Appendix C

Western Riverside County Regional Conservation Authority Joint Project Review

RCA Joint Project Review (JPR)

JPR: 20-06-09-01
Date: 09/24/20

Project Information

Permittee: **City of Lake Elsinore**
Case Information: **LEAP 2020-02/Corydon Gateway**
Site Acreage: **6.71 acres (6.05 on-site acres plus 0.66 off-site acre); Of the 6.71 acres, 1.12 acre is within the Criteria Area.**
Portion of Site Proposed for MSHCP Conservation Area: **0**

Criteria Consistency Review

Consistency Conclusion: The project is consistent with both the Criteria and Other Plan requirements.

Data:
Applicable Core/Linkage: Proposed Extension of Existing Core 3
Area Plan: Elsinore

APN	Sub-Unit	Cell Group	Cell
370-050-026 370-050-030[1]	SU3: Elsinore	Independent	5131

Project Information

a. Project Documentation: JPR Application Form (June 5, 2020); a LEAP Application (November 11, 2020); LEAP MSHCP Consistency Findings (LEAP Findings) prepared by the City of Lake Elsinore (May 12, 2020); and, Habitat Assessment, Burrowing Owl Survey, and MSHCP Consistency Analysis for PAR 2019-09 (*Analysis*), both prepared by L&L Environmental (September 2020).

b. Project Description: The proposed project will create a commercial development composed of a convenience store, gas station carwash, drive-through restaurant, condos, and associated parking. The property will be subdivided into six parcels, each ranging from 0.63 acre to 1.125 acres. Off-site impacts to the east and north within APN 370-050-030 are proposed as a part of an in-progress lot line adjustment.

While the proposed project consists of 6.71 acres in total (6.05 on-site acres and 0.66 off-site acre), only 1.12 acres lies within the Criteria Area (Independent Cell 5131), and as such, only the 1.12 acres is the

[1] Only approximately 1.6 acres of this parcel is part of these Findings.

subject of this JPR. Hereafter, the term "project site" will refer only to the 1.12-acre portion of the project within the Criteria Area. According to the *Analysis*, the project site is comprised entirely of non-native grasslands that is subject to routine weed abatement. The topography is relatively flat, and soils mapped within the project site include Ramona very fine sandy loam and Waukena loamy fine sand (saline-alkali). The proposed project will result in impacts to 1.12 acres within the Criteria Area, comprised entirely of non-native grasslands.

Relation to Reserve Assembly

a. As stated in Section 3.2.3 of the MSHCP, "Proposed Extension of Existing Core 3 (Lake Elsinore Soils) consists of two blocks of land extending from the southern border of Existing Core E (Lake Elsinore). The northern portion of the proposed extension is also connected to Proposed Linkage 8. Proposed Extension of Existing Core 3 conserves soils of the Traver series, which is important to the maintenance of several species of Narrow Endemic Plants. The northern portion of the extension also provides for movement of species along the lower San Jacinto River to Proposed Linkage 8. Together with Existing Core E, Proposed Extension of Existing Core 3 provides Habitat for shorebird use. Since surrounding land uses include city (Lake Elsinore) and community Development, management of edge conditions in this area will be necessary to maintain high quality Habitat in this area. 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]."

b. The project site is located within Independent Cell 5131. As stated in Section 3.3.3 of the MSHCP, "Conservation within this Cell will contribute to assembly of Proposed Extension of Existing Core 3. Conservation within this Cell will focus on grassland habitat. Areas conserved within this Cell will be connected to grassland habitat proposed for conservation in Cell #5137 to the west. Conservation within this Cell will range from 30% to 40% of the Cell focusing in the southwestern portion of the Cell."

c. Rough Step: The proposed project is within Rough Step Unit 8. Rough Step Unit 8 encompasses 50,408 acres within the west-central region of western Riverside County and includes the cities of Lake Elsinore and Canyon Lake, the Alberhill Area, San Jacinto River, Horsethief Canyon, and Temescal Wash (see Figure 10, Rough Step Unit #8). This Rough Step Unit is bounded by the Santa Ana Mountains to the west, Interstate 215 to the east, Bundy Canyon Road to the south, and Rough Step Unit 7 to the north. Within Rough Step Unit 8, there are 22,690 acres within the Criteria Area. Key vegetation communities within Rough Step Unit 8 include: coastal sage scrub, grasslands, riparian scrub, woodland, forest, and Riversidean alluvial fan sage scrub. RSU 8 is currently out of balance for grassland. The proposed project will impact 0.06 acre of grassland within the project site. According to the 2018 Annual Report, a total of 5,072 acres of conservation has been acquired within this Rough Step Unit. In 2018, an additional 246 acres of grassland were acquired, and 407 acres of development were allowed, resulting in a slight increase in the rough step imbalance for this vegetation community. To bring the vegetation community back into Rough Step, a total of 149 acres are

needed, an increase of three acres from last year. There are 448 acres of grassland conservation in RSU 8 pending from: 1) completed JPR projects but not yet conveyed (212 ac), 2) Summerly Back Basin mitigation areas (139 ac), and 3) Cottonwood Canyon conservation area (97 ac). While the timing of conveyance of development-related conservation is unknown, both the Summerly Back Basin and Cottonwood Canyon conservation can be expected within 1-2 years. The RCA and Permittees continue to focus their acquisition efforts when possible on grassland, while also working to acquire additional acres in the other vegetation categories within Rough Step Unit 8

d. Reserve Assembly: As discussed above, the project site is located within Independent Cell 5131. Conservation within this Cell will contribute to assembly of the Proposed Extension of Existing Core 3 and will range from 30% to 40% of the Cell focusing in the southwestern portion of the Cell. Conservation within this Cell will focus on grassland habitat. Cell 5131 and Existing Core 3 are within the Lake Elsinore Back Basin. Cell 5131 is not able to reach its Reserve Assembly goal due to the presence of Skylark Airport and Lake Elsinore Motorsports Park that already account for the majority of development within this Cell. In 2013, the City reached an agreement with RCA and the Wildlife Agencies that revised the MSHCP conservation goal within the Lake Elsinore Back Basin, including Cell 5131. This agreement states that conservation within the Back Basin will be composed of 770 acres of land chosen by the City and agreed upon by the Wildlife Agencies and the RCA. The project site was not considered as potential conservation land in the Back Basin based on its geographic location.

   The proposed project site is located in the northeastern corner of Cell 5131, outside of the area described for conservation and separated from the Lake Elsinore Back Basin by Skylark Airport, Lake Elsinore Motorsports Park, and a shopping center along Corydon Road. At present, the configuration of existing conservation and undeveloped land available for conservation within Existing Core 3 suggests that it possible for this Reserve feature to be assembled.

   The proposed project would not result in habitat fragmentation of live-in habitat for the target planning species for the Proposed Extension of Existing Core 3, which includes Riverside fairy shrimp, Quino checkerspot butterfly, western pond turtle, Bell's sage sparrow, American bittern, mountain plover, northern harrier, white-tailed kite, southwestern willow flycatcher, loggerhead shrike, black-crowned night heron, osprey, double-crested cormorant, white-faced ibis, least Bell's vireo, bobcat, Munz's onion, San Diego ambrosia, and smooth tarplant. Because of the location of the proposed project site outside of the area described for conservation and would not contribute to Existing Core 3, and because the goal for the Lake Elsinore Back Basin is still possible to achieve, development of the proposed project would not impede the conservation goals for this core or cause fragmentation issues.

Other Plan Requirements

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

Yes. There are no riparian/riverine areas on the project site; however, a riverine feature is located off site. There are no vernal pools on the project site, and soils are not suitable for fairy shrimp presence. There is no suitable habitat for riparian bird species.

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

Yes. The project is not located within a Narrow Endemic Plant Species Survey Area (NEPSSA).

Section 6.3.2 – Was Additional Survey Information Provided?

Yes. The project site is not located within a Criteria Area Species Survey Area (CASSA) for plants. The Project site is located in an Additional Survey Needs and Procedures Areas for burrowing owl.

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

Yes. The project is located near existing and future MSHCP Conservation Areas.

Comments:

a. **Section 6.1.2.** The project site was assessed for riparian/riverine areas during a site visit performed by L&L Environmental on January 4, 2020. According to the *Analysis*, the proposed project site does not contain riparian/riverine resources. One constructed flood control channel (protected from encroachment by a chain-link fence) was noted directly southwest and outside of the project boundary; on an adjacent parcel owned by Riverside County Flood Control and Water Conservation District. Because this channel will be completely avoided by the proposed project, it will not be discussed further in these Findings.

   Vernal Pools/Fairy Shrimp: According to the *Analysis*, the project site lacks the appropriate soils and vegetation for vernal pools. No clay or clay-like soils are recorded for this site, and no ponding or depressions that would hold water for an extended period of time were detected on site. A soil excavation test pit with standing water was present on the project site at the time of the January 4, 2020 site visit. However, it was later determined that water had been added by the soil science technician. The excavation pit was later backfilled. According to the *Analysis*, there were no features on the site that could support ponding and provide potential suitable habitat for fairy shrimp. Due to the lack of suitable vernal pool and/or fairy shrimp habitat, focused surveys for fairy shrimp were not conducted.

   Riparian Birds: According to the *Analysis*, the project site does not contain riparian vegetation that could support MSHCP riparian bird species. The off-site flood control channel contains scattered mulefat and willow vegetation; however, according to the *Analysis*, these riparian plants do not contain sufficient density and structure to support Section 6.1.2 riparian bird species. Therefore, focused surveys were not conducted.

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**: The project site is not in located in the NEPSSA survey area.

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

Section 6.3.2: The project site is not located within a CASSA plant species survey area. Therefore, no focused surveys for CASSA plant species were conducted.

The project site is located within an Additional Survey Needs and Procedures Area for burrowing owl. A Step I habitat assessment, Step II-A focused burrow survey, and Step II-B focused burrowing owl surveys were conducted within the project site in 2020. All surveys were conducted in accordance with the *Burrowing Owl Survey Instructions for the Western Riverside MSHCP* (RCA 2006). According to the *Analysis*, the project site contains grassland vegetation and appropriate soils, triggering the subsequent Step II-A focused burrow surveys. The focused burrow survey resulted in the detection of gopher burrows, but not any other suitable burrows with openings measuring four inches or greater in diameter. Nevertheless, Step II-B, focused burrowing owl surveys were conducted. The focused burrowing owl surveys did not result in any observations of burrowing owl individuals or burrowing sign (feathers, pellets, fecal material, prey remains, etc.). Burrowing owl are presumed absent from the proposed project site.

Due to the presence of suitable habitat and burrows potentially suitable for roosting or nesting by burrowing owls in the future, **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 by in the *Analysis*, the project demonstrates consistency with Section 6.3.2 of the MSHCP

c. **Section 6.1.4**: To preserve the integrity of areas adjacent to the Project site which are proposed 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. Specifically, the Permittee should include the following measures as Project conditions of approval:

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 will incorporate a detention basin, grass swales, or mechanical trapping devices to filter runoff 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.

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. According to the *Analysis*, the proposed project will direct night lighting away from the MSHCP Conservation Area and incorporate light shielding in the project designs to avoid excess ambient light from entering the MSHCP Conservation Area.

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. According to the *Analysis*, the proposed project landscape plans will avoid utilizing any species listed in Table 6-2 in the landscaping plans.

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.

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. **MSHCP Volume I, Appendix C**: The following best management practices (BMPs), as applicable, shall be implemented for the duration of construction:

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 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.

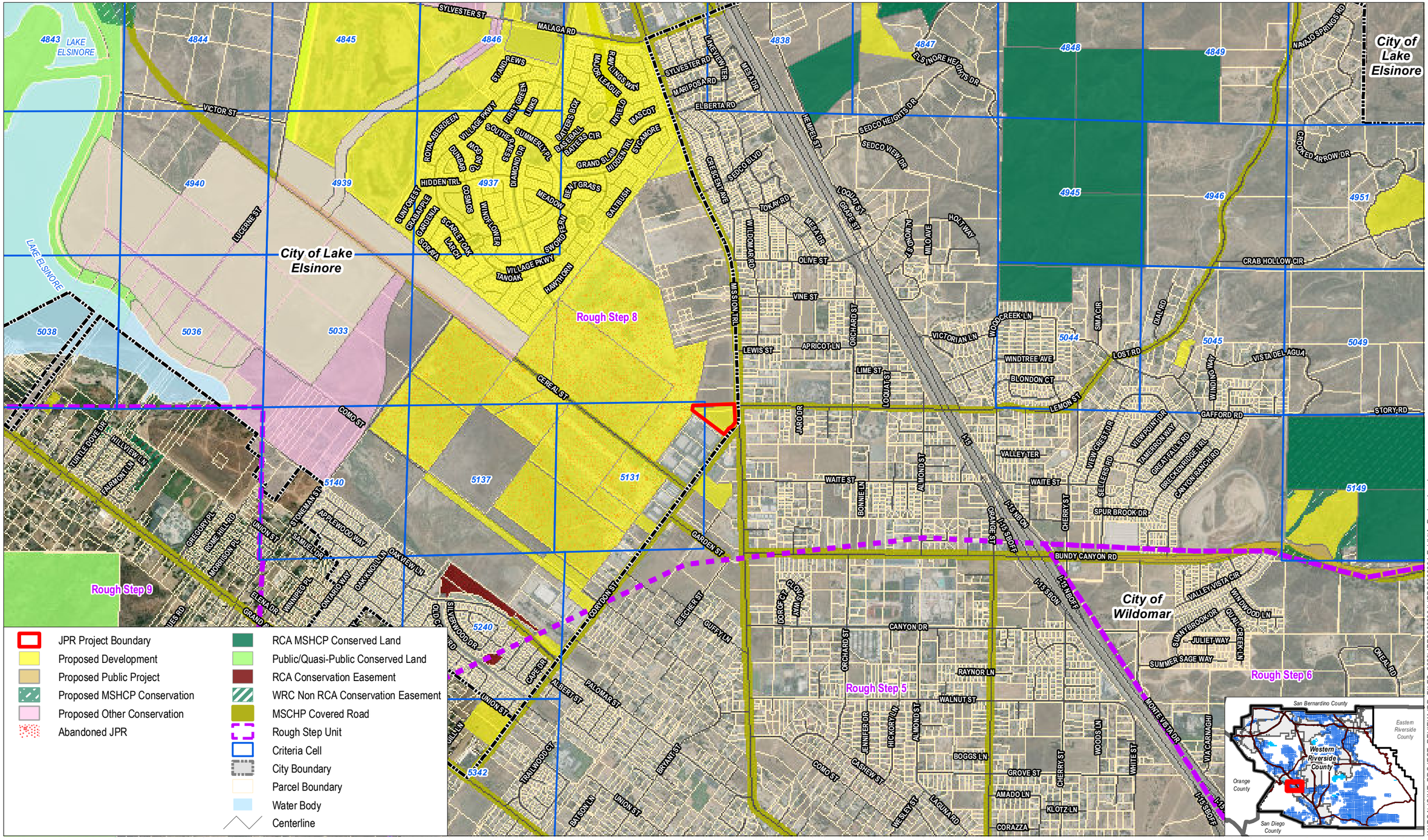
xii. Exotic species that prey upon or displace target species of concern should be permanently removed from the site to the extent feasible.

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.

AC



- JPR Project Boundary
- Proposed Development
- Proposed Public Project
- Proposed MSHCP Conservation
- Proposed Other Conservation
- Abandoned JPR
- RCA MSHCP Conserved Land
- Public/Quasi-Public Conserved Land
- RCA Conservation Easement
- WRC Non RCA Conservation Easement
- MSCHP Covered Road
- Rough Step Unit
- Criteria Cell
- City Boundary
- Parcel Boundary
- Water Body
- Centerline

SOURCE: Western Riverside County Regional Conservation Authority 2020; County of Riverside 2020; Earthstar Geographics 2019 (Esri). Map created on 9/11/2020.

Regional Conservation Authority
Western Riverside County

RC14010457
Permittee: City of Lake Elsinore

0 1,000 2,000 Feet

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EXHIBIT A

JPR Log No. 20-06-09-01 - Regional

JPR Log No. 20-05-05-01

Proposed Linkages:
- Constrained Linkage
- Linkage
- Existing Channel

Existing Cores & Linkages:
- Constrained Linkage
- Core
- Linkage
- Noncontiguous Habitat Block

Proposed Cores & Habitat Blocks:
- Core
- Proposed Extension of Existing Cores
- Noncontiguous Habitat Block

SOURCE: Western Riverside County Regional Conservation Authority (WRC-RCA). Map created on 9/11/2020

Regional Conservation Authority
Western Riverside County

RC14010457
Permittee: City of Lake Elsinore

0 2 4 Miles

EXHIBIT B

JPR Log No. 20-06-09-01 - Vicinity Map with MSHCP Schematic Cores and Linkages

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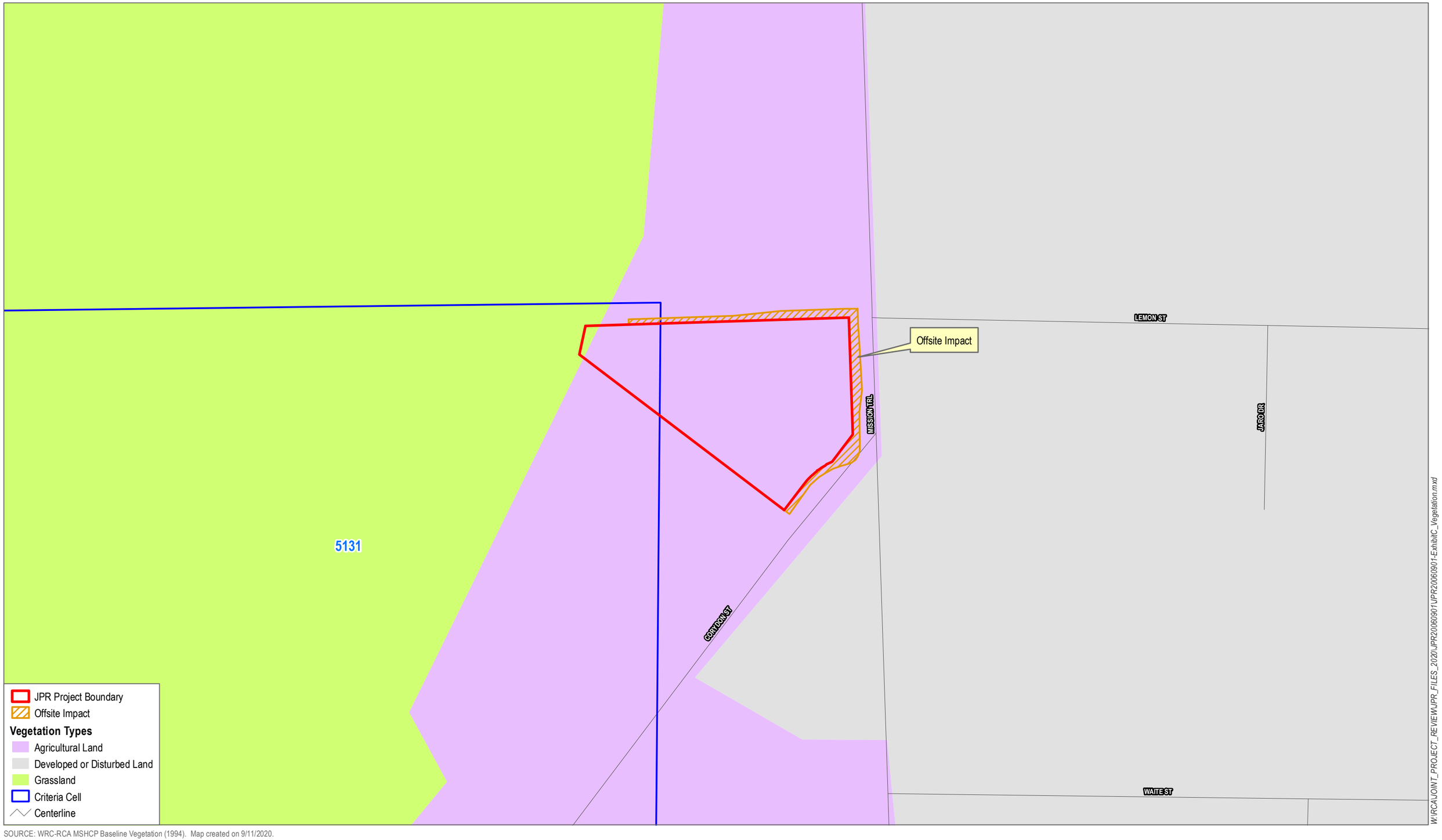

SOURCE: WRC-RCA MSHCP Baseline Vegetation (1994). Map created on 9/11/2020.

Regional Conservation Authority
Western Riverside County

RC14010457
Permittee: City of Lake Elsinore
0 150 300 Feet

EXHIBIT C

JPR Log No. 20-06-09-01 - Vegetation

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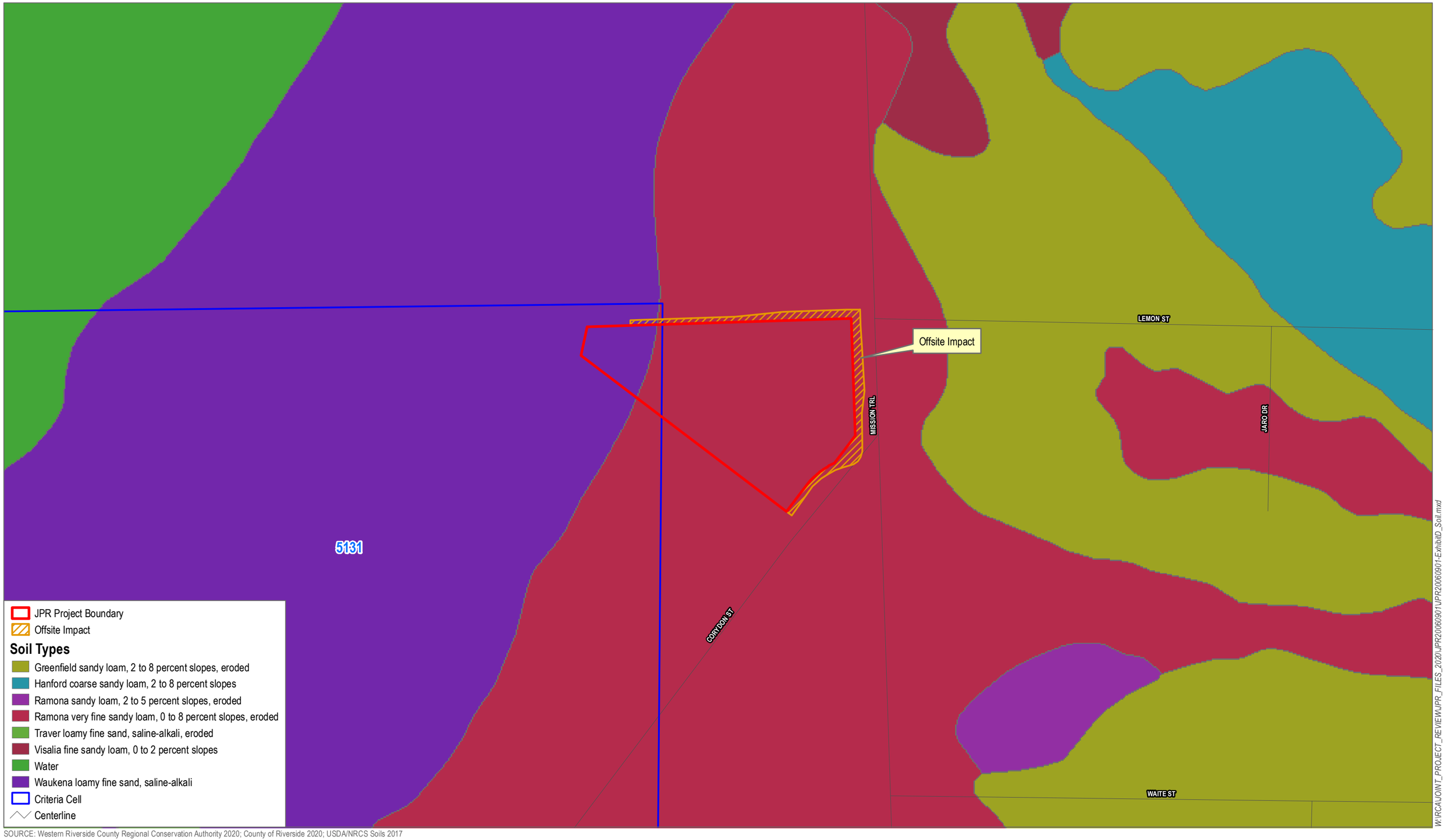

SOURCE: Western Riverside County Regional Conservation Authority 2020; County of Riverside 2020; USDA/NRCS Soils 2017

Regional Conservation Authority
Western Riverside County

RC14010457
Permittee: City of Lake Elsinore

0 150 300 Feet

EXHIBIT D

JPR Log No.20-06-09-01 - Soil

APN	Sub-Unit	Cell Group	Cell
370-050-026 370-050-030	SU3 - Elsinore	N/A	5131

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SOURCE: Western Riverside County Regional Conservation Authority 2020; County of Riverside 2020; Earthstar Geographics 2019 (Esri). Map created on 9/11/2020.

Regional Conservation Authority
Western Riverside County

RC14010457
Permittee: City of Lake Elsinore

0 125 250 Feet

EXHIBIT E

JPR Log No. 20-06-09-01 - Conservation and Avoidance Areas