

Memorandum

Date: October 17, 2022

To: Ruben Cadre, Cadre Environmental

From: Brianna Bernard

Subject: Jurisdictional Delineation for the Perris Airport Project Site located in the City of Perris

Carlson Strategic Land Solutions (CSLS) prepared this Jurisdictional Delineation for Cadres Environmental for the Perris Airport Project Site (Project Site) located in the City of Perris. The Study Area includes approximately 87.62-acres of Project Site and 11-acres of offsite area. The jurisdictional assessment for the Study Area includes an assessment of the surrounding 300-feet incorporates the findings from a field survey and jurisdictional delineation conducted on May 25, 2022 and confirmed on October 11, 2022.

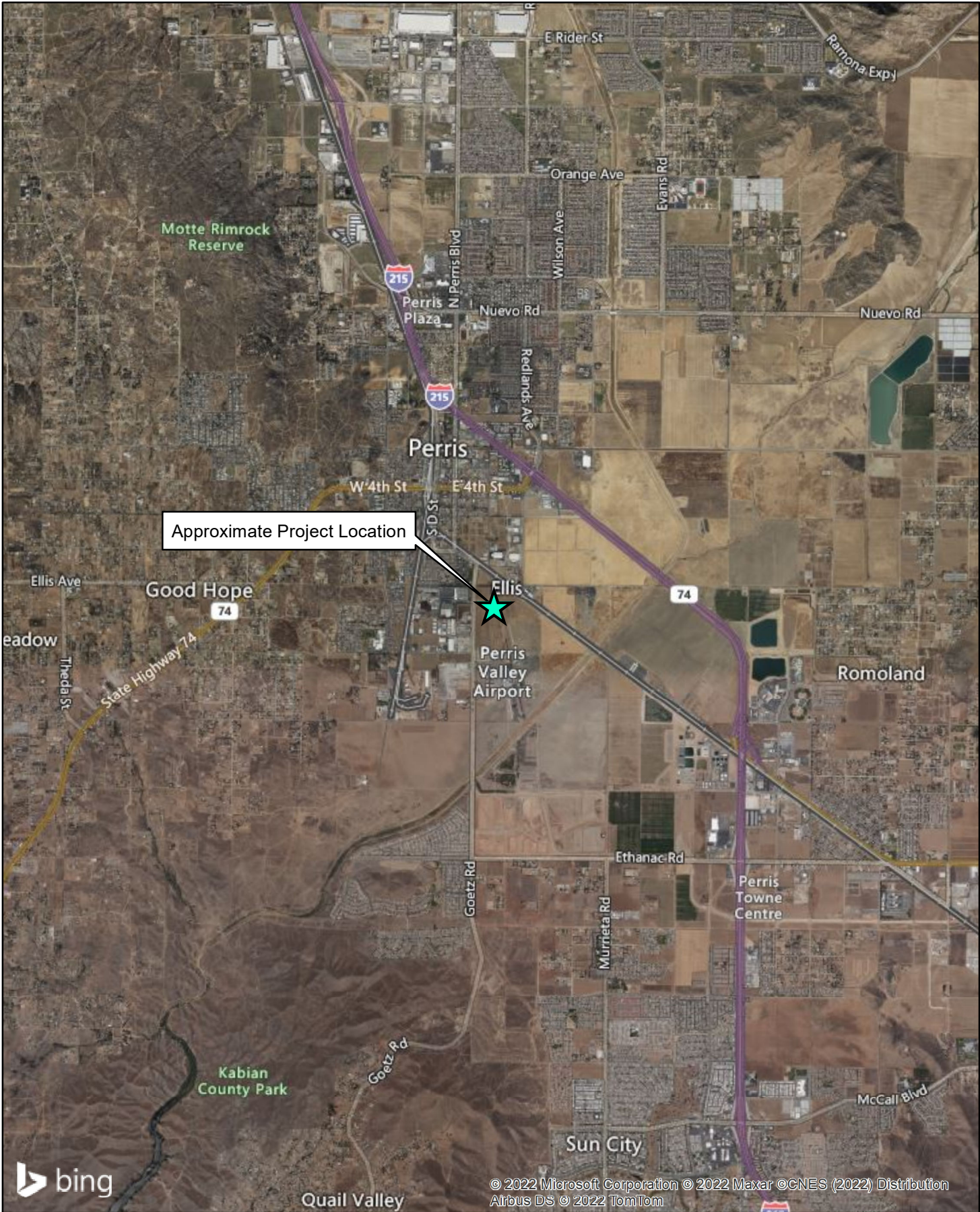
1.0 Project Location

The Study Area is located in the City of Perris, located South of Ellis Avenue, East of Goetz Road, and West of Case Road in the City of Perris, Western Riverside County, California (Assessor's Parcel Number [APN] 330-090-001, 330-090-031, 330-090-033, 330-090-034, 330-090-036, 330-090-038, 330-100-031 (Figures 1 and 2). The Project occurs within the *Perris* U.S. Geographic Survey 7.5-Minute Quadrangle Maps (USGS 1987).

Access to the Study Area is from Case Road and Goetz Road.

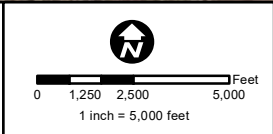
2.0 Existing Conditions

The Project site is characterized as undeveloped land with signs of human disturbances caused by off-roading activities. A portion of the site includes a storage yard with construction equipment. A single ditch occurs along Ellis Avenue and continues downstream along Case Road. The ditch is concrete lined along Ellis Avenue and changes to an earthen ditch along Case Road.



GIS Prepared By:
Carlson SLS

Created: May 27, 2022



Data Sources: Bing Maps

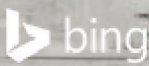
**Perris Airport
Regional Map**

Figure 1



Legend

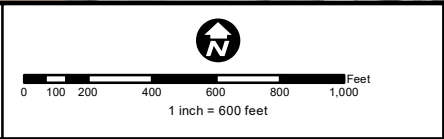
- Project Boundary
- Offsite Impact Area



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GIS Prepared By:
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Created: October 8, 2022



Data Source: Bing Map

Perris Airport
Site Location

Figure 2

3.0 Project History and Surrounding Projects

The Perris Logistic Center North Project (Logistic Center North Project) is located to the north east of the Project site. As part of this project several impacts occur along Ellis Avenue and Case Road. As part of the Perris Logistic Center North Project and project approvals, the City of Perris conditioned the Logistic Center North Project with street improvements which results in impacts to the agriculture ditch. As a result, a Determination of Biologically Equivalent or Superior Preservation Analysis (DBESP) was prepared and submitted to the Western Riverside County Regional Conservation Authority (RCA) and is in the process of the Habitat Evaluation and Acquisition Negotiation Strategy (HANS) and Joint Project Review (JPR) process. Furthermore, Regulatory permits with the Army Corps of Engineers (Corps), Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW) have been submitted for impacts to the agriculture ditch along Ellis Avenue and Case Road, along with the additional jurisdictional impacts associated with the Logistic Center North Project.

4.0 Methodology

4.1 Jurisdictional Waters

Prior to the field investigation, CSLS biologists reviewed historic aerial imagery, topographic maps, and background information for the Study Area to determine the potential for perennial, intermittent, or ephemeral drainages and associated riparian resources.

4.1.1 Federal Clean Water Act (CWA)

The Clean Water Act (CWA), Section 401 provides guidance for the restoration and maintenance of the chemical, physical, and biological integrity of the nation's waters. Section 401 requires a project operator to obtain a federal license or permit that allows activities resulting in a discharge to waters of the United States to obtain state certification, thereby ensuring that the discharge will comply with provisions of the CWA. The Regional Water Quality Control Board administers the certification program in California. Section 404 establishes a permit program administered by the United States Army Corps of Engineers (Corps) that regulates the discharge of dredged or fill material into waters of the United States, including wetlands. The Corps implementing regulations are found at 33 CFR 320 and 330. Guidelines for implementation are referred to as the Section 404(b)(1) Guidelines, which were developed by the United States Environmental Protection Agency in conjunction with the Corps (40 CFR 230). The guidelines allow the discharge of dredged or fill material into the aquatic system only if there is no practicable alternative that would have less adverse impacts.

4.1.2 Wetlands and Other Waters of the United States

Aquatic resources, including riparian areas, wetlands, and certain aquatic vegetation communities, are considered sensitive biological resources and fall under the jurisdiction of several regulatory agencies. The Corps exerts jurisdiction over waters of the United States, including all waters that are subject to the ebb and flow of the tide; wetlands and other waters such as lakes, rivers, streams (including intermittent or ephemeral streams), mudflats, sandflats, sloughs, prairie potholes, vernal pools, wet meadows, playa lakes, or natural ponds; and tributaries of the above features. The extent of waters of the United States is generally defined

as the portion that falls within the limits of the Ordinary High-Water Mark (OHWM). The OHWM is defined as the "line on the shore established by the fluctuation of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas."

The definition of Navigable Waters has undergone several iterations, including a much more streamlined definition which was published and formally adopted in April 2020. However, in August 2021, the April 2020 Navigable Waters definition was challenged in the case *Pascua Yaqui Tribe v. U.S. Environmental Protection Agency*. In light of this case and subsequent order from US District Court for the District of Arizona, the U.S. Environmental Protection Agency (EPA) and Corps have halted implementation of the Navigable Waters Protection Rule from 2020 and are interpreting "waters of the United States" consistent with the pre-2015 regulatory regime until further notice.

The pre-2015 definition of Navigable Waters includes (1) all waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide; (2) All interstate waters including interstate wetlands; (3) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate or foreign commerce including any such waters: (4) All impoundments of waters otherwise defined as waters of the United States under this definition; (5) Tributaries of waters identified in paragraphs (s)(1) through (4) of this section; (6) The territorial sea; and (7) Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (s)(1) through (6) of this section.

Wetlands, including swamps, bogs, seasonal wetlands, seeps, marshes, and similar areas, are defined by Corps as "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" (33 CFR 328.3[b]; 40 CFR 230.3[t]). Indicators of three wetland parameters (i.e., hydric soils, hydrophytic vegetation, and wetlands hydrology), as determined by field investigation, must be present for a site to be classified as a wetland by Corps (USACE 1987).

It is important to note that the RWQCB definition of wetland was redefined, and the new definition went into effect May 28, 2020. The definition of a wetland is as follows: An area is wetland if, under normal circumstances, (1) the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; (2) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and (3) the area's vegetation is dominated by hydrophytes, or the area lacks vegetation. This RWQCB

modified three-parameter definition is similar to the federal definition in that it identifies three wetland characteristics that determine the presence of a wetland: wetland hydrology, hydric soils, and hydrophytic vegetation. Unlike the federal definition, however, the RWQCB wetland definition allows for the presence of hydric substrates as a criterion for wetland identification (not just wetland soils) and wetland hydrology for an area devoid of vegetation (less than 5% cover) to be considered a wetland.

However, if any vegetation is present, then the Corps delineation procedures would apply to the vegetated component (i.e., hydrophytes must dominate). Examples of waters that would be considered wetlands by the RWQCB definition, but not by the federal wetland definition, are non-vegetated wetlands, or wetlands characterized by exposed bare substrates like mudflats and playas, as long as they meet the three-parameters as described in the RWQCB definition. It is important to note that while the Corps may not designate a feature as a wetland, that feature could be considered a special aquatic site or other water of the U.S. by the Corps and potentially subject to Corps' jurisdiction.

4.1.3 Porter-Cologne Water Quality Act - California Code, Division 7

The RWQCB also has jurisdiction over waters deemed "isolated" or not subject to Section 404 jurisdiction under the *Solid Waste Agency of Northern Cook County v. Corps* decision. Dredging, filling, or excavation of isolated waters constitutes a discharge of waste to waters of the state and prospective dischargers are required to obtain authorization through an Order of Waste Discharge or waiver thereof from the RWQCB and comply with other requirements of Porter-Cologne Act.

Under Section 401 of the CWA, the local RWQCB must certify that actions receiving authorization under Section 404 of the CWA also meet state water quality standards. The RWQCB requires projects to avoid impacts to wetlands if feasible and requires that projects do not result in a net loss of wetland acreage or a net loss of wetland function and values. Compensatory mitigation for impacts to wetlands and/or waters of the state is required.

4.1.4 California Fish and Game Code Section 1600-1616

Waters of the State are regulated by the California Department of Fish and Wildlife (CDFW) through Section 1600 et seq. of the California Fish and Game Code. Section 1600 et seq. requires notifying the CDFW prior to any project activity that might (1) substantially divert or obstruct the natural flow of any river, stream, or lake; (2) substantially change or use any material from the bed, channel, or bank of any river, stream, or lake; or (3) deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake. If, after this notification, the CDFW determines that the activity may substantially adversely affect fish and wildlife resources, a Lake or Streambed Alteration Agreement will need to be obtained. CDFW may then place conditions in the Section 1602 Streambed Alteration Agreement to avoid, minimize, and mitigate any potentially significant adverse impacts within CDFW jurisdictional limits.

The limits of Waters of the State are defined as the "body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having surface or subsurface flow that supports or has supported riparian vegetation." Therefore, the limits extend from the channel bed to the top of the bank, with the addition of the canopy of any riparian habitat associated with the watercourse.

4.2 Western Riverside Multiple Species Habitat Conservation Plan (MSHCP)

The Project site is located within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). The MSHCP is a comprehensive plan that includes portions of the County of Riverside and numerous cities. The MSHCP plans for conservation of 146 species and proposes a reserve system of approximately 500,000 acres. The MSHCP is intended to contribute to the economic viability of the County of Riverside by providing landowners, developers, and public infrastructure projects a streamlined regulatory process.

MSHCP Section 6.1.2, Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools, is applicable to all projects within the MSHCP and describes the process through which protection of riparian/riverine areas, and vernal pools will occur within the MSHCP Area. Protection of these resources is important for a number of MSHCP conservation objectives. An assessment of a Project's potentially significant effects on riparian/riverine areas and vernal pools is required. The purpose is to ensure that the biological functions and values of these areas throughout the MSHCP Conservation Area are maintained. The MSHCP requires that as projects are proposed within the overall Plan Area, the effect of those projects on riparian/riverine areas and vernal pools must be addressed. The Study Area was evaluated for the presence/absence of MSHCP riparian/riverine areas and vernal pools. Guidelines for determining whether or not these resources exist on site are described as follows:

- **Riparian/Riverine Areas** include "lands which contain habitat dominated by trees, shrubs, persistent emergent, or emergent mosses and lichens which occur close to or which depend upon soil moisture from a nearby fresh water source or areas with fresh water flow during all or a portion of the year." Riparian/riverine areas under the MSHCP also include drainage areas that are vegetated or have upland (non-riparian/riverine) vegetation and that drain directly into an area that is described for conservation under the MSHCP (or areas already conserved).
- **Vernal Pools** are described by the MSHCP as "seasonal wetlands that occur in depression areas that have wetlands indicators of all three parameters (soils, vegetation, and hydrology) during the wetter portion of the growing season but normally lack wetlands indicators of hydrology and/or vegetation during the drier portion of the growing season." This definition excludes artificially created wetlands created for proving wetlands habitat or human actions to create open waters or altering natural streams demonstrating characteristic as described above.

5.0 Results

5.1 Jurisdictional Waters

Prior to the site visit, a thorough review of historic aerials was performed to help determine the presence of historical or current jurisdictional features. Further, the National Wetlands Inventory map was reviewed, along with USGS 7.5-minute topo map to determine the potential presence or absence of jurisdictional streams/drainages, wetlands, and their location within any watersheds associated with the site, and other features that might contribute to federal authority located within watersheds associated with the Project Site. Lastly, a field survey was performed on May 25, 2022 and October 11, 2022.

Based on the aerials and the site visit, a single ephemeral ditch occurs within the Study. The ditch is a concrete lined flood control facility along Ellis Avenue with no vegetation. Adjacent to the concrete lined ditch along Ellis Avenue includes red gum eucalyptus (*Eucalyptus camaldulensis*) trees that protrude from lands adjacent to the flood control channel top of bank.

At the intersection of Ellis Avenue and Case Road, the ditch flows in a southeastern direction along Case Road within an earthen flood control channel. The ditch receives runoff from rainfall or other seasonal precipitation supplements the flow of this seasonal drainage.

Vegetation within the Study Area consists of red gum eucalyptus, umbrella sedge (*Cyperus eragrostis*), barnyard grass (*Echinochloa crus-galli*), red brome (*Bromus madritensis*), short pod mustard (*Hirschfeldia incana*), Russian thistle (*Salsola tragus*), and stinknet (*Oncosiphon pilulifer*) among others. At the time of the field visit, the earthen ditch appeared to have been maintained/disked. Appendix A includes representative photographs to illustrate the range of conditions observed within the study area.

5.1.1 Waters of the United States

This section relies on the term "Waters of the United States" as it applies to the jurisdictional limits under the authority of the Army Corps of Engineers definition. Based on the methodology described in Section 4.1, both literature/data base review and a field delineation were conducted to determine the presence of Waters of the United States.

The ditch observed onsite is ephemeral and show signs of an ordinary high watermark. Based on the discussion in above, the observed drainages are subject to Section 404 under the Army Corps of Engineers and Regional Water Quality Control Board Water Quality under Clean Water Act Section 401. Based on field observations no wetlands were identified or observed onsite.

The total inventory of jurisdictional waters is found in Table 1 and Figure 3.

Table 1. Waters of the United States (Corps and RWQCB) within the Study Area

Drainage	Non-wetland Jurisdiction Acreage (Non-Wetland)
Ditch A	0.12

5.1.2 Waters of the State

Based on the methodology described in Section 4.1, both literature/data base review and a field delineation were conducted to determine the presence of Waters of the State. The Project site includes waters that meet CDFW characteristics in accordance with FGC Section 1600. Based on the discussion and evidence presented in Section 4.1, the Drainages observed onsite exhibit biological and physical indicators of Waters of the State through the presence of channel bed and bank. The total inventory of Waters of the State and associated riparian habitat is presented in Table 2 and shown on Figure 3.

Table 2. Waters of the State (CDFW) found within the Study Area

Drainage	Jurisdiction Acreage (acres)
Ditch A	0.88

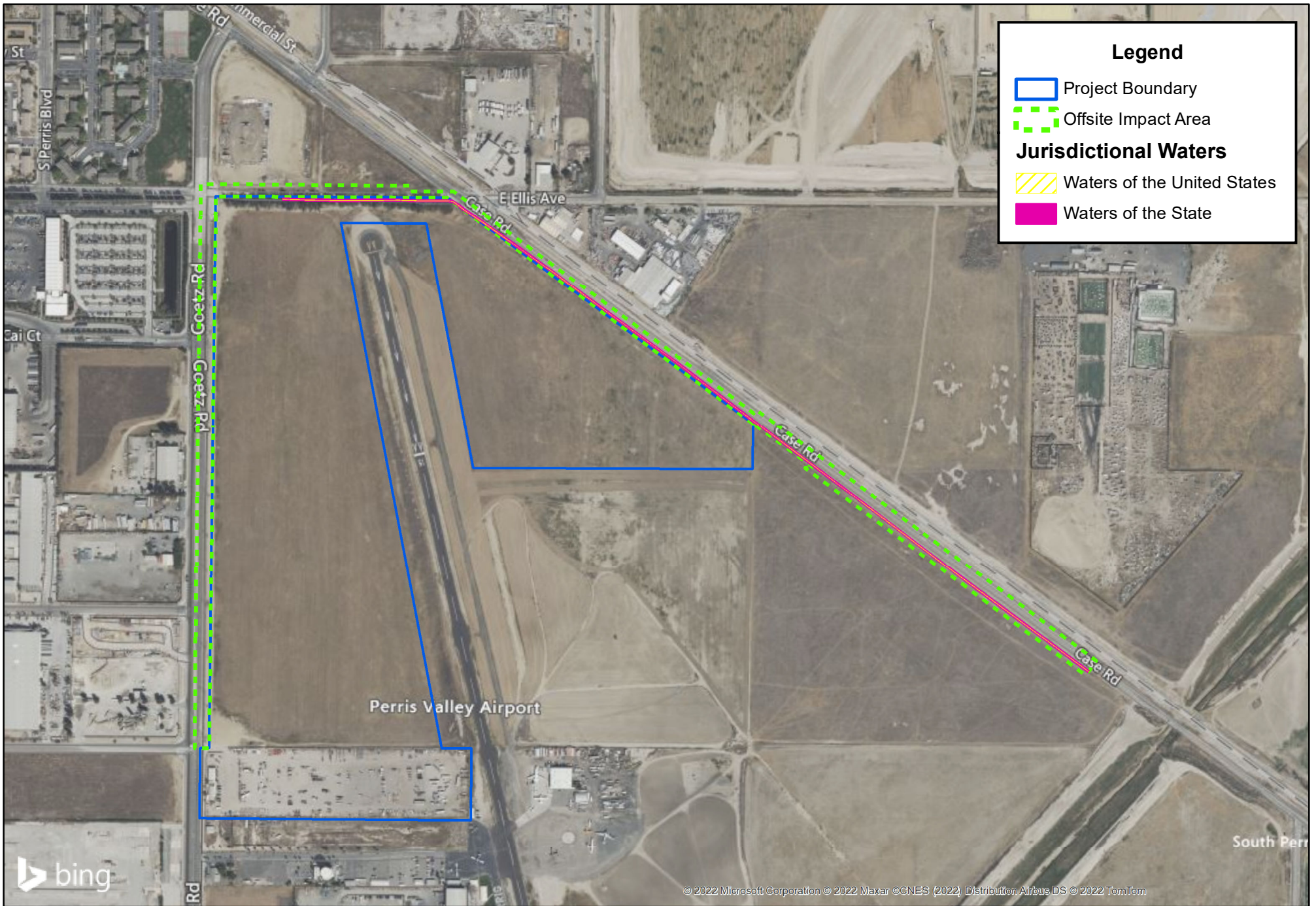
5.2 MSHCP Riparian/Riverine

MSHCP Section 6.1.2 riparian and riverine resources are present within or adjacent to the Project Site as shown in Table 3 and on Figure 4.

Table 3. Riparian/Riverine Features (MSHCP) found within the Study Area

Drainage	Jurisdiction Acreage (acres)
Ditch A	0.88

No evidence of vernal pools, seasonal depressions, seasonally inundated road ruts or other wetland features were recorded within the Project site boundary or within the Offsite boundary during the Project site surveys. Vernal pools are depressions in areas where a hard-underground layer prevents rainwater from draining downward into the subsoils. When rain fills the pools in the winter and spring, the water collects and remains in the depressions. In the springtime, the water gradually evaporates away, until the pools became completely dry in the summer and fall. Vernal pools tend to have an impermeable layer that results in ponded water. The soil texture (the amount of sand, silt, and clay particles) typically contains higher amounts of fine silts and clays with lower percolation rates. Pools that retain water for a sufficient length of time will develop hydric cells. Hydric cells form when the soil is saturated from flooding for extended periods of time and anaerobic conditions (lacking oxygen or air) develop.

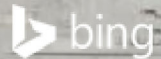


Legend

- Project Boundary
- Offsite Impact Area

Jurisdictional Waters

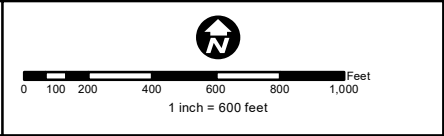
- Waters of the United States
- Waters of the State



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GIS Prepared By:
Carlson SLS

Created: October 12, 2022



Data Source: Bing Map
Field Survey (05/25/22)
Field Survey (10/11/22)

Perris Airport

**Jurisdictional Waters –
Waters of the United States and Waters of the State**

Figure 3

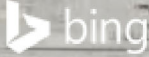


Legend

- Project Boundary
- Offsite Impact Area

Jurisdictional Waters

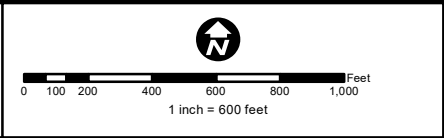
- MSHCP Riparian/Riverine Features



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GIS Prepared By:
Carlson SLS

Created: October 12, 2022



Data Source: Bing Map
Field Survey (05/25/22)
Field Survey (10/11/22)

Perris Airport

MSHCP Riparian/Riverine Waters

Figure 4

A review of historic aerials was conducted to determine if inundated features were present during years of high rainfall when features would certainly be documented. No sign or indication of inundation was documented within the Project site or Offsite boundary during a review of historic aerials. Soils within boundary were reviewed and are provided on Figure 5.

In summary, none of the conditions (i.e., no inundated depressions including road ruts, hydric soils, historic inundation, etc.) were observed on documented within the Project Site or Offsite Boundary. No features are present that would support fairy shrimp. No standing water or other sign of areas that pond water was recorded, therefore it was determined no vernal pools are present within the Study Area.

6.0 Impacts

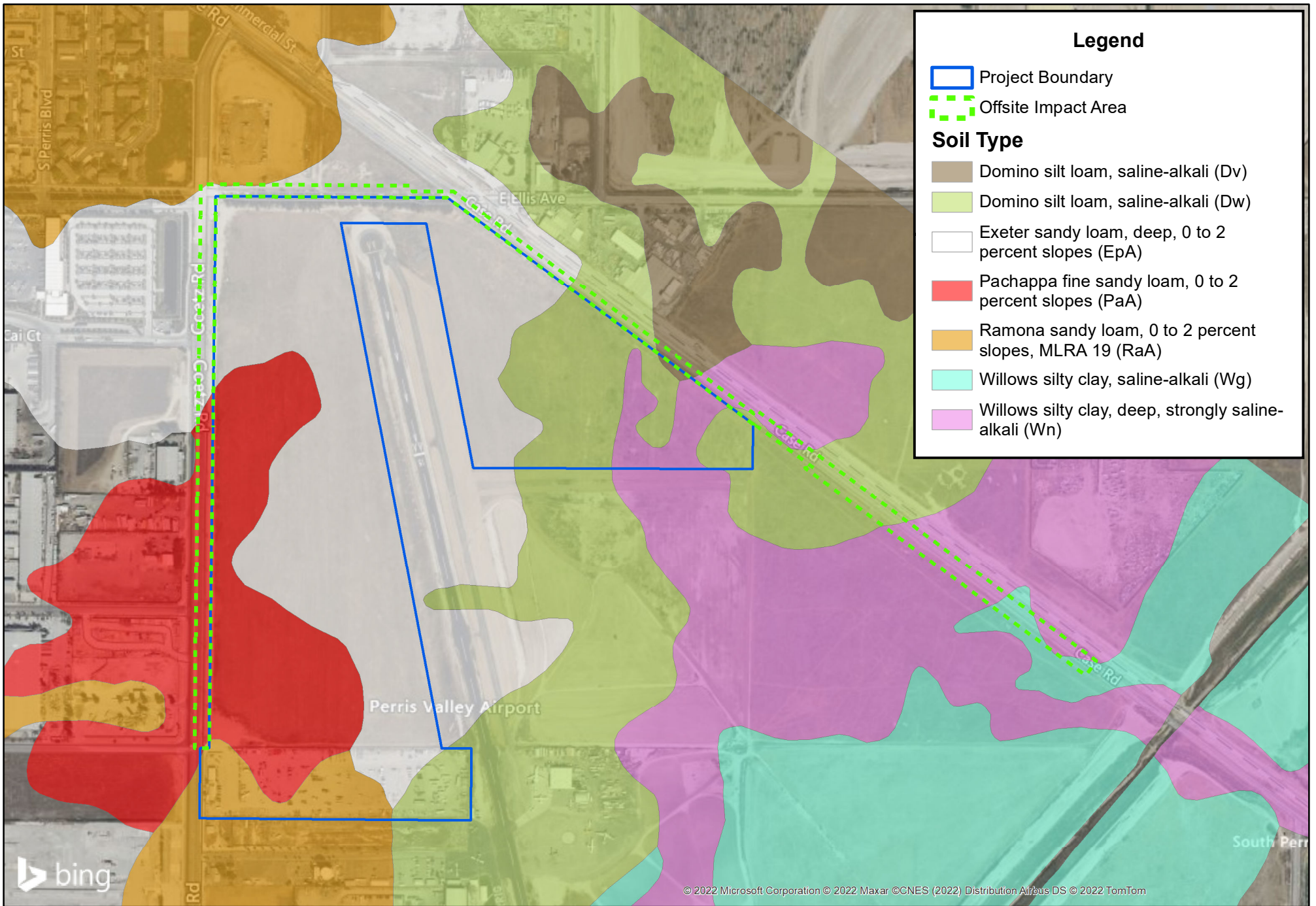
The Project proposes to improve the adjacent streets, Ellis Avenue and Case Road. As a result, the entirety of mapped Ditch A is anticipated to be impacted.

As part of the Perris Logistic Center North Project (Logistic Center North Project), the City of Perris conditioned the project with street improvements along Ellis Avenue and Case Road. As a result of those street improvements several impacts to the agriculture ditch will occur along Ellis Avenue and Case Road as part of the Logistic Center North Project implementation. As a result, a Determination of Biologically Equivalent or Superior Preservation Analysis (DBESP) was prepared and submitted to the Western Riverside County Regional Conservation Authority (RCA) and is in the process of the Habitat Evaluation and Acquisition Negotiation Strategy (HANS) and Joint Project Review (JPR). Furthermore, Regulatory permit applications with the Army Corps of Engineers (Corps), Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW) have been submitted for impacts to the agriculture ditch along Ellis Avenue and Case Road, along with the additional jurisdictional impacts associated with the Logistic Center North Project.

Should the Perris Airport move forward first, the impacts were calculated as part of Perris Airport implementation. Calculations of impacts were based on impacting the entire Ditch A within the Study Area in combination with the jurisdictional mapping map from the field survey and aerial imagery. Impacts are presented in Table 4.

Table 4. Impacts Jurisdictional Waters

Drainage	Impacts to Waters of the United States (acres)	Impacts to Waters of the State (acres)	Impacts to MSHCP Riparian/Riverine (acres)
Ditch A	0.12	0.88	0.88



Legend

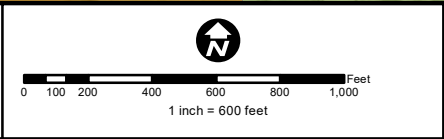
- Project Boundary
- Offsite Impact Area

Soil Type

- Domino silt loam, saline-alkali (Dv)
- Domino silt loam, saline-alkali (Dw)
- Exeter sandy loam, deep, 0 to 2 percent slopes (EpA)
- Pachappa fine sandy loam, 0 to 2 percent slopes (PaA)
- Ramona sandy loam, 0 to 2 percent slopes, MLRA 19 (RaA)
- Willows silty clay, saline-alkali (Wg)
- Willows silty clay, deep, strongly saline-alkali (Wn)

GIS Prepared By:
Carlson SLS

Created: October 8, 2022



Data Source: Bing Map
Field Survey (05/25/22)
Field Survey (10/11/22)

**Perris Airport
Soil Map**

Figure 5

6.1.1 Temporary Impacts

Implementation of the Project does not include temporary impacts.

6.1.2 Permanent Impacts

The permanent impacts to Ditch A are due to improvements to the adjacent streets, in which the entirety of Ditch A found on the Project site and off-site boundary is anticipated to be impacted. The approximately 0.12 acres of Waters of the United States and 0.88 acres of Waters of the State impacts occur to the concrete lined and unvegetated ditch and do not occur to any wetlands. Furthermore, a total of 0.88-acres of MSHCP Riparian/Riverine features are anticipated to be impacted. Since MSHCP Section 6.1.2 Riparian/Riverine resources are impacted, a Determination of Biological Equivalent or Superior Preservation (DBESP) is required.

6.1.3 Mitigation

As discussed above, no wetlands are impacted as part of Project implementation. Furthermore, the impacted jurisdictional waters occur within unvegetated streambed or concrete lined ditch, which consists of no vegetation or scattered invasive species. While the impacts to jurisdictional features are minor in nature, impacts to jurisdictional features would be mitigated at a minimum of 2:1 ratio to the highest jurisdictional impacts (Waters of the State - CDFW jurisdiction) as outlined within **Mitigation Measure BIO-1**. The highest jurisdictional impacts occur to Waters of the State - CDFW totaling 0.88 acres, therefore, a total of 1.76 acres of re-establishment credits would be purchased at Riverpark Mitigation Bank.

Furthermore, **Mitigation Measure BIO-2** and **Mitigation Measure BIO-3** outlines standard best management practices and erosion control measures including the installation of construction boundaries by flagging or temporary fencing and obtaining the appropriate Regulatory Permits shall all be adhered to prior to any impacts further providing protection for the avoided Jurisdiction features onsite.

Mitigation Measure BIO-1: *Permanent impacts to 0.88-acres of jurisdictional features will be mitigated at a 2:1 ratio through the purchase of 1.76 acres of re-establishment credits at the Riverpark Mitigation Bank.*

Mitigation Measure BIO-2: *During construction of the Project, the construction contractor shall implement the following measures during construction to avoid additional impacts to jurisdiction features:*

- *The construction contractor shall install temporary erosion control measures around avoided drainages to reduce impacts downstream from excess sedimentation, siltation, and erosion. These measures shall consist of the installation of silt fencing, coirs, berms, or dikes to protect storm drain inlets and drainages.*
- *No changing of oil or other fluids, or discarding of any trash or other construction waste materials shall occur on the Project site.*
- *Any equipment or vehicles driven and/or operated within or adjacent to onsite drains shall be checked and maintained daily, to prevent leaks of materials into onsite drainages. No equipment maintenance shall be conducted near onsite drains.*

Mitigation Measure BIO-3: *No impacts shall occur to onsite drainages until appropriate permits have been obtained from the US Army Corps of Engineers (Corps) Section 404 Nation Wide Permit, Regional Water Quality Control Board (RWQCB) Section 401 Water Quality Certificate, and/or California Department of Fish and Wildlife (CDFW) Section 1602 Streambed Alteration Agreement.*

7.0 Summary

The Study Area contains a single jurisdictional waters in the form of a ditch. It is anticipated the Logistic Center North Project has submitted Regulatory Permit applications for impacts to the agriculture ditch along Ellis Avenue and Case Road. As such, should those permits and associated mitigation cover the impacts associated with this Project, no additional regulatory permitting would be necessary. Should the Logistic Center North Project not move forward, the Project would be required to submit permit applications. Unless impacts to jurisdictional feature can be avoided, any impacted feature would require Regulatory Permits from the US Army Corps of Engineers (Section 404 Nation Wide Permit), Regional Water Quality Control Board (Section 401 Water Quality Certificate), and California Department of Fish and Wildlife (Section 1602 Streambed Alteration Agreement).

The Study Area contains jurisdictional waters. The proposed implementation of the Project results in the following impacts to non-wetland jurisdictional features:

- 0.12 acres of Permanent Impacts of Waters of the United States (Corps/RWQCB Jurisdiction)
- 0.88 acres of Permanent Impacts of Waters of the State (CDFW Jurisdiction)
- 0.88 acres of Permanent Impacts of MSHCP Riparian/Riverine Jurisdiction

The permanent impacted jurisdictional waters to unvegetated streambed, which consists of no vegetation, invasive species or scattered native species, and are not considered significant due to the lack of biological habitat and is required to purchase re-establishment credits from Riverpark Mitigation Bank. **Mitigation Measure BIO-1** includes the purchase of 1.76 re-establishment mitigation credits from Riverpark Mitigation Bank. **Mitigation Measures BIO-2 through Mitigation Measure BIO-3** include best management practices through erosion control measures, temporary fencing or flagging construction limits, and obtaining the appropriate Regulatory Permits. With the adherence to **Mitigation Measure BIO-1 through Mitigation Measure BIO-3** potential impacts to jurisdictional would be mitigated to less than significant level.

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October 17, 2022
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Please contact me at bbernard@carlsonsls.com or 949.542.7042, should you have any questions or comments.



Brianna Bernard
Project Manager

Enclosures:

- Attachment A: Representative Photographs

Attachment A: Representative Photographs



Beginning of concrete lined channel along Ellis Avenue.



Concrete lined channel along Ellis Avenue.



The concrete lined channel continues to Ellis Avenue and Case Road.



The ditch changes from concrete lined to natural bottom along Case Road.



Unvegetated streambed ditch along Case Road.



Ditch A along Case Road appears to be maintained.



Ditch A is unvegetated streambed with scattered non-native species.



Ditch A along Case Road appears to be maintained.