



**JURISDICTIONAL DELINEATION  
PARCEL MAP NO. 36950  
PLANNING CASE NO. 36950  
(GPA 01151, EA 42802, CFG 06184, CZ 07872)**

**ASSESSOR'S PARCEL NUMBERS:  
314-040-001, 314-040-002, 314-040-003, and 314-040-008  
COUNTY OF RIVERSIDE, CALIFORNIA**

**Prepared for:  
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**October 2014  
(Revised August 2015)**

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## Executive Summary

Hernandez Environmental Services (HES) was contracted by Trammell Crow Company to prepare a Jurisdictional Delineation for a 34.4-acre project site located in Riverside County, California. The project site consists of Assessor's Parcel Numbers: 314-040-001, 314-040-002, 314-040-003, and 314-040-008. The proposed project consists of the construction of a 717,430-square-foot warehouse with associated offices and parking stalls. The project will also include a water quality detention basin.

On October 3, 2014, HES conducted a field survey of the approximate 34.4-acre project site. Field surveys were conducted to delineate jurisdictional drainages and wetland resources associated with jurisdictional drainages. The project site contains one ephemeral drainage feature, encompassing a total area of 0.09 acre (approximately 677 feet in length). The drainage feature appears to be the remnants of a historical feature that previously conveyed water. The upstream terminus of this drainage was created by a man-made berm and Decker Road, which impedes downstream flows from upstream hydrologic sources. Flows from any hydrologic features upstream of the drainage feature now flow north on Decker Road and east on Oleander Avenue. The drainage feature contains no signs of recent hydrologic flow.

The project site contains approximately 0.09 acre (677 linear feet) of ephemeral drainage dominated by upland plant species. As proposed, the project will impact approximately 0.09 acre (677 linear feet) of ephemeral drainage that falls under the jurisdiction of CDFW and the RWQCB. The property contains no Waters of the United States. In addition, the property contains no wetlands or vernal pools as defined by the 1987 Corps of Engineers Wetland Delineation Manual.

The project proponent shall consult with the CDFW and RWQCB to determine the need for permits that must be obtained prior to initiation of construction of the proposed project. In addition, based upon correspondence with Riverside County Environmental Programs Division, the direct loss of approximately 0.09 acre (677 linear feet) of ephemeral drainage dominated by upland plant species may represent Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) riverine resources, which may require preparation of an MSHCP Determination of Biologically Equivalent or Superior Preservation (DBESP) to address the proposed permanent impacts to this feature.

## 1.0 Introduction

Hernandez Environmental Services (HES) was contracted by the Trammell Crow Company to prepare a Jurisdictional Delineation (JD) for a 34.4-acre project site located in Riverside County, California. The project site consists of Assessor Parcel Number's: 314-040-001, 314-040-002, 314-040-003, and 314-040-008.

### 1.1 Purpose

The purpose of this JD is to:

- Determine if any state or federal jurisdictional waters are present within the project site boundaries;
- Quantify any impacts to jurisdictional waters due to the proposed project, if possible;
- Determine if the project will require state or federal permits for impacts to jurisdictional waters; and,
- Recommend mitigation measures to offset impacts to state or federal jurisdictional waters.

### 1.2 Site Location

The project site is located immediately southeast of the intersection of Decker Road and Old Oleander Avenue, in Riverside County, California (Figures 1 and 2). Specifically, the project site is located within Township 4 South, Range 4 West, in the northeastern portion of Section 2 of the *Steele Peak* United States Geological Survey (USGS) 7.5' topographic quadrangle. The center point latitude and longitude coordinates for the project site are 33° 51' 25.92" North and 117° 16' 04.03" West.

### 1.3 Project Description

The proposed project consists of the construction of a 717,430-square-foot warehouse with associated offices and parking stalls (Figure 3). The project will also include a water quality detention basin. All 34.4 acres of the project site will be impacted.

## 2.0 Regulatory Background

### 2.1 California Department of Fish and Wildlife Lake and Streambed Alteration Agreement

The California Department of Fish and Wildlife (CDFW) is responsible for conserving, protecting, and managing California's fish, wildlife, and native plant resources. To meet this responsibility, the California Fish and Game Code (F&GC), requires that the CDFW be consulted if a proposed development project has the potential to detrimentally effect a stream and thereby wildlife resources that depend on a stream for continued viability (F&GC Division 2, Chapter 5, section 1600-1616). A Section 1602 Lake or Streambed Alteration Agreement is required, should the CDFW determine that the proposed project may do one or more of the following:

- Substantially divert or obstruct the natural flow of any river, stream or lake;
- Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or
- Deposit debris, waste or other materials that could pass into any river, stream or lake.

For the purposes of clarification, a stream is defined by CDFW as “a body of water that flows perennially or episodically and that is defined by the area in which water currently flows, or has flowed, over a given course during the historic hydrologic regime, and where the width of its course can reasonably be identified by physical or biological indicators.” The historic hydrologic regime is defined as circa 1800 to the present (CDFW 2010).

### 2.2 Regional Water Quality Control Board Clean Water Act /Porter-Cologne Act

The Regional Water Quality Control Board (RWQCB) regulates activities pursuant to Section 401(a)(1) of the federal Clean Water Act (CWA) as well as the Porter Cologne Act (Water Code section 13260). Section 401 of the CWA specifies that certification from the State is required for any project requesting a federal license or permit to conduct any activities including, but not limited to, the construction or operation of facilities that may result in any discharge into navigable waters. The certification shall originate from the State in which the discharge originates or will originate, or, if appropriate, from the interstate water pollution control agency having jurisdiction over the navigable water at the point where the discharge originates or will originate. Any such discharges will comply with the applicable provisions of sections 301, 302, 303, 306, and 307 of the CWA. The Porter Cologne Water Quality Control Act (PCWQCA) requires “any person discharging waste, or proposing to discharge waste, within any region that could affect the waters of the state to file a report of discharge.” Discharge of fill material into “waters” of the State which does not fall under the jurisdiction of the United States Army Corps of Engineers (USACE)

pursuant to Section of the Clean Water Act, may require authorization through application of waste discharge requirements or through waiver of Waste Discharge Requirements.

### **2.3 United States Army Corps of Engineers Clean Water Act 404 Permit**

The United States Army Corps of Engineers (USACE) regulates “discharge of dredged or fill material” into wetlands and waters of the United States, which includes tidal waters, interstate waters, and “all other waters, interstate lakes, rivers, streams (including intermittent streams), mud flats, sand flats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes or natural ponds, the use, degradation, or destruction of which could affect interstate or foreign commerce or which are tributaries to waters subject to the ebb and flow of the tide” (33 C.F.R. 328.3(a)), pursuant to provisions of Section 404 of the Clean Water Act.

The USACE requires that the 1987 Corps of Engineers Wetland Delineation Manual (Environmental Laboratories, 1987) be used for delineating wetlands and waters of the United States. To qualify for wetlands status; vegetation, soils, and hydrologic parameters must all be met. “Waters” of the U.S. are delineated based upon the “ordinary high water mark” (OHWM) as determined by erosion, the deposition of vegetation or debris, and changes in vegetation within rivers and streams.

For the purposes of this section, the term “fill” is defined as: material placed in waters of the United States where the material has the effect of:

- Replacing any portion of a water of the United States with dry land; or
- Changing the bottom elevation of any portion of a water of the United States.

Examples of such fill material include, but are not limited to: rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mining or other excavation activities, and materials used to create any structure or infrastructure in the waters of the United States. The term fill material does not include trash or garbage.

The definition of “discharge of dredged material” is defined as: any addition of dredged material into, including redeposit of dredged material other than incidental fallback within, the waters of the United States. The term includes, but is not limited to, the following:

- The addition of dredged material to a specified discharge site located in waters of the United States;

- The runoff or overflow, associated with a dredging operation, from a contained land or water disposal area; and
- Any addition, including redeposit other than incidental fallback, of dredged material, including excavated material, into waters of the United States which is incidental to any activity, including mechanized land clearing, ditching, channelization, or other excavation.

The term discharge of dredged material does not include the following:

- Discharges of pollutants into waters of the United States resulting from the onshore subsequent processing of dredged material that is extracted for any commercial use (other than fill). These discharges are subject to section 402 of the Clean Water Act even though the extraction and deposit of such material may require a permit from the Corps or applicable State.
- Activities that involve only the cutting or removing of vegetation above the ground (e.g., mowing, rotary cutting, and chain-sawing) where the activity neither substantially disturbs the root system nor involves mechanized pushing, dragging, or other similar activities that redeposit excavated soil material.
- Incidental fallback.

## **3.0 Methodology**

### **3.1 Literature Review**

Prior to the site visit, a literature review was conducted to aid in determining the potential for permanent, intermittent or ephemeral drainages, wetlands and riparian vegetation. Project background documents, topographic maps, satellite imaging, soils maps, and land use maps were examined to establish an accurate project site location, project description, potential for onsite drainages and wetlands, records of on-site vegetation, watershed, soils, and surrounding land uses.

### **3.2 Field Survey**

On October 3, 2014, HES conducted a field survey of the approximate 34.4-acre project site. Field surveys were conducted to delineate jurisdictional drainages and wetlands resources associated with jurisdictional drainages.

Jurisdictional drainages were identified by looking for features such as a bed, bank or channel. Where riparian vegetation was present, the drip line of the outer edge of the vegetation was used as the measuring criteria. Furthermore, the presence of an ordinary high water mark (OHWM) was recorded. The OHWM is defined as: "on non-tidal rivers, the line on the shore established by

the fluctuations of water and indicated by the 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 area.” Where the presence of an OHWM was evident, a measurement was taken for the width of the OHWM and the measurement was recorded. Areas measured were also recorded using hand-held GPS for accurate location reference.

Where changes in plant community composition were apparent, the area was examined for the possibility of wetlands. Whether or not adjacent to “waters of the U.S.”, the potential wetland area was evaluated for the presence of the three wetland indicators: hydrology, hydric soils and hydrophytic vegetation. The guidelines followed are those established in the 1987 Army Corps of Engineers Manual.

## 4.0 Results

### 4.1 Existing Hydrological Features

The 34.4-acre project site contains one ephemeral drainage feature (Figure 4), encompassing a total area of 0.09 acre (approximately 677 feet in length). The drainage feature appears to be the remnants of a historical feature that previously conveyed water. The upstream terminus of this drainage was created by a man-made berm and Decker Road, which impedes downstream flows from upstream hydrologic sources. Flows from any hydrologic features upstream of the drainage now flow north on Decker Road and east on Oleander Avenue. The drainage feature contains no signs of recent hydrologic flow. The periodic maintenance of Decker Road appears to keep this feature inactive.

A large stormwater inlet is located on the northeast corner of the project site; however, no defined bed, bank, or channel connects to it. It is assumed this stormwater inlet collects flood waters from upland sheet flow during large storm events.

### 4.2 Soils

The project site contains six soil types, as depicted in Figure 5: Arlington fine sandy loam (AoC), deep, 2 to 8 percent slopes; Fallbrook sandy loam (FbC2), 5-8 percent slopes, eroded; Fallbrook rocky sandy loam (FbD2), 8-15 percent slopes, eroded; Fallbrook fine sandy loam (FfC2), 2-8 percent slopes, eroded; Hanford coarse sandy loam (HcC), 2 to 8 percent slopes; Vista coarse sandy loam (Vsc), 22to 8 percent slopes. None of the soils present on-site are classified as hydric soils.

#### **4.3 Hydrology**

The project site is located in the Santa Ana River Basin Plan, the San Jacinto Valley hydrologic unit, the Perris hydrologic area, and the Perris Valley hydrologic sub-area. The 0.09 acre drainage feature located on the project site does not connect to any jurisdictional stream upstream or downstream, and is an isolated drainage feature. Hydrologic flow was cut off upstream of the drainage feature by the development of Decker Street. The main hydrologic flow on the project site appears to be mainly sheet flow, which pond in the lower depressional areas during large storm events. These depressional areas were evaluated for wetland features and none were identified. These depressions appear to rarely receive water. Ponding within these areas does not occur long enough to form hydric soils, or allow the colonization of hydrophytic plants. The drainage inlet located in the northeast corner of the project site was most likely installed to collect flows during these large storm events.

#### **4.4 Existing Wetlands**

The project site contains no wetlands or vernal pools as defined by the 1987 Corps of Engineers Wetland Delineation Manual. The depressional areas contained no hydrophytic vegetation and the soils were characterized by a matrix chroma of 10YR 3/3.

#### **4.5 California Department of Fish and Wildlife Jurisdiction**

The project site contains approximately 0.09 acre (677 linear feet) of ephemeral drainage. Although the drainage feature is an isolated, remnant drainage feature which appears to rarely receive hydrologic flow, the feature would be considered a CDFW jurisdictional drainage feature. The bank of the drainage feature is dominated by upland plant species, including California buckwheat (*Eriogonum fasciculatum*), deer weed (*Acmispon glaber*), golden bush (*Isocoma menziesii*), Russian thistle (*Salsola tragus*), dove weed (*Croton setigerus*), mustard (*Brassica tournefortii*), rip gut brome (*Bromus diandrus*), tar plant (*Deinandra paniculata*), and common sandaster (*Corethrogynne filaginifolia* var. *filiginfolia*).

#### **4.6 Waters of the United States**

The project site contains no waters of the U.S. The drainage feature is an isolated, remnant feature which receives no hydrologic flow. It consists of a shallow feature in the landscape that may convey water across upland areas during and following storm events (USACE JD Guidebook). The drainage feature is not a tributary and it does not have a significant nexus (biological, chemical, or physical connection) to traditional navigable waters of the United States.

#### **4.7 Regional Water Quality Control Board Jurisdiction**

The project site contains no waters of the U.S. The drainage feature is an isolated, remnant feature which receives no hydrologic flow. It consists of a shallow feature in the landscape that may convey water across upland areas during and following storm events (USACE JD Guidebook). The drainage feature is not a tributary and it does not have a significant nexus (biological, chemical, or physical connection) to traditional navigable waters of the United States.

The project site contains approximately 0.09 acre (677 linear feet) of ephemeral waters of the State. Discharges to the drainage feature have the potential to result in impacts to water quality of state waters. The RWQCB could potentially require review of the project under the PCWQCA to insure the project conforms to state water quality requirements.

### **5.0 Impacts to Jurisdictional Areas**

#### **5.1 California Department of Fish and Wildlife**

The proposed project will construct a 717,430-square-foot warehouse with associated offices and parking stalls. The project will also include a water quality detention basin. All 34.4 acres of the project site will be impacted. As proposed the project will impact approximately 0.09 acre (677 linear feet) of ephemeral drainage dominated by upland plant species. Impacts to this drainage feature will need to be reviewed under CEQA and the CDFW will need to be notified of these impacts the submittal of a Notification of Lake of Streambed Alteration pursuant to F&GC Section 1602.

#### **5.2 Waters of the United States**

The proposed project will construct a 717,430-square-foot warehouse with associated offices and parking stalls. The project will also include a water quality detention basin. All 34.4 acres of the project site will be impacted. The project site contains no waters of the U.S.

#### **5.3 Regional Water Quality Control Board**

The proposed project will construct a 717,430-square-foot warehouse with associated offices and parking stalls. The project will also include a water quality detention basin. All 34.4 acres of the project site will be impacted. As proposed the project will impact approximately 0.09 acre (677 linear feet) of ephemeral waters of the State. Impacts to this drainage feature will need to be reviewed under CEQA. Discharges to this drainage feature have the potential to result in impacts to water quality of state waters and the Santa Ana RWQCB will need to be notified in order to obtain Waste Discharge Requirements (WDRs) under the PCWQCA.

## **6.0 Recommendation**

The following recommendations are made:

- The project proponent shall consult with the CDFW and RWQCB to determine the need for permits that must be obtained prior to initiation of construction of the proposed project.
- Based upon correspondence with Riverside County Environmental Programs Division, the direct loss of approximately 0.09 acre (677 linear feet) of ephemeral drainage dominated by upland plant species may represent Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) riverine resources, which may require preparation of an MSHCP Determination of Biologically Equivalent or Superior Preservation (DBESP) to address the proposed permanent impacts to this feature.

## 7.0 Certification

**“CERTIFICATION:** I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this jurisdictional delineation, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.”



DATE      08-17-2015      SIGNED

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PROJECT MANAGER

Fieldwork Performed By:

Juan J. Hernandez

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PRINCIPAL BIOLOGIST

## 8.0 References

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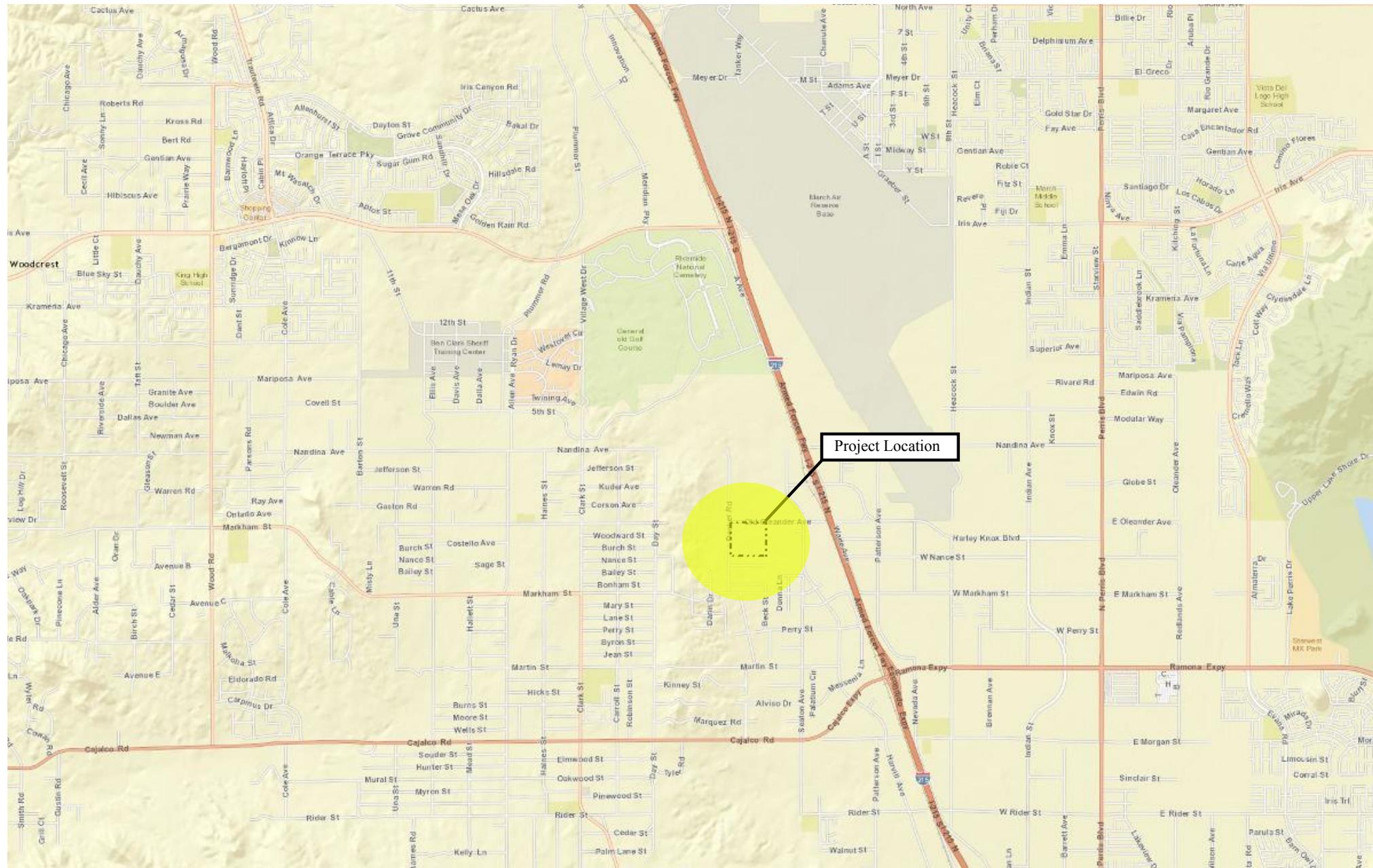
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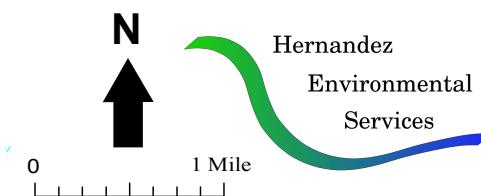
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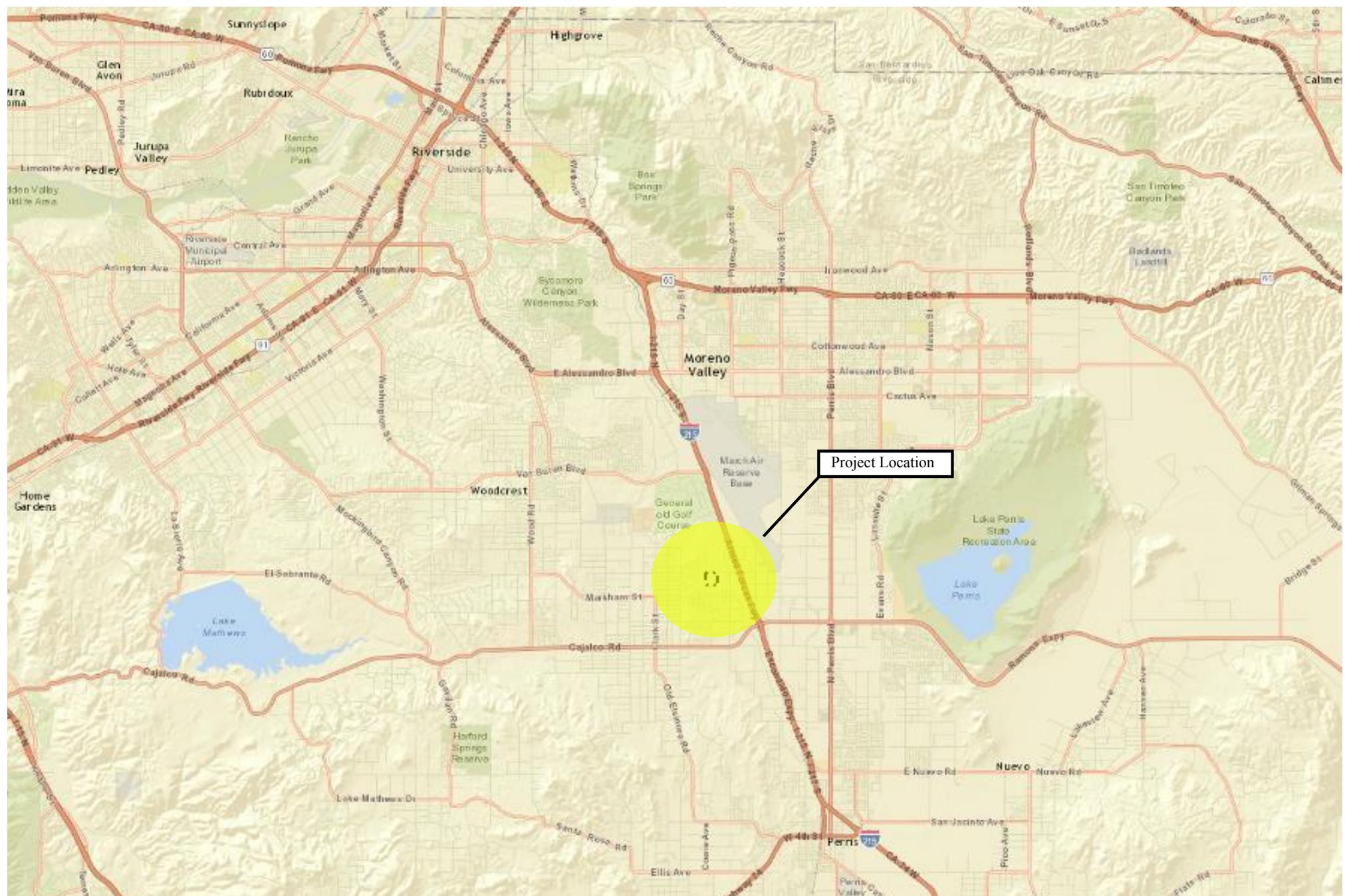
USGS (United States Geological Survey). Steele Peak, California 7.5-Minute Topographic Quadrangle Map. Department of the Interior. U.S. Government Printing Office. Washington, D.C.

## **FIGURES**



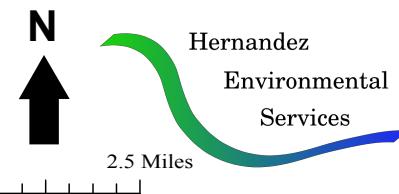
**Figure 1**  
 Location Map  
 Jurisdictional Delineation  
 Parcel Map No. 36950  
 Riverside County, CA

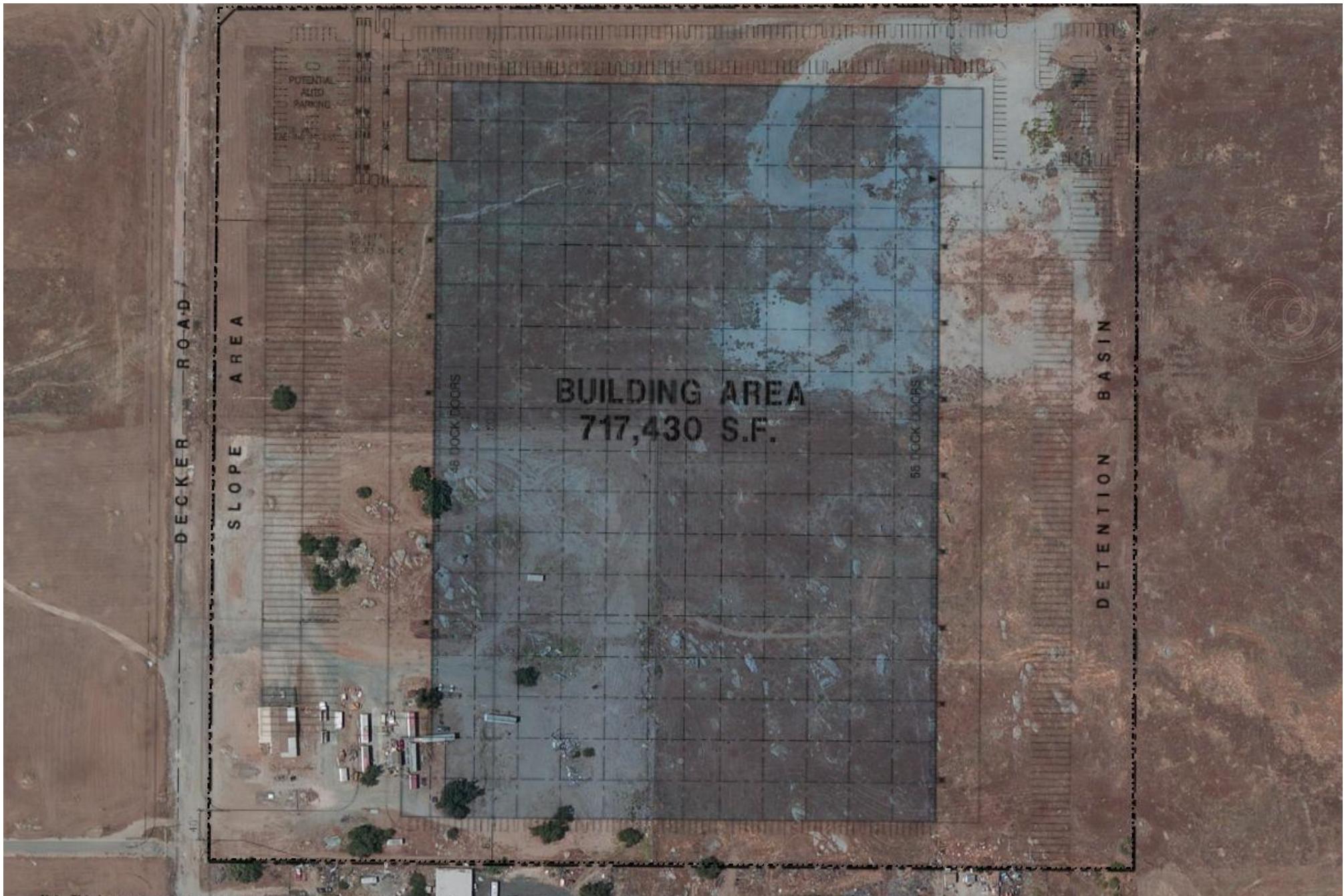




**Figure 2**

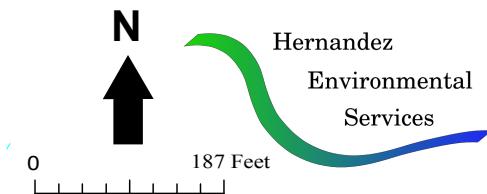
Vicinity Map  
Jurisdictional Delineation  
Parcel Map No. 36950  
Riverside County, CA

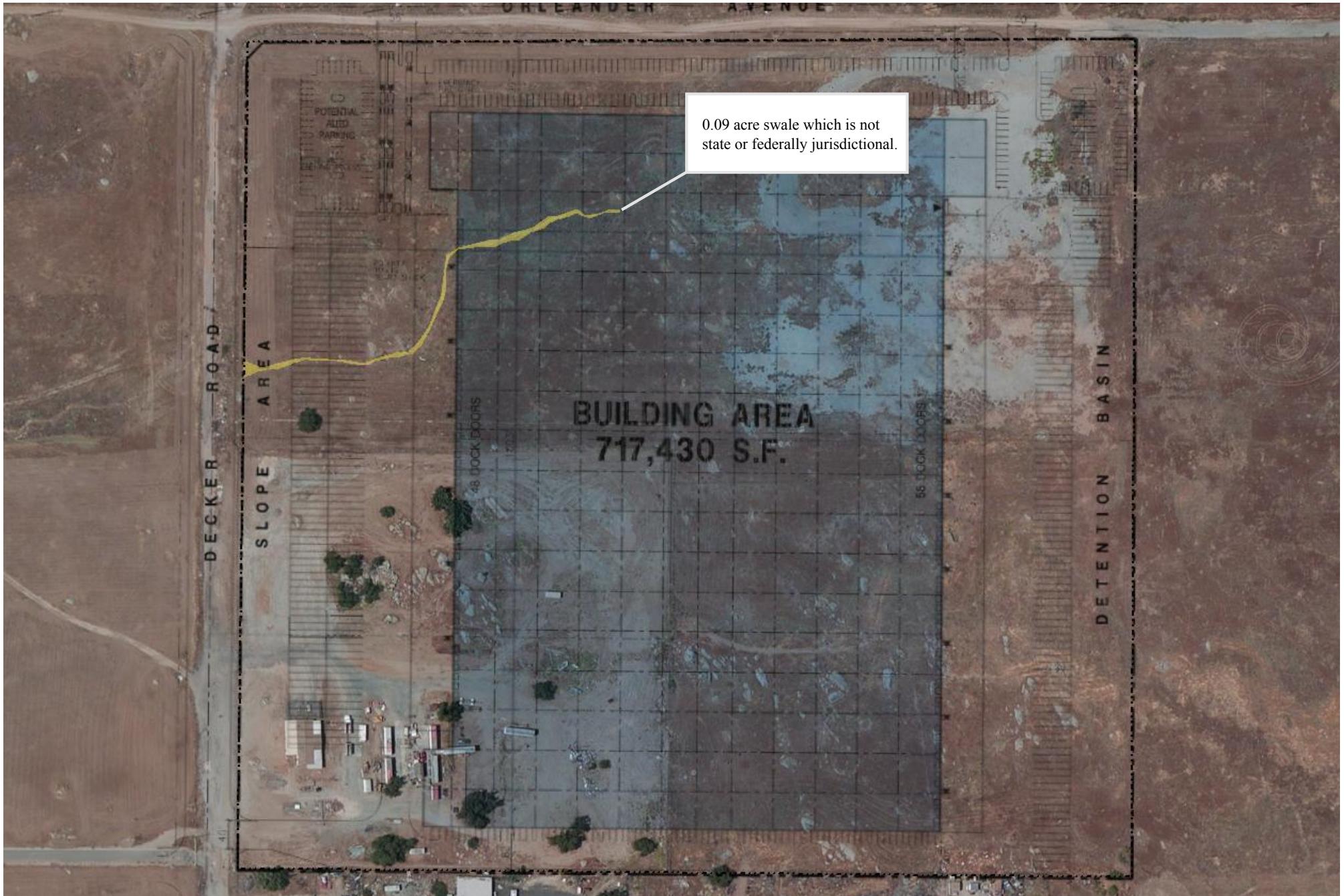




**Figure 3**

Project Plans  
Jurisdictional Delineation  
Parcel Map No. 36950  
Riverside County, CA





**Figure 4**

Hydrological Features  
Jurisdictional Delineation  
Parcel Map No. 36950  
Riverside County, CA

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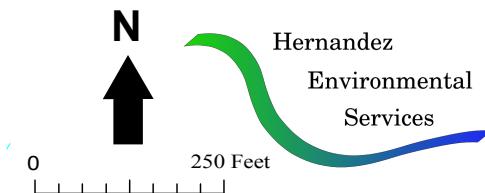
Hernandez  
Environmental  
Services



Legend

[Blue square]	FcD2	[Light Green square]	HcC
[Olive Green square]	Ffc2	[Yellow square]	AnC
[Dark Brown square]	VsC	[Bright Green square]	FbC2

**Figure 5**  
Soils Map  
Jurisdictional Delineation  
Parcel Map No. 36950  
Riverside County, CA



## **APPENDIX A**

Parcel Map No. 36950  
**Jurisdictional Delineation**  
Riverside County, California



Westernmost portion of non-jurisdictional swale, facing east. Picture shows dominance of upland plant species and poorly defined channel.



Middle portion of swale facing west. Poorly defined channel, and lack of hydrology is apparent.

**Parcel Map No. 36950**  
**Jurisdictional Delineation**  
**Riverside County, California**



The westernmost terminus of the swale. This berm is the east side of Decker Road. This structure has completely isolated the swale from receiving upstream hydrology.



Easternmost section of swale. This is where the swale ends and disappears.