fairy shrimp.

The MSHCP lists two general classes of soils known to be associated with special-status plant species; clay soils and Traver-Domino Willow association soils. The specific clay soils known to be associated with special-status species within the MSHCP plan area include Bosanko, Auld, Altamont, and Porterville series soils, whereas Traver-Domino Willows association includes saline-alkali soils largely located along floodplain areas of the San Jacinto River and Salt Creek. Without the appropriate soils to create the impermeable restrictive layer, none of the special-status species associated with vernal pools are expected to occur on the project site. Hanford coarse sandy loam, Monserate sandy loam, Vista rocky coarse sandy loam, Fallbrook sandy loam, Cieneba rocky sandy loam, and Ramona sandy loam are mapped as historically underlying the project site. In addition, agricultural land uses spanning much of the past century have thoroughly mixed and compacted on-site soils.

The project site contains 22 road rut features that pond seasonally. Although these features exhibit hydrology, the features are compacted and lack hydric soils, and the features do not support any vegetation.

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Therefore, the features are not MSHCP vernal pools because they lack two of the parameters needed to be considered as a depressional wetland.

Fairy Shrimp

The project site contains 22 seasonal ponded road rut features that are currently being evaluated for the potential to support listed fairy shrimp, including 16 features within the warehouse parcel and 6 features within the Decker Road alignment. Based on the depth of the road rut features and the likely maximum duration of ponding, the listed species for consideration are the vernal pool fairy shrimp and the San Diego fairy shrimp. The Riverside fairy shrimp is generally not expected to be present due to the limited ponding duration of all the ponds; however, protocol survey for the vernal pool fairy shrimp and San Diego fairy shrimp would also address the Riverside fairy shrimp. The results of fairy shrimp surveys are pending and will be presented in a future.

3.2 Results/Impacts

The on-site drainages collectively perform the following functions within the local area of the watershed: regulation of nuisance flows, energy dissipation, nutrient cycling, retention of particulates, nutrient/particulate uptake from off-site, upstream development, and connectivity with similar habitat upstream. Drainage A and A-1, within the project footprint, will be considered riparian/riverine habitat under the MSHCP.

The proposed project will result in permanent impacts to approximately 0.27 acre of riparian/riverine habitat within Drainage A and A-1. Flows within a portion of the impacted riparian/riverine habitat will be maintained within the Park Site as the project is keeping a large portion of the stream in its current alignment. Flows within the impacted riparian/riverine habitat will be accepted into the proposed three-12'x12' RCB in the Decker Road culdesac. As these flows exit the box, they will dissipate over a design rock rip-rap outlet structure to address any increase in velocities prior to continuing in the existing stream condition off-site.

Table 3: Impacts to Riparian/Riverine Habitat

Drainage Name	On-site Acres (linear feet)	Impacts Acres (linear feet)
Drainage A	0.27 (877)	0.27 (877)
Drainage A-1	0.003 (108)	0.003 (108)
Total	0.27 (985)	0.27 (985)

3.3 Mitigation and Equivalency

3.3.1 Direct Effects

Complete avoidance of riparian/riverine habitat within Drainage A is not possible due to the impacted area occurring at the proposed future terminus of Decker Road, fuel modification zones, and future facilities

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fronting the proposed building that will be maintained by Riverside County Transportation or Riverside County Flood Control.

The 0.27 acre of impacted riparian/riverine habitat supports degraded plant communities that are inundated with invasive species that have fragmented what would otherwise be a complete canopy layer and removed native riparian species from the understory.

The applicant proposes to mitigate via off-site through the purchase of re-establishment and/or enhancement mitigation credits through the Riverpark Mitigation Bank and/or other approved bank (i.e., Skunk Hollow), or combination thereof at an agreed upon ratio of 3:1. Preservation credits would be purchased out of the Skunk Hollow Mitigation bank if no other mitigation credits are available at a 4:1 ratio. The applicant will be responsible for the purchase of mitigation credits to compensate for impacts to riparian/riverine habitat. The applicant will be responsible for the purchase of 0.81 acre of mitigation credits through the Riverpark Mitigation Bank (depending on the smallest size of credit that can be purchased), or 1.08 acre of mitigation credits through the Skunk Hollow Mitigation Bank.

The above actions would result in a net increase in the function and ecological value of riparian/riverine habitat (biologically equivalent or superior) within the region by preserving/enhancing high quality habitat in Riverside County.

3.3.2 Indirect Effects

The following minimization measures have been incorporated into the project design to ensure that all indirect project-related impacts to riparian/riverine habitat, including impacts from fugitive dust, toxics, invasive plant species, and grading/land development, are avoided or minimized to the greatest extent feasible.

Fugitive Dust

During soil excavation, grading, or other subsurface disturbance within 100 feet of conserved riparian/riverine habitat on-site, the construction superintendent shall supervise provision and maintenance of all standard dust control best management practices (BMPs) to reduce fugitive dust emissions, including but not limited to the following actions:

- Water any exposed soil areas a minimum of twice per day, or as allowed under any imposed drought restrictions. On windy days or when fugitive dust can be observed leaving the construction site, additional water shall be applied at a frequency to be determined by the on-site construction superintendent.
- Pave, periodically water, or apply chemical stabilizer to construction access/egress points.
- Minimize the amount of area disturbed by clearing, grading, earthmoving, or excavation operations at all times.
- Operate all vehicles on graded areas at speeds less than 15 miles per hour.

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- Cover all stockpiles that will not be utilized within three days with plastic or equivalent material, to be determined by the on-site construction superintendent, or spray them with a non-toxic chemical stabilizer.

Runoff - Toxics

To address potential short-term impacts to water quality from construction runoff that may carry storm water pollutants downstream, a Storm Water Pollution Prevention Program (SWPPP) shall be implemented by the construction contractor as required by the California General Construction Storm Water Permit pursuant to State Water Quality Control Board and Regional Board regulations. The SWPPP shall identify BMPs related to the control of toxic substances, including construction fuels, oils, and other liquids. These BMPs will be implemented by the Applicant's contractor prior to the start of any ground clearing activity, shall be subject to periodic inspections by the County and the project's hydrological consultant, and shall be maintained throughout the construction period and remain in place until all landscape and permanent BMPs are in place. BMPs shall be monitored and repaired if necessary to ensure maximum erosion, sediment, and pollution control.

- Permittee shall prohibit the use of erosion control materials potentially harmful to fish and wildlife species, such as mono-filament netting (erosion control matting) or similar material, within and adjacent to CDFW jurisdictional areas.
- All fiber rolls¹, straw waddles, and/or hay bales utilized within and adjacent to the project site shall be free of non-native plant materials.
- Permittee shall comply with all litter and pollution laws. All contractors, subcontractors, and employees shall also obey these laws and it shall be the responsibility of Permittee to ensure compliance.
- Permittee shall not allow water containing mud, silt, or other pollutants from grading, aggregate washing, or other activities to enter a lake, streambed, or flowing stream or be placed in locations that may be subjected to high storm flows.
- Spoil sites shall not be located within a lake, streambed, or flowing stream or locations that may be subjected to high storm flows, where spoil shall be washed back into a lake, streambed, or flowing stream where it will impact streambed habitat and aquatic or riparian vegetation.
- Raw cement/concrete or washings thereof, asphalt, paint, or other coating material, oil or other petroleum products, or any other substances which could be hazardous to fish and wildlife resources resulting from project related activities shall be prevented from contaminating the soil and/or entering the waters of the State. These materials, placed within or where they may enter a lake, streambed, or flowing stream by Permittee or any party working under contract or with the permission of Permittee, shall be removed immediately.

¹ Fiber rolls or erosion control mesh shall be made of loose-weave mesh that is not fused at the intersections of the weave, such as jute, or coconut (coir) fiber, or other products without welded weaves. Non-welded weaves reduce entanglement risks to wildlife by allowing animals to push through the weave, which expands when spread.

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- No equipment maintenance shall be done within or near any lake, streambed, or flowing stream where petroleum products or other pollutants from the equipment may enter these areas under any flow.
- No broken concrete, cement, debris, soil, silt, sand, bark, slash, sawdust, rubbish, or washings thereof, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the State. When operations are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the edge of any lake, streambed, or flowing stream.

Accidental Encroachments During Construction

The following measures shall also be incorporated into the construction documents and specifications, and implemented by the contractor, to avoid potential construction-related impacts to conserved riparian/riverine habitat outside of the approved disturbance limits:

- Construction worker training shall be provided by a qualified biologist at the first pre-construction meeting;
- Exclusionary fencing and signs shall be erected near the top of slope adjacent to conserved riparian/riverine habitat to prevent accidental/unauthorized intrusions during construction;
- No equipment shall be operated in areas of flowing water;
- Construction access and staging areas for storage of materials and heavy equipment, and for fueling, cleaning, or maintenance of construction vehicles or equipment, shall be prohibited within 20 feet from the top of slope adjacent to conserved riparian/riverine habitat; and
- A qualified biologist shall be on-site during initial clearing/grubbing, grading, and/or construction activities within the riparian/riverine habitat that will be impacted within the on-site drainage features, or within 100 feet of the habitat to be avoided, and shall periodically monitor these activities to ensure they do not exceed the fenced construction limits.

Post-Construction Human Disturbances

The project shall incorporate special edge treatments designed to minimize edge effects by providing a safe transition between developed areas and conserved riparian/riverine habitat, and which would be compatible with project operation and the protection and sustainability of conserved areas. Special edge treatments shall include native landscaping on manufactured slopes within the conserved areas and fencing/signage near the top of slope adjacent to conserved areas to prevent unauthorized public access, vandalism, illegal dumping, and other adverse human disturbances.

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4 NARROW ENDEMIC PLANT SPECIES MITIGATION (SECTION 6.1.3)

The Project site is not located within a NEPSSA area; therefore, no focused surveys were required and no further consistency with the MSHCP is required in regard to NEPSSA species.

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5 ADDITIONAL SURVEY NEEDS (SECTION 6.3.2)

5.1 Criteria Area Species Survey Area – Plants

The Project site is not located within a Criteria Area Species Survey Area for plants; therefore, no focused surveys were required and no further consistency with the MSHCP is required in regard to Criteria Area Species Survey Area for plants.

5.2 Burrowing Owl

Burrowing owl is currently designated as a California Species of Special Concern. The burrowing owl is a grassland specialist distributed throughout western North America where it occupies open areas with short vegetation and bare ground within shrub, desert, and grassland environments. Burrowing owls use a wide variety of arid and semi-arid environments with level to gently-sloping areas characterized by open vegetation and bare ground. The western burrowing owl (*A.c. hypugaea*), which occurs throughout the western United States including California, rarely digs its own burrows and is instead dependent upon the presence of burrowing mammals (i.e., California ground squirrels, coyotes, and badgers) whose burrows are often used for roosting and nesting. The presence or absence of colonial mammal burrows is often a major factor that limits the presence or absence of burrowing owls. Where mammal burrows are scarce, burrowing owls have been found occupying man-made cavities, such as buried and non-functioning drain pipes, stand-pipes, and dry culverts. They also require low growth or open vegetation allowing line-of-sight observation of the surrounding habitat to forage and watch for predators. In California, the burrowing owl breeding season extends from the beginning of February through the end of August.

5.2.1 Methods

Under the MSHCP, burrowing owl is considered an adequately conserved covered species that may still require focused surveys in certain areas as designated in Figure 6-4 of the MSHCP. The project site occurs within the MSHCP burrowing owl survey area and a habitat assessment was conducted for the species to ensure compliance with MSHCP guidelines for the species. In accordance with the MSHCP Burrowing Owl Survey Instructions (2006), survey protocol consists of two steps, Step I – Habitat Assessment and Step II – Locating Burrows and Burrowing Owls. The following section describes the methodology followed during the burrowing owl habitat assessment conducted for this project.

- Step I – Habitat Assessment: Step 1 of the MSHCP habitat assessment for burrowing owl consists of a walking survey to determine if suitable habitat is present on-site. The habitat assessment was conducted on January 19, 2023. Upon arrival at the project site, and prior to initiating the assessment survey, binoculars were used to scan all suitable habitats on and adjacent to the property, including perch locations, to establish owl presence.

All suitable areas of the project site were surveyed on foot by walking slowly and methodically while recording/mapping areas that may represent suitable owl habitat on-site. Primary indicators of suitable burrowing owl habitat in western Riverside County include, but are not limited to, native and non-native grassland, interstitial grassland within shrub lands, shrub lands with low density

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shrub cover, golf courses, drainage ditches, earthen berms, unpaved airfields, pastureland, dairies, fallow fields, and agricultural use areas. Burrowing owls typically use burrows made by fossorial mammals, but they often utilize man-made structures, such as earthen berms, cement culverts, cement, asphalt, rock, wood debris piles, openings beneath cement or asphalt pavement. Burrowing owls are often found within, under, or in close proximity to man-made structures.

According to the MSHCP guidelines, if suitable habitat is present, the biologist should also walk the perimeter of the property, which consists of a 150-meter (approximately 500 feet) buffer zone around the project site boundary. If permission to access the buffer area cannot be obtained, the biologist shall not trespass, but visually inspect adjacent habitats with binoculars. In addition to surveying the entire Project Site all bordering natural habitats located immediately adjacent to the Project Site were assessed. Results from the habitat assessment indicate that suitable resources for burrowing owl are present throughout the Project Site. Accordingly, if suitable habitat is documented on-site or within adjacent habitats, both Step II, focused surveys and the 30-day preconstruction surveys are required in order to comply with the MSHCP guidelines.

- Step II – Locating Burrows and Burrowing Owls: Concurrent with the initial habitat assessment, a detailed focused burrow survey was conducted and included documentation of appropriately sized natural burrows or suitable man-made structures that may be utilized by burrowing owl - as part of the MSHCP protocol, which is described below under Part A, Focused Burrow Survey. Additionally, since suitable burrows were observed on-site during the Focused Burrow Survey, Focused Burrowing Owl Surveys were conducted as part of the MSCHP protocol, which is described below under Part B.
 - Part A – Focused Burrow Survey: A systematic survey for burrows, including burrowing owl signs, was conducted by walking across all suitable habitats mapped within the project site on January 19, 2023. Pedestrian survey transects were spaced to allow 100% visual coverage of the ground surface. The distances between transect centerlines were no more than 30 meters (approximately 100 feet) apart, and owing to the terrain, often much smaller. Transect routes were also adjusted to account for topography and in general ground surface visibility. Areas providing potential habitat for burrowing owls were surveyed for suitable burrows, consisting of natural and non-natural substrates in areas with low, open vegetation. All burrows encountered were examined for shape, scat, pellets, white-wash, feathers, tracks, and prey remains. Suitable burrows/sites, including rock piles and non-natural substrates, were thoroughly examined for signs of presence.
 - Part B – Focused Burrow Survey: Surveys were conducted by walking meandering transects throughout areas of suitable habitat. Transects were spaced between 22 feet and 65 feet apart, adjusting for vegetation height and density, in order to provide adequate visual coverage of the survey areas. At the start of each transect, and at least every 320 feet along transects, the survey area was scanned for burrowing owls using binoculars. All suitable burrows were inspected for diagnostic owl sign (e.g., pellets, prey remains, whitewash, feathers, bones, and/or decoration) in order to identify potentially occupied

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burrows. Areas of non suitable habitat contained previous development, dirt/paved roads, and other non-suitable areas not utilized by burrowing owl. In areas of suitable habitat outside of the project site, biologists scanned with binoculars for a distance up to 500 feet, as feasible. The focused burrowing owl surveys were conducted during the recognized timeframe (the breeding season is typically March through August) in the morning one hour before sunrise to two hours after sunrise.

Suitable burrows/sites, including rock piles and non-natural substrates, were thoroughly examined for signs of presence. All burrows encountered were examined for shape, scat, pellets, white-wash, feathers, tracks, and prey remains. The location of all suitable burrowing owl habitat, potential owl burrows, burrowing owl sign, and any owls observed were recorded and mapped, with a hand-held GPS unit, if observed. Methods to detect presence of burrowing owls included direct observation, aural detection, and signs of presence. Binoculars were used to observe distant birds and their activity around potential nesting habitat. During the focused surveys, the survey area was assessed on foot by qualified Glenn Lukos Associates biologists who are knowledgeable in the habitats and behavior of burrowing owls.

5.2.2 Results/Impacts

Four focused burrowing owl surveys were conducted on April 6, June 20, July 7, and July 14, 2023. All surveys were completed between 0600 and 0930. The surveys were conducted to document the presence/absence of burrowing owl on the project site. Refer to Table 1, *Burrowing Owl Survey Data*, for a summary of the survey dates and times, personnel, weather conditions, and general findings.

Table 4: Burrowing Owl Survey Data

Survey No.	Survey Date	Surveyors	Time	Temperature (°F)	Cloud Cover	Wind Speed (mph)	Burrowing Owl Detected On-Site
1	4/6/23	Chris Waterston Brinna Lee	0600-0815	49-65	0%	0-10	No
2	6/20/23	Amy Black	060-0815	53-59	0%	0-1	No
3	7/7/23	Brinna Lee Amy Black	0600-0810	54-56	0%	0-1	No
4	7/14/23	Amy Black	0600-0830	70-75	0%	0-1	No

Based on the results of the 2023 burrowing owl focused surveys, no burrowing owls or evidence of recent or historic use by burrowing owls were observed on the project site. As a result, burrowing owls are presumed to be absent from the project site.

5.2.3 Mitigation and Equivalency

4.1.3.1 Direct Effects

To ensure burrowing owl remain absent from the project site, it is recommended that a 30-day burrowing owl pre-construction clearance survey be conducted in accordance with the *Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area* prior to any ground disturbing activities. If burrowing owls and/or birds displaying nesting behaviors are observed within the project site during future construction, further review may be needed to ensure compliance with the MSHCP, MBTA and Fish and Game Code.

4.1.3.2 Indirect Effects

If no burrowing owls are found on-site during the pre-construction clearance survey, and with, no indirect effects to burrowing owl are expected to occur.

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6 REFERENCES

Glenn Lukos Associates. 2023. Biological Technical Report for the Mead Valley Commerce Center Project (PPT 220050, TPM 38601, TPM 38845)

Glenn Lukos Associates. 2023. Jurisdictional Delineation of the Mead Valley Commerce Center Site.

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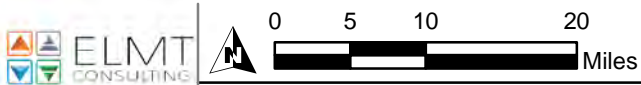
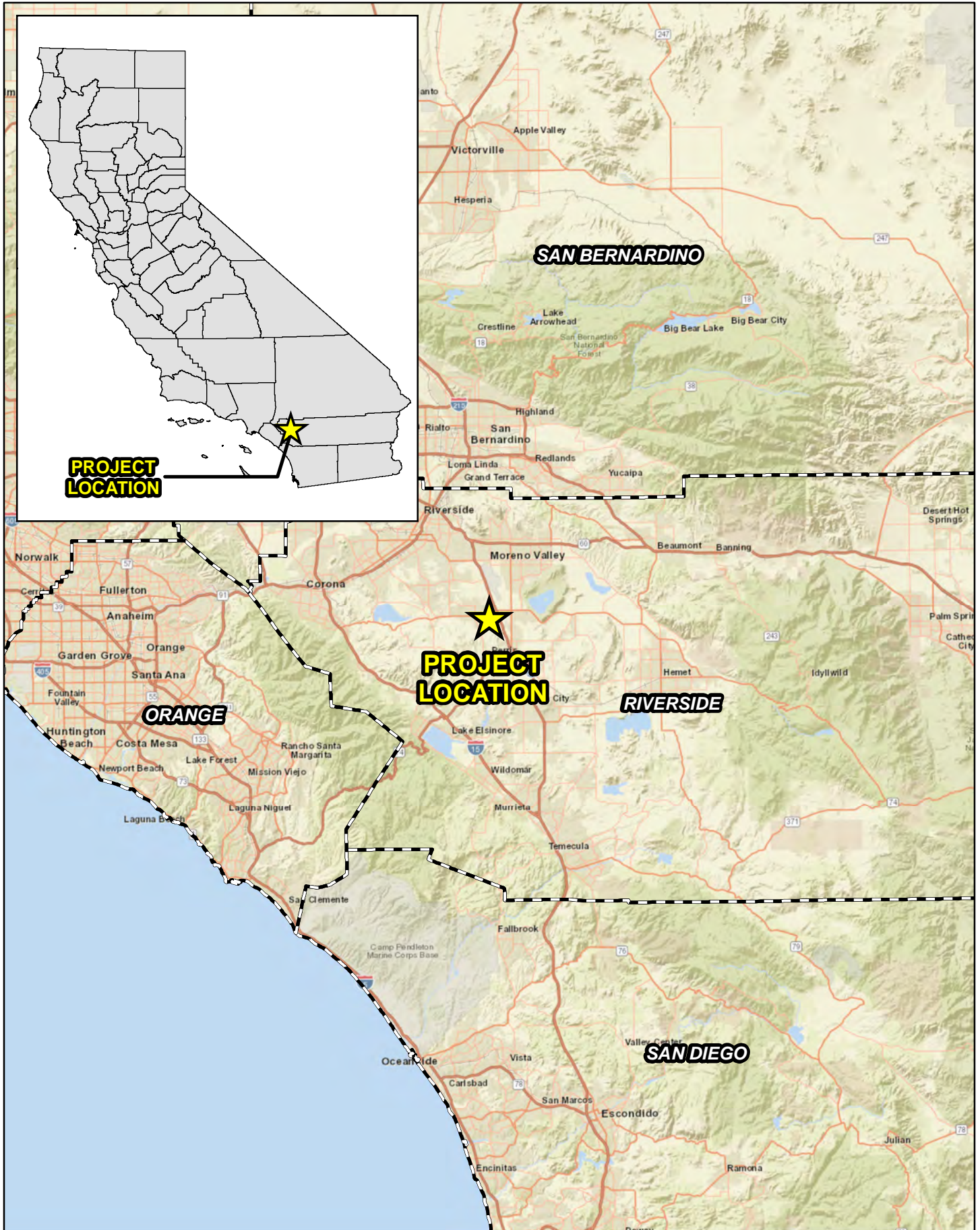
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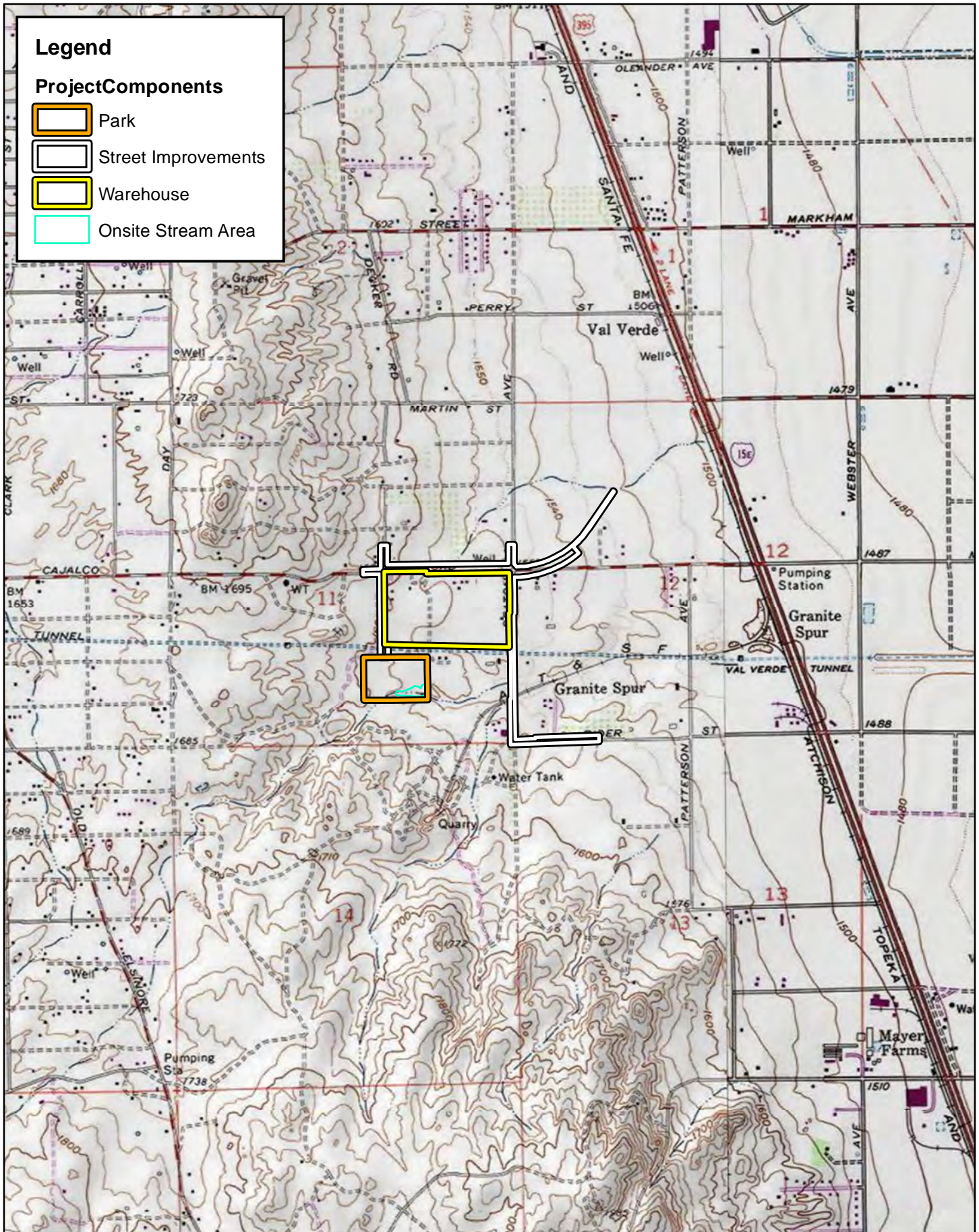
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Appendix A Project Exhibits



Source: World Street Map, Riverside County

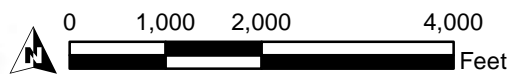
CAJALCO COMMERCE CENTER
Regional Vicinity



Legend

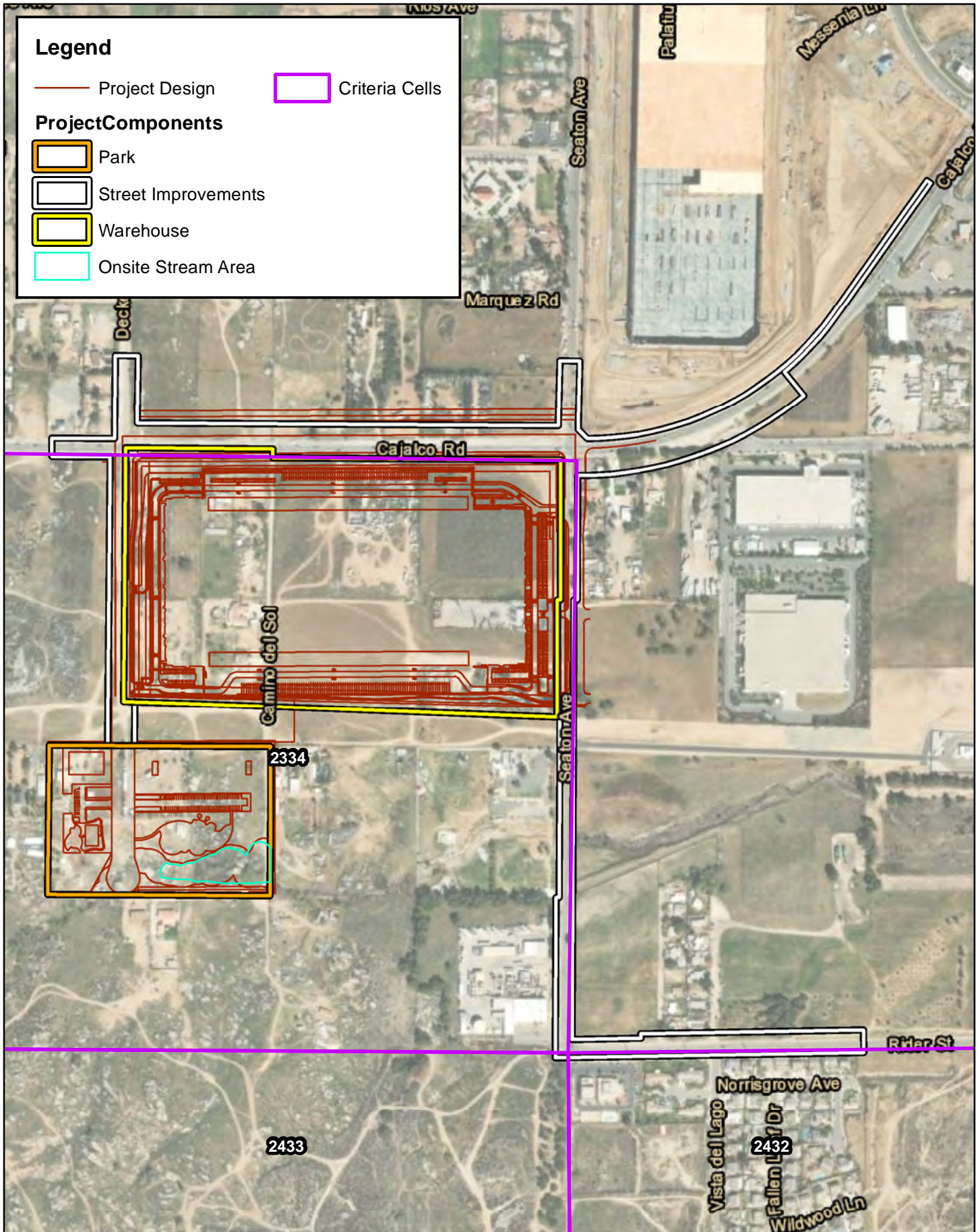
Project Components

-  Park
-  Street Improvements
-  Warehouse
-  Onsite Stream Area



MEAD VALLEY COMMERCE CENTER
Site Vicinity

Source: USA Topographic Map, Riverside County

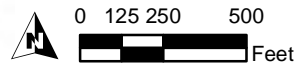


Legend

- Project Design
- Criteria Cells

Project Components

- Park
- Street Improvements
- Warehouse
- Onsite Stream Area



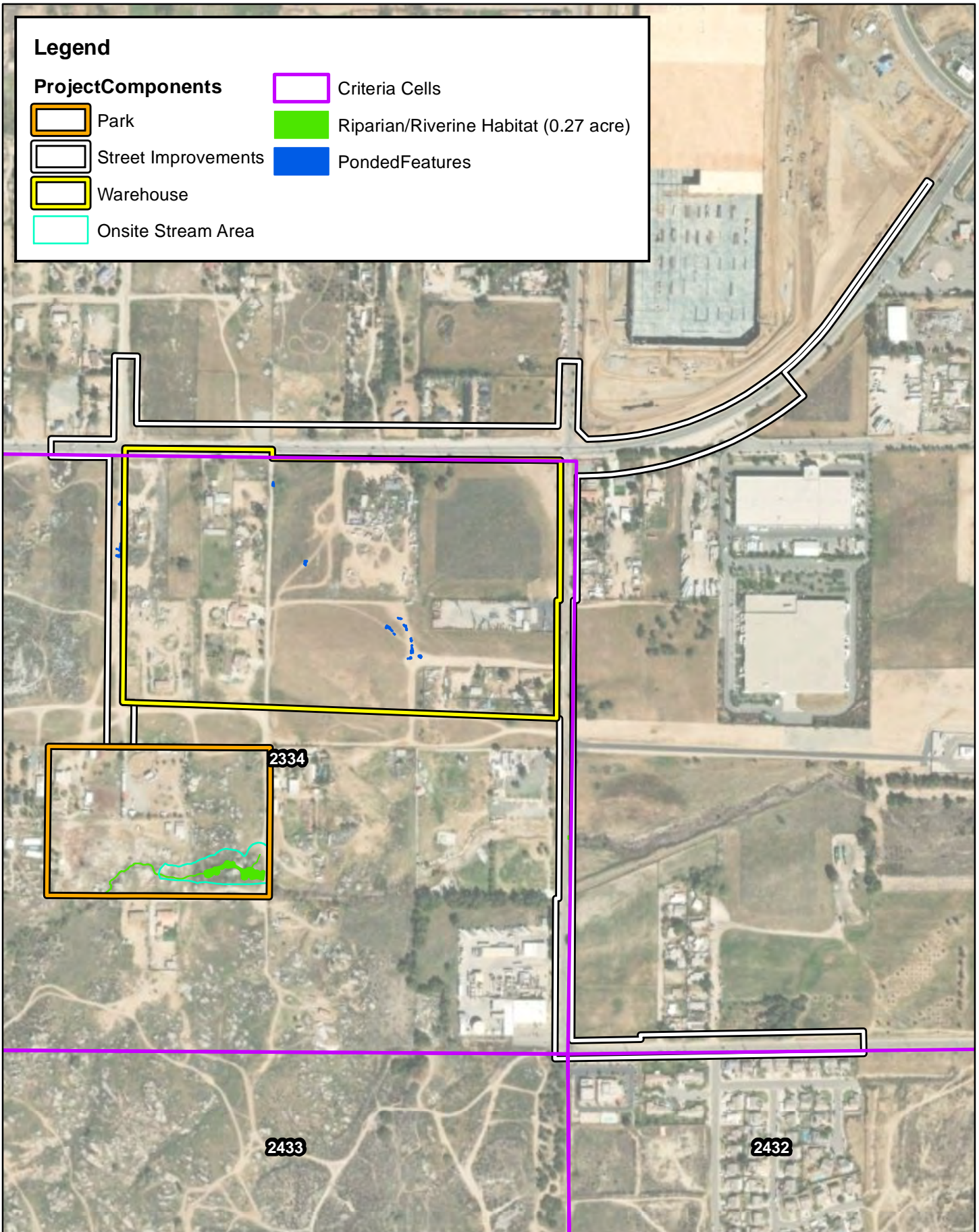
Source: ESRI Aerial Imagery, Riverside County

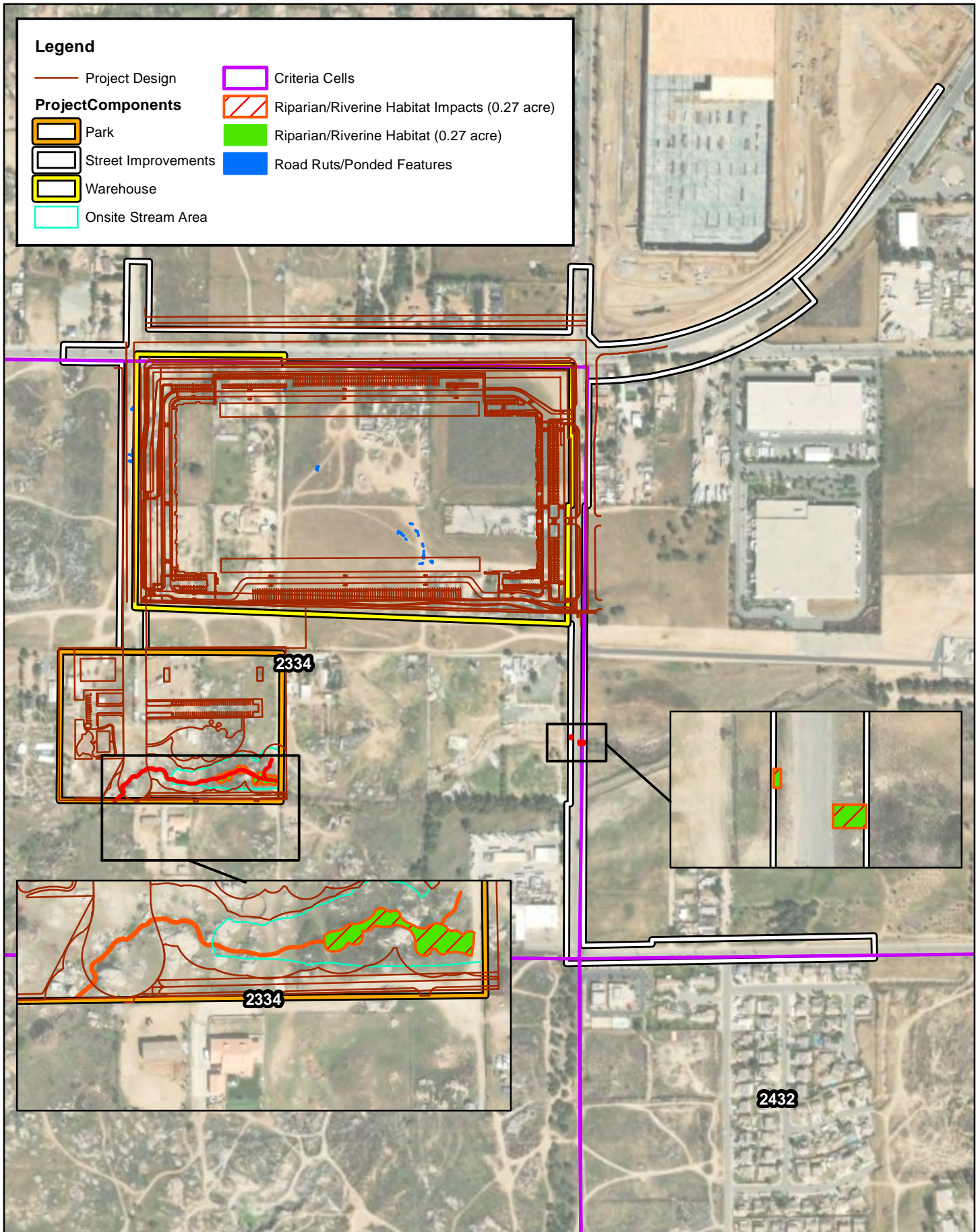
CAJALCO COMMERCE CENTER
Project Site

Legend

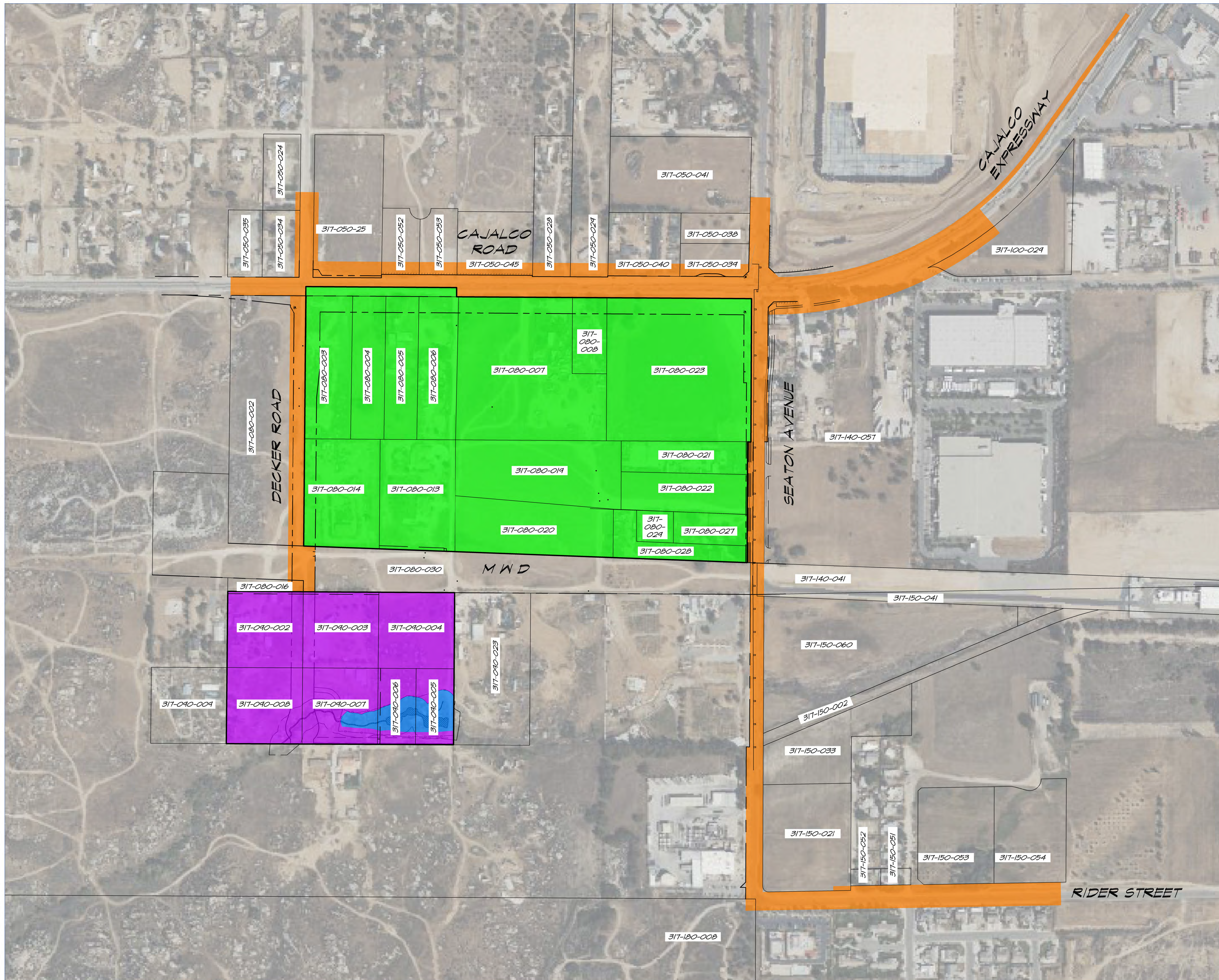
ProjectComponents

-  Park
-  Street Improvements
-  Warehouse
-  Onsite Stream Area
-  Criteria Cells
-  Riparian/Riverine Habitat (0.27 acre)
-  PongedFeatures





Appendix B Site Plan



LEGEND

- ONSITE WAREHOUSE PROJECT BOUNDARY**
±50 AC (±2,179,769 SF)
- ONSITE PARK PROJECT BOUNDARY**
±13.6 AC (±592,796 SF)
- OFFSITE STREET BOUNDARY**
±21.8 AC (±950,666 SF)
- ONSITE STREAM AREA (ASSUMED TO BE IMPACTED)**
±1.3 AC (±57,860 SF)