



RCA Joint Project Review (JPR) Findings

JPR #: 23-05-16-01

Date: 01/02/2024

Project Information

Permittee: County of Riverside
 Case Information: HAN220010 / PPT200033
 Site Acreage¹: 2.5 acres (permanent)
 Portion of Site Proposed for MSHCP Conservation Area: 0 acre

Criteria Consistency Review

Consistency Conclusion: *The project is consistent with both the Criteria and Other Plan requirements with implementation of the measures presented in these Findings (including any within the project information provided to the Regional Conservation Authority by the Permittee for this JPR).*

Applicable Core/Linkage: Proposed Core 2
 Area Plan: Southwest

APN	Sub-Unit	Cell Group	Cell
963-070-018	SU5 - French Valley / Lower Sedco Hills	N/A	5778

Project Information

- a. **Project Documentation.** JPR submittal materials provided by the Permittee included a JPR Application Form (March 22, 2023), a HANS Application (May 22, 2022), a HANS Checklist (June 29, 2022), a MSHCP Compliance Review Worksheet (September 2023), and a MSHCP Consistency Analysis (*Analysis*, December 2023) prepared by SWCA Environmental Consultants.
- b. **Project Location.** The project is located in the French Valley community in unincorporated Riverside County, south of Benton Road, west of Leon Road, north Auld Road, and east of Briggs Road (Exhibit A) on APN 963-070-018. It is located in the southern portion of the MSHCP Area (Exhibit B).

¹ Acreages presented in the JPR supporting documentation may vary due to rounding.



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- c. **Project Description.** The 2.5-acre project includes the construction of two single-story fast-food restaurants with a drive-through, outdoor seating, parking and associated landscaping, and a single-story drive-through car wash with vacuum stalls.

According to the *Analysis*, the project site is dominated by non-native forbs and grasses with a few disturbance-tolerant native species intermixed, and a few ornamental shrubs around the southern perimeter. MSHCP baseline vegetation communities (1994) within the project site consist of grassland (Exhibit C). Soils mapped within the project site include Auld clay, 2 to 8 percent slopes and Monserate sandy loam, 5 to 8 percent slopes (Exhibit D). Auld clay is directly related to or supports Narrow endemic Plant Species and Criteria Area Plant Species, which are further discussed in Sections 6.1.3 and 6.3.2 below.

The project would result in 2.5 acres of permanent impacts. No temporary impacts are proposed and the project does not include any road improvements or other off-site impacts. The project does not include any water quality features. Information on staging of equipment and construction materials was not provided with in the JPR application submittals. The project does not require fuel modification zones or off-site fuel modification responsibilities. The project site is not located adjacent to existing and proposed conservation areas (Exhibit E).

Relation to Reserve Assembly

- a. **Reserve Assembly Summary.** As stated in Section 3.2.3 of the MSHCP, “Proposed Core 2 (Antelope Valley) is located approximately in the southwest region of the Plan Area. This Core Area consists largely of private lands but also contains small pieces of Public/Quasi-Public Lands. Connections from the Core are made through Proposed Constrained Linkages 15 (Lower Warm Springs Creek), 16, 17 (Paloma Valley), and 18. The Core is constrained in all directions by existing agricultural uses and urban Development. Though the Core has one of the highest P/A ratios of all MSHCP proposed or existing Cores, it is highly connected to other MSHCP conserved lands and is located only 1.1 miles from the nearest connected Core, Existing Core J (Lake Skinner/Diamond Valley Lake). This Core provides important Habitat for the Quino checkerspot, which has key populations in this area. This butterfly is restricted by the distribution and availability of its hosts plants, which in many areas have been replaced by non-native exotic weed species and habitat type conversion. Because of the large number of Covered Activities planned in this area and the constrained condition of the Core, management of edge conditions will be necessary in this area to maintain high quality Habitat for the Quino checkerspot and other species using this Core. 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 [MSHCP].”

The project site is located in the north-central portion of Independent Cell 5778. As stated in Section 3.3.15 of the MSHCP, “Conservation within this Cell will contribute to assembly of Proposed Core 2. Conservation



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within this Cell will focus on grassland habitat. Areas conserved within this Cell will be connected to grassland habitat and agricultural land proposed for conservation in Cell Group B to the west. Conservation within this Cell will be approximately 5% of the Cell focusing in the southwestern portion of the Cell.”

Cell 5778 totals 163.9 acres. Using the 5% conservation goal, 8.2 acres are described for conservation within this 163.9-acre Cell. The proposed project would not prohibit the ability to achieve Cell 5778 goals because the project is located within the north-central portion of the Cell and is not described for conservation by the MSHCP, nor does it provide any of the functions and values to Proposed Core 2. Development of the proposed project would not impede assembly of Proposed Core 2. However, in summary, to date there are no conserved lands or lands that are proposed for conservation in this Cell. As such, 8.2 acres are still needed for conservation in order to achieve the 5% conservation goal. There are approximately 60.0 acres of undeveloped lands² that would functionally contribute and would have connectivity to Proposed Core 2. Therefore, Cell 5778 could achieve the 5% goal of 8.2 acres.

- b. **Rough Step.** The proposed project is within Rough Step Unit 6. As stated in Section 4 of the MSHCP 2021 Annual Report, “Rough Step Unit 6 encompasses 101,542 acres within the south-central region of western Riverside County (refer to Section 4.6, Figure 4-7, Rough Step Unit 6). This Rough Step Unit includes Antelope Valley, Warm Springs Creek, Paloma Creek, Lake Skinner, Johnson Ranch, and Diamond Valley Lake. This Unit is bound by Interstate 15 to the northwest, Bundy Canyon Road and Olive Avenue to the north, and Palm Avenue to the west. In Rough Step Unit 6, there are 11,392 acres within the Criteria Area. Key vegetation communities within Rough Step Unit 6 include: coastal sage scrub; grasslands; woodlands and forests; and riparian scrub, woodland, forest.”

Baseline vegetation (1994) for the project consists of grassland only (Exhibit C). Although the 2022 Annual Report has not been finalized, the remaining development allowance for grassland for Rough Step Unit 6 is 299 acres of grassland. As of the end of 2022, this Unit remains in Rough Step. Based on the above discussion the proposed project does not conflict with Rough Step.

The Rough Step Unit 6 development allowance may have changed by the time this project submits for a grading permit. As such, the RCA provides the following required Measure to ensure the County does not exceed Rough Step allowances:

ROUGH STEP MEASURE. In accordance with MSHCP Volume I, Section 6.7, it is the Permittees responsibility that *[if the rough step rule is not met during any analysis period (performed annually by the Regional Conservation Authority [RCA]), the Permittees must conserve appropriate lands supporting a specified vegetation community within the analysis unit to bring the Plan back into the parameters of the rule prior to authorizing additional loss of the vegetation community for which the rule was not achieved. The Permittee is encouraged to consult with the RCA on current rough step allowances prior to working*

² Based on RCA information these lands show no development or approved/proposed HANS/JPR.



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with project applicants developing grading plans. The Permittee must not cause additional loss of any rough step vegetation that is out of balance. Prior to issuance of a grading permit, the Permittee will confirm with the RCA that the Project will not impact out-of-balance Rough Step vegetation in the applicable Rough Step unit.

Other Plan Requirements (MSHCP Volume I)

Section 6.1.2 – Was Riparian/Riverine/Vernal Pool Mapping or Information Provided?

Yes. There are no Riparian/Riverine areas on the project site. There are no vernal pools on the project site, and the topography and hydrology present on the site does not support habitat considered suitable for fairy shrimp. There is no suitable riparian bird habitat on the project site.

Section 6.1.3 – Was Narrow Endemic Plant Species Survey Information Provided?

Yes. The project site is located within a Narrow Endemic Plant Species Survey Area (NEPSSA), specifically Munz's onion, San Diego ambrosia, many-stemmed dudleya, spreading navarretia, California Orcutt grass, and Wright's trichocoronis.

Section 6.3.2 – Was Additional Survey Information Provided?

Yes. The project site is located in a Criteria Area Species Survey Area (CASSA), specifically Parish's brittle scale, Davidson's salt scale, thread-leaved brodiaea, smooth tarplant, Coulter's goldfields, little mousetail, mud nama, and round-leaved filaree. The project site is not located in Additional Survey Needs and Procedures Areas for amphibians or small mammals. The project site does not support Delhi sands (Exhibit D) or in areas that would trigger additional review for Delhi sands flower-loving fly. However, the project site is located in an Additional Survey Needs and Procedures Area for burrowing owl.

Section 6.1.4 – Was Information Pertaining to Urban/Wildland Interface Guidelines Provided?

Yes. The property is not located adjacent to existing or proposed conservation areas.

Comments on Other Plan Requirements:

- a. **Section 6.1.2.** The following discusses each requirement under this policy.

Riparian/Riverine. According to the *Analysis*, no MSHCP Section 6.1.2 Riparian/Riverine resources occur within the project site. Vegetation within the project site is composed of ruderal forbs and grasses, which is dominated by non-native plants or ruderal native species, and a few ornamental shrubs. The project site does not contain any natural or human-altered water sources, or any general drainage characteristics. Thus, the proposed project will not have impacts to Riparian/Riverine resources.



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Vernal Pools/Fairy Shrimp. According to the *Analysis*, the project site lacks the soils, hydrology, and hydrophytic vegetation to support vernal pools. The project site contains Monserate sandy-loam soils which do not provide low drainage conditions suitable for the formation of pools. The other dominant soil on site is the Auld Soil series, which contains clay in the upper horizons and is described as well drained with high runoff. Further, a review of historical aerial imagery did not show any ponding or standing water. No standing water or other sign of areas that pond water were observed, and no obligate wetland perennial plant species typical of suitable pools were observed. No natural or artificial sources of water or ponding were observed in the project site. In addition, no other sources of standing water, such as cattle ponds or watering holes, basins, road ruts, or evidence of such ponding such as soil color changes, debris collection or other features of ponding, that would provide suitable habitat for fairy shrimp were observed. The project site lacks suitable habitat for fairy shrimp; therefore, focused surveys for fairy shrimp were not warranted.

Riparian Birds. The project site is composed of non-native ruderal forbs and grasses with a few ornamental shrubs on annually disked land. Due to a lack of riparian habitat on the project site, focused riparian bird surveys were not warranted.

Based on the information provided in the *Analysis*, the project demonstrates consistency with Section 6.1.2 of the MSHCP.

- b. **Section 6.1.3 NEPSSA Plants.** The *Analysis* examined soil and vegetation communities suitable to support NEPSSA plants, specifically for Munz's onion, San Diego ambrosia, many-stemmed dudleya, spreading navarretia, California Orcutt grass, and Wright's trichocoronis. According to the *Analysis*, a habitat assessment was conducted on April 8, 2021, and suitable habitat was determined absent for San Diego ambrosia (e.g., site lacks vernal pools), spreading navarretia (e.g., site lacks vernal pools), California Orcutt grass (e.g., site lacks vernal pools), and Wright's trichocoronis (e.g., site lacks mesic habitat). Although the site consisted of suitable soil (Auld clay) and suitable vegetation (grasslands) for Munz's onion, the site lacks suitable mesic conditions for Munz's onion. Similarly, while the site consisted of suitable soil (Auld clay) for many-stemmed dudleya, the *Analysis* concluded that the site lacks suitable stony outcrops and native southern needlegrass grasslands. Therefore, due to the lack of suitable habitat, focused surveys were not warranted.

Based on the information provided in the *Analysis*, the project demonstrates consistency with Section 6.1.3 of the MSHCP.

- c. **Section 6.3.2. Additional Survey Needs and Procedures.** The following describes Additional Survey Needs and Procedures applicable to the proposed project:

CASSA Plants. The *Analysis* examined soils and vegetation communities suitable for CASSA plants, specifically Parish's brittlescale, Davidson's saltscale, thread-leaved brodiaea, smooth tarplant, Coulter's goldfields, little mousetail, mud nama, and round-leaved filaree. A habitat assessment was conducted on April 8, 2021. The site contains no suitable alkali soils to support Parish's brittlescale and Davidson's saltscale. The site lacks meadows and marshes, and playas and vernal pools that would support mud nama. Thread-leaved

brodiaea may occur in mixed native-nonnative grassland; however, suitable alkali soils are not present within the site. Although grasslands on Auld clay soil occur on site, foothills grasslands on friable, vertic (heavy) clay soils that support round-leaved filaree are not present. According to *Analysis*, Section 8.1.2.4, the specific Auld clay (2 to 8% slopes) soils mapped on the project site are not categorized as friable or vertic. Grasslands on alkali soils that would support smooth tarplant, Coulter's goldfields, and little mousetail are not present on site. Given the lack of suitable habitat for these CASSA plants within the project site, focused surveys for these species were not warranted.

Burrowing Owl. The project site is located in an Additional Survey Needs and Procedures Area for burrowing owl. According to the *Analysis*, a Step I (habitat assessment) was conducted in April 2021 in accordance with the *MSHCP Burrowing Owl Survey Instructions* (RCA 2006). Suitable burrowing owl habitat (i.e., open, sparsely vegetated areas with gently rolling or level terrain with fence posts, rocks, or other low perching locations and suitable burrows) were observed within the project site; therefore, Step II-A (focused burrow survey) was completed. According to the *Analysis*, several small mammal burrows less than 4-inches in diameter were observed, but none large enough to support burrowing owl (i.e., greater than 4-inches in diameter). As such, Step II-B (focused burrowing owl surveys) was not warranted. However, because suitable habitat for burrowing owl is present on the project site, and owls could colonize the site prior to the start of construction, the following measure is applicable to the proposed project:

BURROWING OWL MEASURE. Due to the presence of potentially suitable habitat, a 30-day pre-construction survey for burrowing owls is required prior to initial ground-disturbing activities (including vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging, grading, etc.) to ensure that no owls have colonized the site in the days or weeks preceding the ground-disturbing activities. If burrowing owls have colonized the project site prior to the initiation of ground-disturbing activities, the project proponent will immediately inform the Regional Conservation Authority (RCA) and the Wildlife Agencies, and will need to coordinate further with RCA and the Wildlife Agencies, including the possibility of preparing a Burrowing Owl Protection and Relocation Plan, prior to initiating ground disturbance. If ground-disturbing activities occur, but the site is left undisturbed for more than 30 days, a pre-construction survey will again be necessary to ensure burrowing owl has not colonized the site since it was last disturbed. If burrowing owl is found, the same coordination described above will be necessary.

Based on the information provided in the *Analysis*, the project demonstrates consistency with Section 6.3.2 of the MSHCP.

- d. **Section 6.1.4. Urban/Wildlands Interface Guidelines.** Although the project site is not adjacent to or connected to any MSHCP Conservation Areas, the guidelines contained in Section 6.1.4 related to controlling adverse effects for development adjacent to the MSHCP Conservation Area should be considered by the Permittee in their actions relative to the project. Therefore, the Permittee should include the following measures as project conditions of approval, as applicable:

SECTION 6.1.4 MEASURE.

- i. **Incorporate measures to control the quantity and quality of runoff from the site entering the MSHCP Conservation Area. In particular, measures shall be put in place to avoid discharge of untreated surface runoff from developed and paved areas into MSHCP Conservation Areas. Best Management Practices (BMPs) will be implemented to prevent the release of toxins, chemicals, petroleum products, exotic plant materials, or other elements that might degrade or harm downstream biological resources or ecosystems.** According to the *Analysis*, the proposed project includes standard BMPs incorporated into project planning to contain construction and operation runoff of toxins, chemicals, petroleum products, and exotic plant materials that originate from the project site.
- ii. **Land uses proposed in proximity to the MSHCP Conservation Area that use chemicals or generate bioproducts, such as manure, that are potentially toxic or may adversely affect wildlife species, Habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in discharge to the MSHCP Conservation Area. The greatest risk is from landscaping fertilization overspray and runoff.** According to the *Analysis*, the proposed project includes standard BMPs incorporated into project planning to avoid and reduce the distribution of toxicants.
- iii. **Night lighting shall be directed away from the MSHCP Conservation Area and the avoided area on site to protect species from direct night lighting.**
- iv. **Proposed noise-generating land uses affecting the MSHCP Conservation Area, including designated avoidance areas, shall incorporate setbacks, berms, or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations, and guidelines related to land use noise standards.**
- v. **Avoid use of invasive, non-native plant species listed in Table 6-2 of the MSHCP in approving landscape plans for the portions of the project that are adjacent to the MSHCP Conservation Area, including avoidance areas. Considerations in reviewing the applicability of this list shall include proximity of planting areas to the MSHCP Conservation Areas and designated avoidance areas, species considered in the planting plans, resources being protected within the MSHCP Conservation Area and their relative sensitivity to invasion, and barriers to plant and seed dispersal, such as walls, topography, and other features.**
- vi. **Proposed land uses adjacent to the MSHCP Conservation Area shall incorporate barriers, where appropriate, in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping into existing and future MSHCP Conservation Areas. Such barriers may include native landscaping, rocks/boulders, fencing, walls, signage, and/or other appropriate mechanisms.**



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- vii. **Manufactured slopes associated with proposed site development shall not extend into the MSHCP Conservation Area.**
 - viii. **Weed abatement and fuel modification activities are not permitted in the Conservation Area, including designated avoidance areas.**
- e. **Appendix C.** The following best management practices (BMPs), as applicable, shall be implemented for the duration of construction:

APPENDIX C MEASURE.

- i. **A condition shall be placed on grading permits requiring a qualified biologist to conduct a training session for project personnel prior to grading. The training shall include a description of the species of concern and its habitats, the general provisions of the Endangered Species Act (Act) and the MSHCP, the need to adhere to the provisions of the Act and the MSHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the species of concern as they relate to the project, and the access routes to and project site boundaries within which the project activities must be accomplished.**
- ii. **Water pollution and erosion control plans shall be developed and implemented in accordance with RWQCB requirements.**
- iii. **The footprint of disturbance shall be minimized to the maximum extent feasible. Access to sites shall be via pre-existing access routes to the greatest extent possible.**
- iv. **The upstream and downstream limits of projects disturbance plus lateral limits of disturbance on either side of the stream shall be clearly defined and marked in the field and reviewed by the biologist prior to initiation of work.**
- v. **Projects should be designed to avoid the placement of equipment and personnel within the stream channel or on sand and gravel bars, banks, and adjacent upland habitats used by target species of concern.**
- vi. **Projects that cannot be conducted without placing equipment or personnel in sensitive habitats should be timed to avoid the breeding season of riparian species identified in MSHCP Global Species Objective No. 7.**
- vii. **When stream flows must be diverted, the diversions shall be conducted using sandbags or other methods requiring minimal instream impacts. Silt fencing of other sediment trapping materials shall be installed at the downstream end of construction activity to minimize the transport of sediments off site. Settling ponds where sediment is collected shall be cleaned out in a manner that prevents the sediment from reentering the stream. Care shall be**



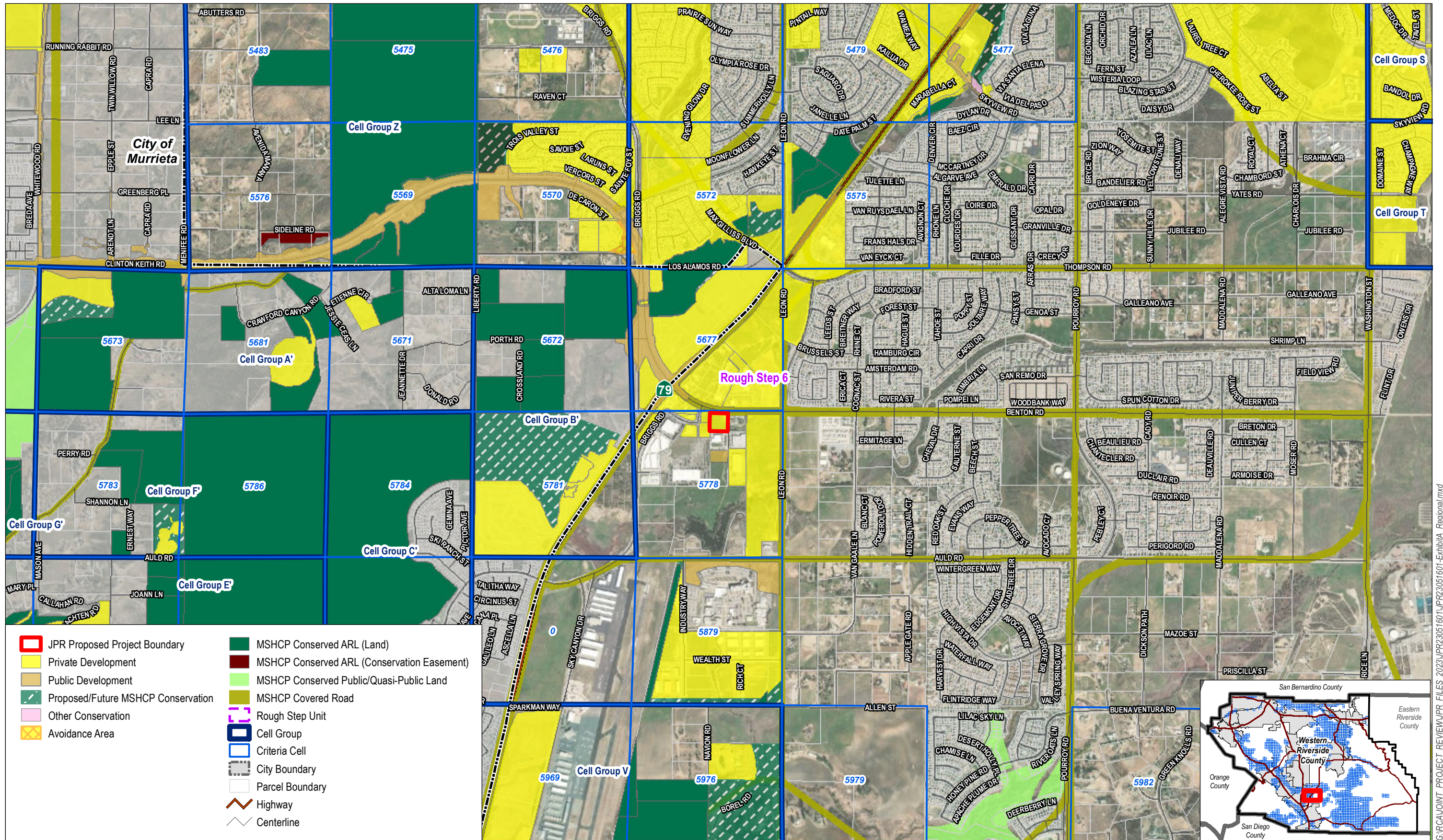
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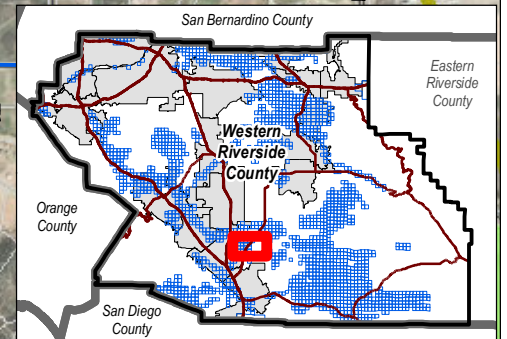
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- exercised when removing silt fences, as feasible, to prevent debris or sediment from returning to the stream.
- viii. **Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas shall be located in such a manner as to prevent any runoff from entering sensitive habitat. Necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. Project related spills of hazardous materials shall be reported to appropriate entities including but not limited to applicable jurisdictional city, FWS, and CDFG [CDFW], RWQCB and shall be cleaned up immediately and contaminated soils removed to approved disposal areas.**
 - ix. **Erodible fill material shall not be deposited into water courses. Brush, loose soils, or other similar debris material shall not be stockpiled within the stream channel or on its banks.**
 - x. **The qualified project biologist shall monitor construction activities for the duration of the project to ensure that practicable measures are being employed to avoid incidental disturbance of habitat and species of concern outside the project footprint.**
 - xi. **The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species.**
 - xii. **Exotic species that prey upon or displace target species of concern should be permanently removed from the site to the extent feasible.**
 - xiii. **To avoid attracting predators of the species of concern, the project site shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site(s).**
 - xiv. **Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans. Construction limits will be fenced with orange snow screen. Exclusion fencing should be maintained until the completion of all construction activities. Employees shall be instructed that their activities are restricted to the construction areas.**
 - xv. **The Permittee shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project approval conditions, including these BMPs.**

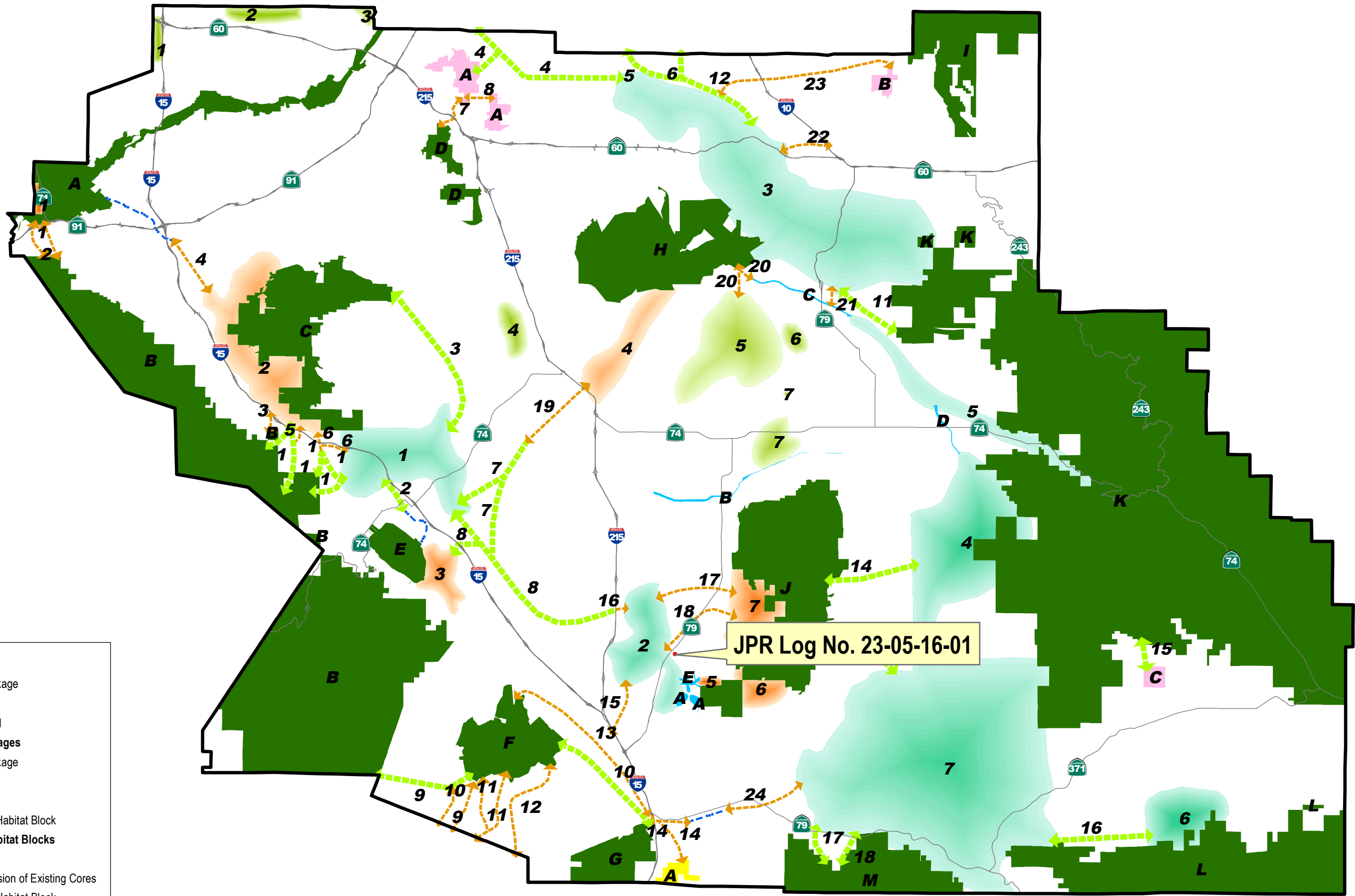
KN/TC



SOURCE: Western Riverside County Regional Conservation Authority 2023; County of Riverside 2023; Esri Basemap 2023. Map created on 5/24/2023.



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Proposed Linkages

- Constrained Linkage (dashed orange line)
- Linkage (dashed green line)
- Existing Channel (dashed blue line)

Existing Cores & Linkages


- Constrained Linkage (dashed blue line)
- Core (dark green)
- Linkage (yellow)
- Noncontiguous Habitat Block (pink)



Proposed Cores & Habitat Blocks

- Core (light green)
- Proposed Extension of Existing Cores (orange)
- Noncontiguous Habitat Block (light green)

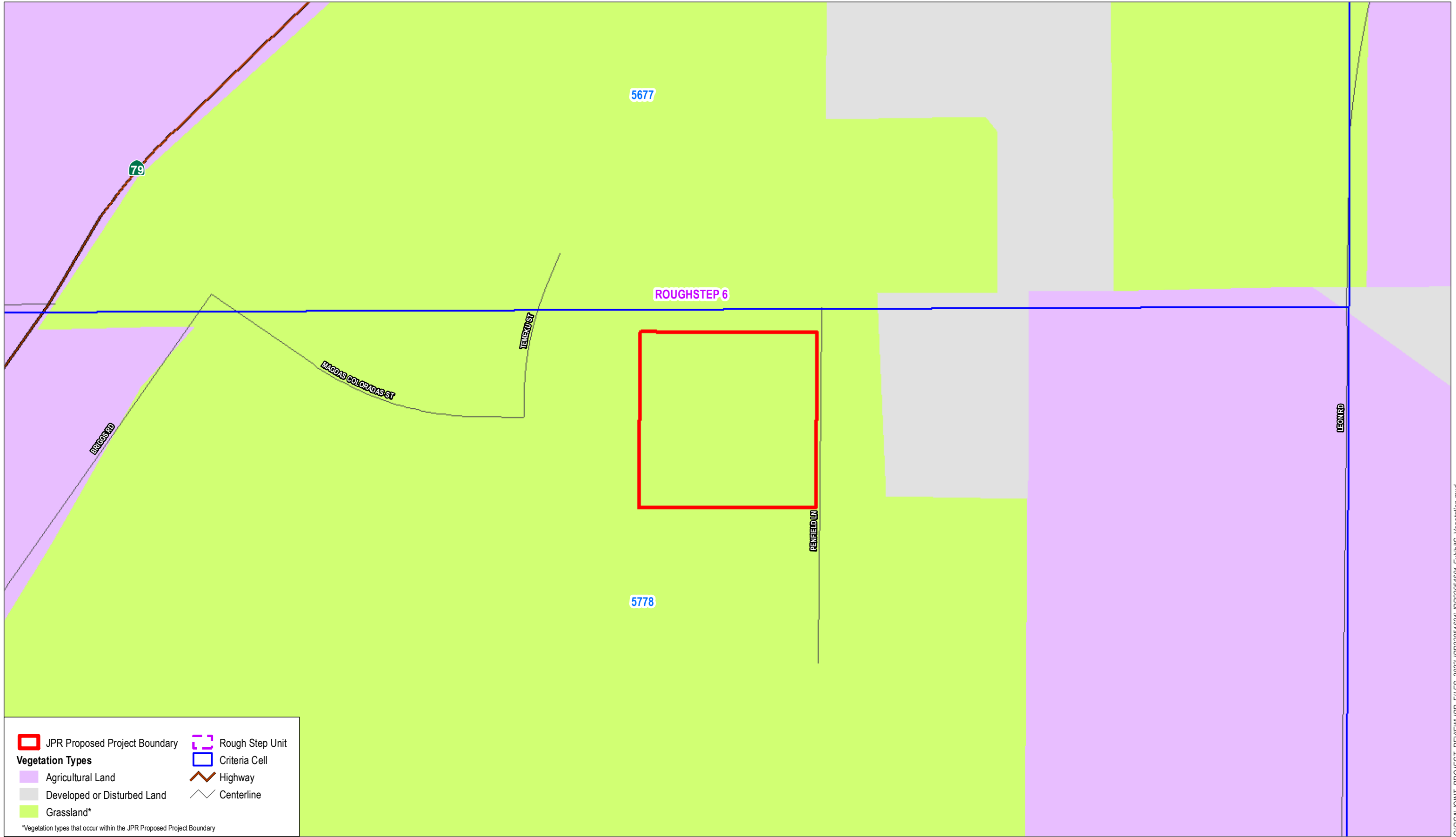
JPR Log No. 23-05-16-01

SOURCE: Western Riverside County Regional Conservation Authority (WRC-RCA). Map created on 5/24/2023


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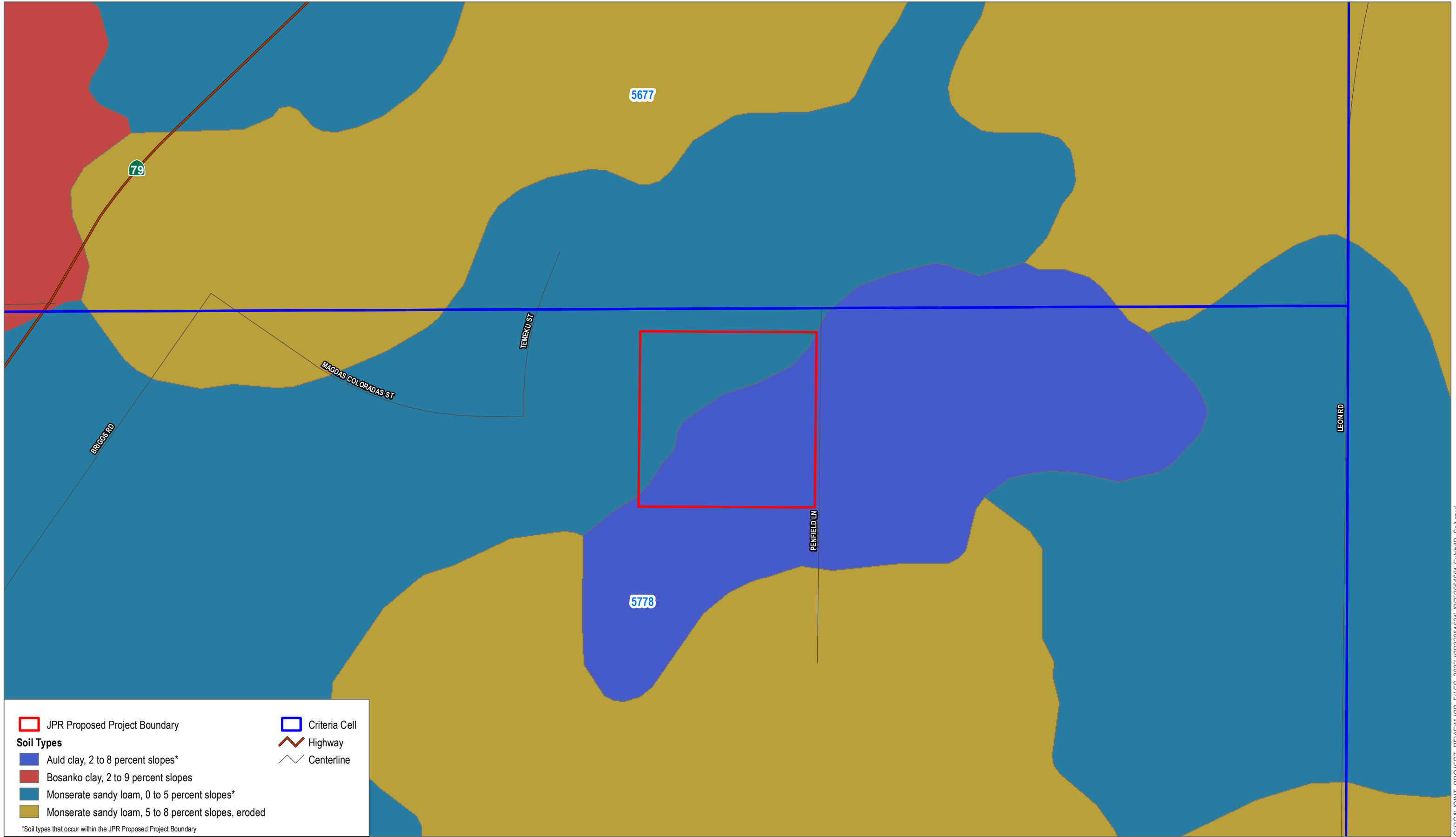
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SOURCE: WRC-RCA MSHCP Baseline Vegetation (1994). Map created on 5/24/2023.



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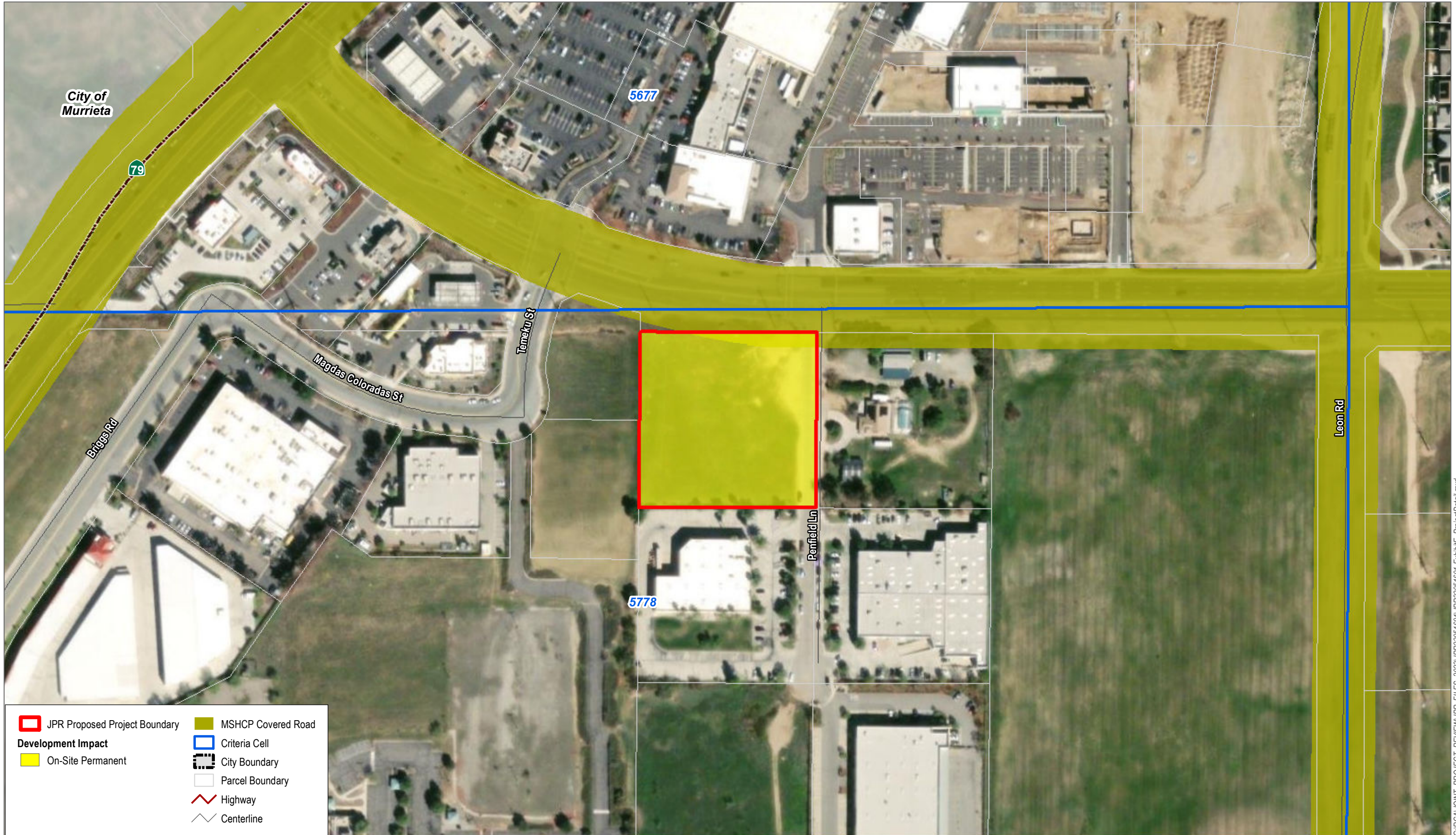
JPR Proposed Project Boundary	Criteria Cell
Soil Types	Highway
Auld clay, 2 to 8 percent slopes*	Centerline
Bosanko clay, 2 to 9 percent slopes	
Monserate sandy loam, 0 to 5 percent slopes*	
Monserate sandy loam, 5 to 8 percent slopes, eroded	

*Soil types that occur within the JPR Proposed Project Boundary

SOURCE: Western Riverside County Regional Conservation Authority 2023; County of Riverside 2023; USDA/NRCS Soils 2020

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SOURCE: Western Riverside County Regional Conservation Authority 2023; County of Riverside 2023; Esri Basemap 2023. Map created on 5/24/2023.

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