



Lake Street Storage Project

Appendix C1

**MSHCP Consistency Findings, LEAP 2018-02/Lake Street Project, City of
Lake Elsinore, February 15, 2019**



LEAP 2018-02/Lake Street Storage Project

MSHCP CONSISTENCY FINDINGS

8/21/18

Revised 11/07/18 and 2/15/19

Background

Paragraph C of MSHCP Section 6.1.1 (Property Owner Initiated Habitat Evaluation and Acquisition Negotiation Strategy (HANS)) establishes procedures regarding the evaluation of properties for which a development application is not filed and states that “(1) Initial Application Review - Applications for proposed projects which are within the Criteria Area shall be subject to an initial review to determine if all or part of the property is necessary for inclusion in the MSHCP Conservation Area.” The subject application (LEAP 2018-02) was submitted to the City of Lake Elsinore for such a determination. The applicant is proposing development of the 14.44-acre project site with a gas station with a mini-market, and an RV/boat storage facility. There may be a propane dispensing operation associated with the indoor storage facility. The project is part of the City of Lake Elsinore’s Alberhill District.

The following analysis and findings are based upon text found in the MSHCP and site-specific documentation from the following documents:

- “Habitat Assessment and Western Riverside County Multiple Species Habitat Conservation Plan for the Lake Street Storage Project”, dated November 18, 2017 (Amended October 10, 2018 and March 25, 2019), prepared by Soar Environmental Consulting.
- “Lake Street Storage Fencing Plan MSHCP Consistency” letter dated February 11, 2019, prepared by Soar Environmental Consulting.

Project Site Description

The subject property (Assessor Parcel Number 390-130-050) consists of approximately 14.44 acres located in the City of Lake Elsinore (City), Riverside County (County), California. The property is located at the southeastern corner of Interstate 15 and Lake Street (Figure 1, Aerial Photograph) as shown on the U.S. Geological Survey (USGS) 7.5 minute Alberhill quadrangle map, and is primarily located in Township 5 South, Range 5 West, Section 15. Under the City of Lake Elsinore General Plan, the project site is designated as being within a “Specific Plan” and within an “Extractive Overlay”. The Alberhill Ranch Specific Plan designates the project site for Commercial/Specific Plan (C-SP) land uses.



SOURCES: CITY OF LAKE ELSINORE GIS, COUNTY OF RIVERSIDE GIS



FIGURE 1
LEAP NO. 2018-02
AERIAL PHOTOGRAPH

Historically, the project site was an active sand and gravel mine from approximately 1993 to 2005, and an aggregate concrete and base processing site from 2005 until 2015 (Wyroc Mine ID #91-33-0015). Reclamation of the project site is nearing completion in accordance with Mining and Reclamation Plan 90-3.

The Project site is bordered by foothill grasslands to the south and ruderal ground immediately outside the property boundaries. Original elevations within the Project site ranged from approximately 1,200 feet above mean sea level (AMSL) to 1,280 feet AMSL. According to the USDA's 1971 "Soil Survey of Western Riverside Area, California", soils within the Project site were TbF2 (Temescal rocky loam, 15 to 50 percent slopes, eroded), HuC2 (Honcut loam, 2 to 8 percent slopes, eroded), HnD2 (Honcut sandy loam, 8 to 15 percent slopes, eroded) and TwC (Tujunga gravelly loamy sand, 0 to 8 percent slopes).

Development Project Description

The proposed project [PA 2018-78 (CUP 2018-22/CDR 2018-16/TPM 37550)] would develop the 14.44-acre project site with a gas station with an approximately 3,062 square foot mini-market and an RV/boat storage facility. The RV/boat storage facility includes a 90,000 square foot single-story structure (with mezzanine) for indoor boat and RV storage, administrative offices, and support facilities and 203 outdoor covered storage spaces. There may be a propane dispensing operation associated with the indoor storage facility. (See Figure 2, Conceptual Site Plan.)

MSHCP Cell Criteria

The project site is located in Criteria Cells #3751 and #3752 within the MSHCP Elsinore Area Plan, Subunit 1 (Estelle Mountain/Indian Canyon).

Findings

1. Development of the project site would be a project under the City's MSHCP Resolution, and the City would be required to make an MSHCP Consistency finding before approval of a development application.

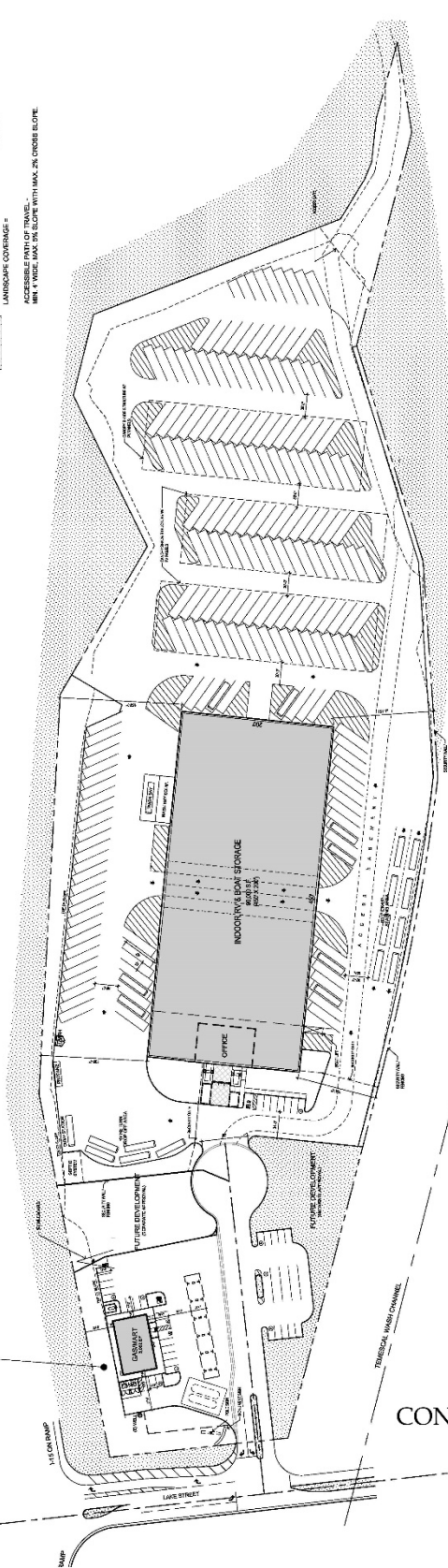
Basis for Finding:

The Property is located within an MSHCP criteria cell. Pursuant to the City's MSHCP Resolution, the project has been reviewed for MSHCP consistency, including consistency with "Other Plan Requirements." These include the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pool Guidelines (MSHCP, § 6.1.2), Protection of Narrow Endemic Plant Species Guidelines (MSHCP, § 6.1.3), Additional Survey Needs and Procedures (MSHCP, § 6.3.2), Urban/Wildlands Interface Guidelines (MSHCP, § 6.1.4), Vegetation Mapping (MSHCP, § 6.3.1) requirements, Fuels Management Guidelines (MSHCP, § 6.4), and payment of the MSHCP Local Development Mitigation Fee (MSHCP Ordinance, § 4).

A map showing the project location on Highway 101. The map highlights the intersection of Highway 101 and Highway 101. A black dot marks the project location on Highway 101, just north of the intersection. A line connects this dot to the text 'PROJECT LOCATION' on the left side of the map.

ASSESSOR'S PARCEL NUMBER	300-100-000
PROJECT ADDRESS	INTERSTATE 16 S. EAST PAVEMENT
LAND AREA	LAND IN SAN ANTONIO, TEXAS
GRASS	650,222 S.F. (14.4 AC)
BUILDING AREAS	
WOODS	80,800 S.F.
CEMENT WAST	3,000 S.F.
GRAVEL	1,900 S.F.
CONSTRUCTION TYPE	94,882 S.F.
OCCUPANCY	1818 (14.6)
	6.20MA-2
PARCELS REGULATIONS	PROPOSED
NEW 1000'	REGULATED
400 1000'	21 SPACES
RETAIL (2002 S.F.)	13 SPACES
	6 SPACES
TOTAL	IN TEMP PARKING
	48 SPACES
STORAGE	4,138 S.F.
	= LANDSCAPE AREA

NOTE: THIS PARCEL IS CONCEPTUAL ONLY. FINAL DESIGN TO BE SUBMITTED FOR SEPARATE REVIEW AND APPROVAL BY THE CITY OF LAKE ELSINORE. BUILDING AND SITE DESIGN TO DEMONSTRATE COMPATIBILITY WITH DESIGN CRITERIA, STYLE, COLORS, AND MATERIALS ESTABLISHED FOR ENTIRE PROJECT.



CONCEPTUAL SITE PLAN FOR FUTURE DEVELOPMENT FOLLOWING WYROC MINE CLOSURE



LAKE STREET RV STORAGE
LAKE ELSINORE, CA

BY
LAKE STREET PROPERTIES, LP
2279 EAGLE GLEN PARKWAY, SUITE 112-470
CORONA, CA 92683
AUG 10, 2015

FIGURE 2
O. 2018-02
SITE PLAN

2. The proposed project is subject to the City's LEAP and the County's Joint Project Review processes.

Basis for Finding:

The project site is located in Criteria Cells #3751 and #3752. Therefore, a formal and complete LEAP application, LEAP 2018-02 was submitted to the City on May 30, 2018.

3. The proposed project is consistent with the Riparian/Riverine Areas and Vernal Pools Guidelines.

Basis for Finding:

The property was assessed for the presence of Riparian/Riverine and Vernal Pool habitats through an on-site evaluation. As a result of former mining and current reclamation activities, the site is extensively graded and supports minimal plant and animal life. No drainages, waterbodies, or other water resources under the regulatory authority of the United States Army Corps of Engineers (USACE), the California Department of Fish and Wildlife (CDFW) or the Regional Water Quality Control Board (RWQCB) were observed in the project area.

The rock piles along the Project perimeter and interior are potential habitat for Rock Wren (*Salpinctes obsoletus*), which may nest in cavities and crevices in and among the rock piles. Two Rock Wrens were observed on-site during the survey. Other areas with potential for nesting birds falls outside Project boundaries. One such area is the Temescal Wash, which is located along the southern border of the property. The presence of tree snags and various riparian plants offers suitable nesting habitat for riverine species, including House Wrens (*Troglodytes aedon*) and Bewick's Wrens (*Thryomanes bewickii*). Both wren species were detected during the survey. Another potential nesting bird site is within a small grove of Eucalyptus trees near the northwest corner of the property. This dense stand of trees has the potential to conceal the nests of large raptors and small songbirds. The conserved area on the northeast corner of the Project site bears tremendous nesting bird potential, as the vegetation is dense and is likely to provide ample food sources.

The potential for riverine/riparian species on the Project site does not exist as it is extensively graded. However, Temescal Wash, which runs along the southern border of the property, has the potential to support a multitude of riparian species in addition to nesting birds.

As the Project site itself has been graded and is completely devoid of vegetation, it is not expected that least Bell's vireo (LBV) will use any portion of it for nesting or foraging purposes. Temescal Wash runs along the southern border of the Project site, and contains a mixture of both unsuitable and potentially suitable habitat for the LBV. Prior surveys near Nichols Road and Interstate 15 documented the presence of LBV within the Temescal Wash two miles upstream from the Project site. Unless protocol level surveys demonstrate no

presence of LBV within the Temescal Wash adjacent to the Project site, for the purposes of this analysis, the potential LBV habitat is being considered as occupied by LBV. As the sections of Temescal Wash southwest and southeast of the Project site, and the conserved area east of the Project site, contain potentially suitable LBV habitat, the following measures will be implemented as mitigation measures to ensure the protection of the species from adverse impacts stemming from Project activities:

1. If ground-breaking activities are to occur during the least Bell's vireo (LBV) nesting season (March 15-September 15), a qualified biologist shall conduct focused surveys along the Temescal Wash immediately south of the Project site, and shall conduct monthly surveys of the area throughout the duration of the nesting season.
 - a. If the survey findings are negative, project activities may proceed without the implementation of any specific mitigation measure for protecting LBV.
 - b. If the survey findings are positive, the biologist shall perform additional surveys to determine whether nesting is taking place within 300 feet of the Project site. If LBV are located, but nesting cannot be confirmed, the Project activities not occur within 100 feet of the suitable habitat area(s) until the nesting season has ended. If nesting is confirmed, Project activities shall not occur within 150-200 feet of the nest site until it has been confirmed that the young have fledged, and the nest is no longer active. A qualified biologist shall always be present when construction crews are working within 1/8 mile surrounding a LBV nest site, to ensure that the birds do not react unfavorably to Project activities. If the qualified biologist observes signs of agitation stemming from Project activities, the activities shall cease and not resume until the birds' behavior normalizes. If the birds continue to exhibit signs of agitation, Project activities shall be adjusted to accommodate the nesting birds' needs.
2. If groundbreaking activities are to occur outside the LBV nesting season (i.e., September 16-March 14), a qualified biologist shall perform a presence/absence survey along the Temescal Wash immediately south of the Project site, and shall continue these surveys on a monthly basis, especially as breeding season commences.
3. In the presence of LBV nests, the noise level from Project activities is not to exceed 65 dBA. If this is not possible, a noise barrier shall be constructed to avoid adverse impacts to the LBV nest(s).
4. During the LBV breeding season, artificial light shall not be cast into LBV habitat when night work is occurring.

5. The City of Lake Elsinore will condition the proposed project to construct six-foot high solid block walls, as shown on Figure 3, Conceptual Fence & Wall Plan, adjacent to those portions of the adjacent property that is potentially suitable LBV habitat.

Field observations did not show any indication of on-site presence of clay soils, hardpan, or bedrock, which are necessary for vernal pool habitat to be present. The moderately well-drained soils onsite do not possess the water retention characteristics necessary to form vernal pools.

Additionally, during surface mining and reclamation activities, the project site was graded to a relatively flat 5% maximum contour and contains no depressions to allow the formation of vernal or ephemeral pools. The Wildlife Biologist did not observe any depressions, road cuts, or other non-vernal pool features where water could potentially pool during, and after storm events. Additionally, the moderately well-draining soils do not provide sufficient depth and duration for standing water in depressions or ephemeral pools capable of sustaining fairy shrimp.

Similarly, no evidence of seeps, springs, wet soil from underground sources, or standing water (i.e. fine-grained soils, mud cracks, etc.) and no depressions to retain standing water with sufficient depth to sustain branchiopods were observed onsite.

The potential for vernal pools and associated species is minimal to non-existent on the Project site due to the nature of the coarse-grained soil types, and the length of time that the property has been repeatedly disturbed. There is potential for vernal pools to exist immediately outside Project boundaries, however no signs of vernal pools or ephemeral pools were observed.

The Project is therefore consistent with the Riparian/Riverine Areas and Vernal Pool Guidelines set forth in Section 6.1.2 of the MSHCP. No further action regarding this section of the MSHCP is required.

4. The proposed project is consistent with the Protection of Narrow Endemic Plant Species Guidelines.

Basis for Finding:

The property is not in a Narrow Endemic Plant Species Survey Area (NEPSSA) for any narrow endemic species, and no NEPSSA surveys are required. Additionally, no Narrow Endemic Plant Species (Munz's onion, San Diego ambrosia, Slender-horned spineflower, Many-stemmed dudleya, Spreading navarretia, California Orcutt grass, San Miguel savory, Hammitt's claycress, Wright's trichocoronis) were detected on, or surrounding the Project site. The on-site habitat does not have the potential to support any of these species, as it has been repeatedly disturbed for over 20 years.



The proposed project is therefore consistent with the Protection of Narrow Endemic Plant Species Guidelines.

5. The proposed project is consistent with the Additional Survey Needs and Procedures.

Basis for Finding:

The MSHCP requires additional surveys for certain species if the project is located in certain locations. Pursuant to MSHCP Figure 6-2 (Criteria Area Species Survey Area), Figure 6-3 (Amphibian Species Survey Areas with Criteria Area), Figure 6-4 (Burrowing Owl Survey Areas with Criteria Area), Figure 6-5 (Mammal Species Survey Areas With Criteria Area), burrowing owl surveys and surveys for Criteria Area species are required for the subject property prior to approval of a development proposal.

The property is not located within survey areas for amphibian species (MSHCP Figure 6-3), burrowing owls (Figure 6-4) or mammal species (MSHCP Figure 6-5) and surveys for those species are not required.

The property is located within a Criteria Area Species Survey Area (CASSA). No MSHCP Criteria Area Species (Thread-leaved brodiaea, Davidson's saltscale, Parish's brittlescale, Smooth tarplant, Round-leaved filaree, Coulter's goldfields, Little mousetail) were observed on, or surrounding the Project site. These species occur in playa, vernal pool, alkali flat, or clay soil habitats not present on the property. The habitat immediately surrounding the Project site is foothill grasslands, chaparral, riparian scrub, and ruderal. The dominant vegetation types identified along the perimeter and immediately outside the property boundaries consists of tumbleweed, willow (*Salix spp.*), eucalyptus (*Eucalyptus spp.*), tamarisk (*Tamarix spp.*), sacred datura (*Datura wrightii*), California buckwheat (*Eriogonum fasciculatum*), sunflower (*Helianthus spp.*), filaree (*Erodium spp.*), lettuce (*Lactuca spp.*), black mustard (*Brassica nigra*), and brome grass (*Bromus spp.*).

However, as a mitigation measure for the proposed Project, the City of Lake Elsinore will require a pre-construction presence/absence survey for burrowing owl to be conducted within 30 days of the commencement of project-related grading or other land disturbance activities to ensure that the species has not moved onto the site since completion of the surveys.

Therefore, the subject project is consistent with the Additional Survey Needs and Procedures of the MSHCP.

6. The proposed project is consistent with the Urban/Wildlands Interface Guidelines.

Basis for Finding:

Section 6.1.4 addresses potential indirect impacts to the MSHCP Conservation Area via the Urban Wildland Interface Guidelines. As the Project is urban in nature and is located immediately west of Western Riverside County Regional Conservation Authority (RCA) conserved lands, the Project must comply with all MSHCP Urban/Wildland Interface Guidelines (UWIG) as set forth in Section 6.1.4 of the MSHCP.

Drainage

Pursuant to the UWIG, proposed developments in proximity to the MSHCP Conservation Area shall incorporate measures, including measures required through the National Pollutant Discharge Elimination System (NPDES) requirements, to ensure that the quantity and quality of runoff discharged to the MSHCP Conservation Area is not altered in an adverse way when compared with existing conditions.

The Project shall incorporate measures to ensure the quality and quantity of runoff discharged offsite is not altered in an adverse way. Presently, the Project site drains to the west as sheet flow towards the Temescal Wash, though there is no discernable watercourse or channel. The proposed Project shall incorporate measures required by the National Pollutant Discharge Elimination System, including the preparation of a Water Quality Management Plan and a Storm Water Pollution Prevention Plan (SWPPP), to ensure that Best Management Practices (BMPs) are incorporated into the project activities to prevent negative impacts from stormwater to the MSHCP Conservation Area.

During construction, and post-construction, the contractor will implement BMPs to control run-on and run-off, prevent erosion and sedimentation, and create a proper drainage design to ensure non-stormwater discharges do not occur, as described in measures and conditions of the SWPPP and any environmental water quality certification permits.

Toxics

The UWIG states that 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. Measures such as those employed to address drainage issues shall be implemented.

Proper design of the gas station, propane distribution, and/or RV Storage facilities on the Project site shall comply with all federal, state, and local laws and permit regulations.

Additionally, measures shall be incorporated to describe the use and storage of chemicals or bio-products on-site so they do not adversely affect wildlife species, habitat, or water quality, and do not negatively impact the MSHCP Conservation Area.

Lighting

Night lighting shall be directed away from the MSHCP Conservation Area to protect species within the MSHCP Conservation Area from direct night lighting. Shielding shall be incorporated in project designs to ensure ambient lighting in the MSHCP Conservation Area is not increased.

Development of the proposed project would include new lighting that may adversely affect wildlife species in adjacent open space. Measures to direct lighting away from any MSHCP Conservation areas, and light shielding will be incorporated into the final Project design to ensure ambient light in the conserved areas is not increased.

Noise

The UWIG states that “Proposed noise generating land uses affecting the MSHCP Conservation Area 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. For planning purposes, wildlife within the MSHCP Conservation Area should not be subject to noise that would exceed residential noise standards.”

Ambient noise levels likely currently exceed the 65-decibel level because of the site’s proximity to I-15. This conclusion is based upon the noise impact modeling results that are included in Appendix E of the certified Recirculated Environmental Impact Report prepared in 2011 for the City of Lake Elsinore General Plan which shows existing noise levels on the project site due to traffic on Interstate 15 as exceeding 65 dBA Ldn due to daily traffic volumes of 110,000 trips. The existing noise level at 100 feet from Lake Street between Interstate 15 and Temescal Canyon Road is shown as being 65.8 dBA Ldn based on 17,500 daily trips.

A project-specific noise analysis will be part of the CEQA analysis prepared for the development application and if required, appropriate mitigation will be made a condition of approval of the project. However, there is a potential that noise generated during project grading could increase existing noise levels and could impact nesting birds including the LBV within the adjacent Temescal Wash and other adjacent conservation areas if grading were to occur during the nesting season (February through September). If grading is required during the nesting season, surveys shall be conducted and noise levels shall not exceed 65 dBA Leq at nest sites. If noise levels exceed 65 dBA Leq, as is anticipated because ambient noise levels currently exceed these levels across the project site, a temporary noise barrier shall be constructed along the grading edge to minimize noise impacts. These requirements would be

imposed a mitigation measures or conditions of approval as part of the approval process when a formal development application is submitted.

Proposed uses on the site are not anticipated to increase noise levels within the habitat preserve because of the type of use proposed and operational noise levels are not anticipated to exceed the 65 dBA threshold unless ambient noise levels already exceed the 65 dBA threshold. To insure that either the 65 dBA threshold or ambient noise levels are not exceeded (whichever is higher), a noise assessment shall be prepared to determine anticipated operational noise levels. If noise levels exceed either the 65 dBA threshold or exceed pre-construction ambient noise levels, whichever is higher, mitigation measures such as noise walls or berms shall be implemented at the direction of the project acoustician in consultation with the City to reduce noise levels at the nest site to either the 65 dBA threshold or ambient noise levels, whichever is higher.

Therefore, the project is consistent with the noise requirements of Section 6.1.4 of the MSHCP.

Invasives

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

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

Barriers

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

The edges of the Project that are directly adjacent to the MSHCP Conservation Area shall include walls, fences, or other barriers to prevent unauthorized public access, domestic animal predation, illegal trespass, excessive noise, or dumping in the MSHCP Conservation

Area. Barriers may include native landscaping, rocks/boulders, fencing, walls, signage and/or other appropriate mechanism. The proposed Project will incorporate such barriers into the Project design.

Grading/Land Development

Manufactured slopes associated with proposed site development shall not extend into the MSHCP Conservation Area.

Site boundaries should be clearly marked in the field when grading the Project site near the conservation area to ensure no encroachment occurs. Manufactured slopes from the final mining reclamation activities will not extend into the MSHCP Conservation Area. Additionally, manufactured slopes associated with proposed site development shall be included in the project impact and shall not extend into the lands proposed to contribute to the MSHCP Conservation Area.

For these reasons, the subject project is consistent with the Urban/Wildlife Interface Guidelines.

7. The proposed project is consistent with the Vegetation Mapping requirements.

Basis for Finding:

The Project site is intensely disturbed and predominantly consists of extensively graded alluvium soils. The habitat immediately surrounding the Project site is foothill grasslands, chaparral, riparian scrub, and ruderal ground. The dominant vegetation types identified along the perimeter and immediately outside the property boundaries consists of Tumbleweed, Willow (*Salix* spp.), Eucalyptus (*Eucalyptus* spp.), Tamarisk (*Tamarix* spp.), Sacred Datura (*Datura wrightii*), California buckwheat (*Eriogonum fasciculatum*), Sunflower (*Helianthus* spp.), Filaree (*Erodium* spp.), Lettuce (*Lactuca* spp.), Black Mustard (*Brassica nigra*), and Brome grass (*Bromus* spp.).

This mapping is sufficient under the MSHCP and is consistent with the MSHCP vegetation mapping requirements.

8. The proposed project is consistent with the Fuels Management Guidelines.

Basis for Finding:

The MSHCP acknowledges that brush management to reduce fuel loads and protect urban uses and public health/safety shall occur where development is adjacent to conservation areas. The property is adjacent to an MSHCP Conservation Area. One of the scenarios in the Fuels Management Guidelines is that any new development planned adjacent to a MSHCP

conservation area or other undeveloped area shall incorporate brush management guidelines in the development boundaries and shall not encroach into MSHCP conservation areas.

Development of the subject site will be required to incorporate building setbacks and appropriate fire-resistant materials in the design. Fuel modification impacts will not extend into the Conservation Area and fuel modification zone requirements will be taken into account when the proposed project is designed. Therefore, the Project is consistent with the Fuels Management Guidelines as set forth in Section 6.4 of the MSHCP.

9. The proposed project will be conditioned to pay the City's MSHCP Local Development Mitigation Fee.

Basis for Finding:

The applicant shall pay MSHCP Local Development Mitigation fees as determined by the City. The fee schedule is adjusted annually by the RCA. Effective July 1, 2018, the fee is \$7,164 per acre for commercial development.

10. The proposed project is consistent with the MSHCP.

Basis for Finding:

MSHCP Sequential Approach

The MSHCP describes a sequential approach to application of the Reserve Assembly guidance provided in the MSHCP. (MSHCP, page 3-122 through 3-124). The project can be shown to be consistent with the MSHCP on an Area Plan and Area Plan Subunit Basis as outlined below.

Step 1 – Examine the project in the context of the overall MSHCP Conservation Area by relating the project to the MSHCP Conservation Area description in Section 3.2.2 of the Plan and the descriptions of the applicable Cores and Linkages in Section 3.2.3 of the Plan. (MSHCP, page 3-122)

Section 3.2.2 of the MSHCP summarizes the MSHCP Conservation Area in terms of bioregions, vegetation, soils, patch size and edge affected land. Section 3.2.2 also states, "The MSHCP Conservation Area may also be described in terms of Cores and Linkages." (MSHCP, page 3-19). The following description of the project site in the context of the overall MSHCP Conservation Area is in terms of applicable Cores and Linkages.

The project site is within the MSHCP Elsinore Area Plan, Subunit 1 (Estelle Mountain/Indian Canyon). It is located within Cell Group J. Conservation within

this Cell Group will contribute to the assembly of Proposed Core 1. The MSHCP describes Proposed Core 1 as:

“Proposed Core 1

Proposed Core 1 is located approximately in the east-central region of the Plan Area. This Core Area consists largely of private lands in the Alberhill area but also contains small pieces of Public/Quasi-Public Lands. The Core exists in two blocks, one east and one west of I-15. Connections are made from the Core to Proposed Linkage 1, Proposed Linkage 2 (Alberhill Creek), Proposed Linkage 3, and Existing Core C (Lake Mathews/Estelle Mountain). The Core provides Habitat for species and also provides for movement of species. Key populations of coastal California gnatcatcher, Munz’s onion, many-stemmed dudleya, cactus wren, tricolored blackbird, and yellow warbler are supported in this Core Area. The Core likely provides for movement of common mammals such as bobcat. Since this Core is contiguous with Existing Core C (Lake Mathews/Estelle Mountain) via an approximately 10,000-foot connection, the functional area of the Core is much greater than 7,470 acres reported in the table below. Because a portion of the Core is surrounded by city (Lake Elsinore) and community Development planned land uses, and since this Core may be affected by the proposed Hemet to Corona/Lake Elsinore CETAP Corridor, management of edge conditions in these areas will be needed to maintain high quality Habitat within the 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, Page 3-61)

Table 1 PROPOSED CORE 1						
Approximate Dimension Data for Core				Planning Species	Adjacent Proposed General Plan Land Use	Major Covered Activities Affecting Linkage
Approx. Total (ac.)	Approx. Edge (ac.)	Approx. Interior (ac.)	Approx. Perimeter/ Area Ratio (ft./ac)			
7,470	1,120	6,350	30	coastal California gnatcatcher, cactus wren, tri-colored blackbird, southwestern willow flycatcher, Munz’s onion	City (Lake Elsinore), Rural Mountainous, Community Development, Open Space/ Conservation	I-15, Hemet to Corona/ Lake Elsinore CETAP Corridor

				and many-stemmed dudleya.		
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Step 2 – Identification of the specific Area Plan and Area Plan Subunit within which the particular project is located. Planning Species and Biological Issues and Considerations as well as variable target acreages for the overall Area Plan and Area Plan Subunit should be reviewed between Permittee staff and the applicant along with any variable project specific biological information. Planning Species and Biological Issues and Considerations that apply to the specific project should be identified. Not all Planning Species and Biological Issues and Considerations for particular Area Plan or Area Plan Subunit will apply to every project. (MSHCP, page 3-122)

MSHCP Elsinore Area Plan, Subunit 1 (Estelle Mountain/Indian Canyon). The majority of the project site (9.066 acres) is located within Criteria Cell #3751. The remainder of the project site (5.377 acres) is located in Criteria Cell #3752. The MSHCP states that conservation within Cell Group J will range from 75%-85% of the Cell Group focusing in the western and northern portions of the Cell Group.

Subunit 1 (Estelle Mountain/Indian Canyon) has a target conservation acreage of 4,100 to 6,030 acres of Additional Reserve Lands. (MSHCP. Page 3-134) As of December 31, 2015, 1,826 acres of Subunit 1 had been conserved. (Western Riverside County MSHCP Annual Report 2015, page A-4)

Conservation within Cell Group J will contribute to assembly of Proposed Core 1. Conservation within the Cell Group will focus on coastal sage scrub, chaparral, grassland, riparian scrub, woodland and forest habitat. Areas conserved within Cell Group J will be connected to upland habitat proposed for conservation in Cell #3853, Cell #3855 and Cell Group O all to the south, to coastal sage scrub habitat proposed for conservation in Cell Group L to the east, to riparian habitat proposed for conservation in Cell Group I to the west and to existing PQP Lands to the north and west.

Subunit 1 of the Elsinore Area Plan includes the following list of biological issues and considerations that relate to conservation goals of the MSHCP.

Planning Species:

- Bell's sage sparrow (*Amphispiza belli belli*)
- Coastal California gnatcatcher (*Polioptila californica californica*)
- Cooper's Hawk (*Accipiter cooperii*)
- least Bell's vireo (*Vireo bellii pusillus*)
- loggerhead shrike (*Lanius ludovicianus*)

- mountain quail (*Oreortyx pictus*)
- southwestern willow flycatcher (*Empidonax traillii extimus*)
- white-tailed kite (*Elanus leucurus*)
- yellow-breasted chat (*Icteria virens*)
- yellow warbler (*Dendroica petechia brewsteri*)
- bobcat (*Lynx rufus*)
- mountain lion (*Puma concolor*)
- Stephens' kangaroo rat (*Dipodomys stephensi*)
- Many-stemmed dudleya (*Dudleya multicaulis*)
- Munz's onion (*Allium munzii*)

Biological Issues and Considerations:

- Provide connection between Santa Ana Mountains, Temescal Wash and the foothills north of Lake Elsinore (Estelle Mountain, Sedco Hills); existing connections appear to be at Indian Canyon, Horsethief Canyon, and open upland areas southwest of Alberhill.
- Conserve wetlands including Temescal Wash.
- Conserve clay soils supporting many-stemmed dudleya and Munz's onion.
- Conserve foraging Habitat for raptors, providing a sage scrub-grassland ecotone.
- Maintain core Core Area for bobcat.
- Maintain Core and Linkage Habitat for mountain lion east of I-15.
- Maintain Core and Linkage Habitat for Stephens' kangaroo rat east of I-15.
- Maintain Core and Linkage Habitat for Quino checkerspot butterfly.
- Maintain connection to mountains to provide movement opportunities for mountain quail.
- Conserve Habitats for coastal California gnatcatcher and other coastal sage scrub and chaparral species.

Step 3 – Review of the specific Criteria for the identified Cell or Cell Group within which the project site is located.

- Pursuant to page 3-122 of the MSHCP, the “first criterion for each Cell or Cell Group is the identification of the applicable Core or Linkage. This relationship of the project to the applicable Core or Linkage should already have been identified and discussed as part of the first steps in the sequential process.”

This identification was made in Step 1 above.

- b. “The next criteria for each Cell or Cell Group” as described on page 3-122 of the MSHCP “are the identification of Vegetation Communities toward which Conservation should be directed along with connectivity requirements.”

The Project site is intensely disturbed and predominantly consists of extensively graded alluvium soils. The habitat immediately surrounding the Project site is foothill grasslands, chaparral, riparian scrub, and ruderal ground. The dominant vegetation types identified along the perimeter and immediately outside the property boundaries consists of Tumbleweed, Willow (*Salix* spp.), Eucalyptus (*Eucalyptus* spp.), Tamarisk (*Tamarix* spp.), Sacred Datura (*Datura wrightii*), California buckwheat (*Eriogonum fasciculatum*), Sunflower (*Helianthus* spp.), Filaree (*Erodium* spp.), Lettuce (*Lactuca* spp.), Black Mustard (*Brassica nigra*), and Brome grass (*Bromus* spp.).

The existing vegetation communities notwithstanding, the Western Riverside County Regional Conservation Authority (RCA) utilizes baseline vegetation mapping that was completed during the development of the MSHCP. According to the RCA’s website, this mapping of vegetation “represent baseline Western Riverside County’s Vegetation types. This data layer was used to develop MSHCP conservation goals and is used in ongoing reserve assembly accounting to insure that habitat is being conserved consistent with the rough step formula (see Section 6 of the MSHCP document). It was originally obtained from WRCOG and produced by KTUA consultants. Source date approx. 1994.” (Accessed at <http://data-wrcrca.opendata.arcgis.com/datasets> on October 24, 2017) Table 2 shows the proposed project’s estimated impacts upon these MSHCP mapped vegetation communities.

Table 2	
MSHCP VEGETATION COMMUNITIES	
Community	Acres Impacted
Developed or Disturbed Land	14.44
TOTAL	14.44

The MSHCP recognizes that “[t]he MSHCP vegetation map is limited by the timeframe within which the data were assembled as well as the precision of those data. The vegetation map represents conditions at the time the data were assembled, in this case 1991-1995; the current extent and character of Vegetation Communities may differ from that depicted on the MSHCP vegetation map.” (MSHCP, page 2-3)

- c. “Finally, the project should be examined with respect to the percentage conservation portion of the Cell Criteria, which is the last criterion provided for each Cell and Cell Group.”. (MSHCP, pages 3-122 and 3-123)

The majority of the project site (9.066 acres) is located within Criteria Cell #3751. The remainder of the project site (5.377 acres) is located in Criteria Cell #3752.

Target conservation in Cell Group J, which includes Criteria Cell #3751 and Criteria Cell #3752, is 75%-85% of the Cell Group focusing in the western and northern portions of the Cell Group. Conservation within this Cell Group will contribute to assembly of Proposed Core 1. Conservation within this Cell Group will focus on coastal sage scrub, chaparral, grassland, riparian scrub, woodland and forest habitat. Areas conserved within this Cell Group will be connected to upland habitat proposed for conservation in Cell #3853 and #3855, and Cell Group O all to the south, to coastal sage scrub habitat proposed for conservation in Cell Group L to the east, to riparian habitat proposed for conservation in Cell Group I to the west and to existing PQP Lands to the north and west.

Cell Group J consists of 12 Criteria Cells (3249, 3351, 3450, 3744, 3745, 3748, 3844, 3949, 3950, 4048, 4050 and 4148) will total approximately 1,941 acres. According to the RCA’s website, the “MSHCP Conserved Lands” GIS layers “represent the Conserved Lands and Easements which contribute to the MSHCP Additional Reserve Lands. These feature classes contains properties within Western Riverside County owned, managed, or maintained by the Regional Conservation Authority and others with the intent to secure open space and ecological diversity by conserving species and their associated habitats through land acquisition.” (Accessed at http://data-wrcrca.opendata.arcgis.com/datasets/69227edef7ac4905828d64d9598a4503_0 on July 31, 2018.) The “MSHCP Conserved Lands” layers show that approximately 1,533.8 acres have been conserved. This represents 79% of Cell Group J. Therefore, the target conservation level has already been reached.

The following is an assessment of the project site’s consistency with the above-listed biological issues and considerations:

- i. Provide connection between Santa Ana Mountains, Temescal Wash and the foothills north of Lake Elsinore (Estelle Mountain, Sedco Hills); existing connections appear to be at Indian Canyon, Horsethief Canyon, and open upland areas southwest of Alberhill.

Analysis: Temescal Wash is located along the southern border of the Project site. All project activities shall occur within the property boundary and outside of the Temescal Wash, which is not part of the project site. Compliance

with the Urban Wildland Interface Guidelines, described above, will prevent adverse effects upon Temescal Wash. Therefore, the project will not interfere with conservation of wetlands associated with Temescal Wash and is consistent with this goal of the MSHCP.

ii. Conserve wetlands including Temescal Wash

Analysis: Temescal Wash is located along the southern border of the Project site. All project activities shall occur within the property boundary and outside of the Temescal Wash, which is not part of the project site. Compliance with the Urban Wildland Interface Guidelines, described above, will prevent adverse effects upon Temescal Wash. Therefore, the project will not interfere with conservation of wetlands associated with Temescal Wash and is consistent with this goal of the MSHCP.

iii. Conserve clay soils supporting many-stemmed dudleya and Munz's onion.

Analysis: Many-stemmed dudleya and Munz's onion are found on clay and cobbly clay soils, which include the following series: Altamont, Auld, Bosanko, Claypit, and Porterville. (MSHCP Plants Species Accounts, Pages P-183 and P-215) According to the USDA's 1971 "Soil Survey of Western Riverside Area, California", soils within the Project site were TbF2 (Temescal rocky loam, 15 to 50 percent slopes, eroded), HuC2 (Honcut loam, 2 to 8 percent slopes, eroded), HnD2 (Honcut sandy loam, 8 to 15 percent slopes, eroded) and TwC (Tujunga gravelly loamy sand, 0 to 8 percent slopes). No clay soils were found anywhere on the property. This goal of the MSHCP does not apply to the project.

iv. Conserve foraging Habitat for raptors, providing a sage scrub-grassland ecotone.

Analysis: The Project site is intensely disturbed and predominantly consists of extensively graded alluvium soils. No open grassland habitat occurs on the property; therefore, this issue does not apply.

v. Maintain linkage area for bobcat.

Analysis: The Species Conservation Objectives for the bobcat describe key habitat connections and corridors in vicinity of Lake Elsinore as:

- Santa Ana Mountains to Lake Mathews-Estelle Mountain via Indian Canyon and Horsethief Canyon
- Santa Ana Mountains to Agua Tibia Wilderness-Palomar Mountains via Pechanga Creek or future wildlife overpass over Interstate 15 north of Rainbow (possibly in San Diego County).

These Objectives for the bobcat identify Indian Canyon and Horsethief Canyon as the primary east-west connection for bobcat along Interstate 15 in this portion of the MSHCP area. Additionally, the species conservation analysis identifies areas east of Interstate 15 (Lake Mathews-Estelle Mountain) as areas adequate to support the life history needs of the bobcat, but does not include the area west of Interstate 15 in this analysis. This goal of the MSHCP does not apply to the project.

- vi. Maintain Core and Linkage Habitat for mountain lion east of I-15.

Analysis: The property is west of Interstate 15; therefore, this issue does not apply.

- vii. Maintain Core and Linkage Habitat for Stephens' kangaroo rat east of I-15.

Analysis: The property is west of Interstate 15; therefore, this issue does not apply.

- viii. Maintain opportunities for linkage area for Quino checkerspot butterfly.

Analysis: The project site does not contain any habitat suitable for the Quino checkerspot butterfly. Therefore, this issue does not apply.

- ix. Maintain connection to mountains to provide movement opportunities for mountain quail.

Analysis: The Western Riverside MSHCP Species Accounts for Birds describes the habitat linkages for the mountain quail: "Habitat linkages have been identified for this species at the Horsethief Canyon, Indian Canyon and the San Jacinto River linkages under Interstate 15. Habitat connections also are well established between the Cleveland National Forest and the Santa Rosa Plateau and the San Bernardino National Forest and the upper parts of the Wilson Creek drainage which then are linked to the Aguanga area." (Pages B-344 and B-345) The project site is not located within one of the identified habitat linkages. Therefore, this goal of the MSHCP does not apply to the project.

- x. Conserve Habitats for coastal California gnatcatcher and other coastal sage scrub and chaparral species.

The project site does not contain any habitat suitable for the coastal California gnatcatcher and other coastal sage scrub and chaparral species. Therefore, this issue does not apply.

Conclusion

Target conservation in Cell Group J, which includes Criteria Cell #3751 and Criteria Cell #3752, is 75%-85% of the Cell Group focusing in the western and northern portions of the Cell Group. Conservation within this Cell Group will contribute to assembly of Proposed Core 1. Conservation within this Cell Group will focus on coastal sage scrub, chaparral, grassland, riparian scrub, woodland and forest habitat. The project site does not contain coastal sage scrub, chaparral, grassland, riparian scrub, woodland or forest habitat. Additionally, the "MSHCP Conserved Lands" GIS layers show that approximately 1,533.8 acres within Cell Group J have been conserved. This represents 79% of Cell Group J. Therefore, the target conservation level has already been reached. Therefore, conservation of the project site or any portion thereof, is not required. The proposed project is consistent with the MSHCP.