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December 17, 2014; revised February 3, 2015

Mr. C. Pat Cowan, Sr. Vice President  
KZ DevCo, LP  
18818 Teller Avenue, Suite 100  
Irvine, California 92612

Subject: MSHCP Consistency and Biological Resources Assessment Report for Demolition of the  
Riverside Free Methodist Church Complex (LSA Project No. CTR1401)

Dear Mr. Cowan:

This letter report prepared for the proposed Demolition of the Riverside Free Methodist Church Complex serves to document the results of a Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) consistency analysis conducted by LSA Associates, Inc. (LSA) on a 3.14-acre site located at 8431 Diana Avenue in the City of Riverside, Riverside County, California. The site is located within Section 8, Township 3 South, Range 5 West, as shown on the U.S. Geological Survey (USGS) *Riverside West, California* 7.5-minute quadrangle (attached Figure 1).

## BACKGROUND

The proposed project site is developed as a church facility with a 3,942-square foot sanctuary and 2,340-square foot fellowship hall constructed in 1963–64 and a 3,360-square foot education building constructed in 1979 (attached Figure 2). The site contains improvements consisting of a paved parking lot, concrete walkways, ornamental landscaping, a tot lot, and undeveloped area. The lead agency for the project, the City of Riverside, is a signatory of the MSHCP and is required to participate in the MSHCP. As such, the City of Riverside has the authority to meet the Federal and State Endangered Species Act and conservation planning obligations for its jurisdiction; therefore, information relating to the MSHCP is included in this report.

## METHODS

A literature review was conducted to determine the existence or potential occurrence of sensitive plant and animal species on or in the vicinity of the project site. Database records for the *Riverside West, California* USGS 7.5-minute quadrangle were searched on November 20, 2014, using the California Department of Fish and Wildlife's Online Natural Diversity Data Base application *Rarefind 5* (CDFW, NDDDB) and the California Native Plant Society's *Electronic Inventory of Rare and Endangered Vascular Plants of California* (online edition ver. 8-2, CNPS, 2014, <http://www.cnps.org/inventory>). Aerial photographs (Google 2014) were reviewed, and maps of U.S. Fish and Wildlife Service (USFWS) designated critical habitats were used to determine the locations of critical habitats relative to the project site. Volume 1 of the *Western Riverside County Multiple Species Habitat Conservation Plan* was also used to prepare the report.

The field survey included a site visit on November 20, 2014, by LSA Senior Biologist Sarah Barrera. Weather conditions were warm and sunny during the site visit, with a recorded temperature of 74° Fahrenheit. Winds were calm at approximately 0–2 miles per hour. Observations regarding general site conditions, vegetation, potential jurisdictional waters, and suitability of habitat for MSHCP special status plants, wildlife, and other biological resources were recorded. Soil types were determined using the *Soil Survey of Western Riverside Area, California* (A.A. Knecht 1971). All plant and animal species observed during the field survey were noted.

## RESULTS AND DISCUSSION

The following discusses the existing setting, MSHCP consistency, and other regulatory requirements.

### Existing Setting

**Vegetation and Land Cover.** The project site consists of a 3.14-acre developed lot. Total vegetation cover on the project site is approximately 10 percent consisting of ornamental trees, shrubs, and grass. Ornamental species observed identified on-site include Mexican fan palm (*Washingtonia robusta*), coast live oak (*Quercus agrifolia*), Brazilian pepper (*Schinus terebinthifolius*), sweetgum (*Liquidambar straciflua*) and pohutukawa (*Metrosideros excels*). No native vegetation remains within the study area.

**Topography and Soils.** The site has been graded and is entirely flat with an approximate elevation of 820 feet above mean sea level.

The soils mapped within the project site consist entirely of Arlington fine sandy loam, deep, 2 to 8 percent slopes. Due to development, the site may contain fill that is inconsistent with the mapped soils.

**Wildlife.** Wildlife species observed during the survey include black phoebe (*Sayornis nigricans*), house finch (*Carpodacus mexicanus*), white-crowned sparrow (*Zonotrichia leucophrys*), bushtit (*Psaltriparus minimus*), and mourning dove (*Zenaida macroura*).

### MSHCP Compliance

The project site was assessed to determine consistency with the requirements of the MSHCP including Criteria Cells; conservation areas and wildlife movement corridors and linkages; Criteria Area Species Survey Areas (CASSA) for plant, bird, mammal, and amphibian species; Narrow Endemic Plants Survey Areas (NEPSSA); and survey requirements for inadequately covered species. The MSHCP also requires that an assessment be completed to determine the effects of the project on riparian/riverine areas and vernal pools, and associated protected species in accordance with MSHCP Section 6.1.2, Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools. Projects located in proximity to an MSHCP Conservation Area may result in edge effects that could adversely affect biological resources within the MSHCP Conservation area. These edge effects must be addressed according to the Urban/Wildlands Interface Guidelines (MSHCP Section 6.1.4).

The parcel is within the *Cities of Riverside and Norco Area Plan* of the MSHCP. The project site is not within or adjacent to an MSHCP Criteria Cell, Public/Quasi Public lands, NEPSSA or CASSA, additional species survey areas, and does not contain riparian/riverine or vernal pool resources.

### **Additional Survey Requirements**

**Potential Jurisdictional Waters and Streambeds.** The U.S. Army Corps of Engineers (USACE), under Section 404 of the Federal Clean Water Act (CWA), regulates discharges of dredged or fill material into “waters of the United States.” These waters include wetlands and non-wetland bodies of water that meet specific criteria, including a connection to interstate commerce. This connection may be direct (through a tributary system linking a stream channel with traditional navigable waters used in interstate or foreign commerce) or it may be indirect (through a connection identified in USACE regulations). The USACE typically regulates as non-wetland waters of the U.S. any body of water displaying an “ordinary high water mark” (OHWM). In order to be considered a “jurisdictional wetland” under Section 404, an area must possess hydrophytic vegetation, hydric soils, and wetland hydrology. The CDFW, under Sections 1600 et seq. of the California Fish and Game Code, regulates alterations to lakes, rivers, and streams. A stream is defined by the presence of a channel bed and banks and at least an occasional flow of water. The Regional Water Quality Control Board (RWQCB) is responsible for the administration of Section 401 of the CWA, through water quality certification of any activity that may result in a discharge to jurisdictional waters of the U.S. The RWQCB may also regulate discharges to “waters of the State,” including wetlands, under the California Porter-Cologne Water Quality Control Act.

No drainage features, ponded areas, or riparian habitat potentially subject to jurisdiction by the CDFW, USACE, and/or RWQCB were found within the project site. Thus, the project will not affect potential jurisdictional waters.

**Migratory Bird Treaty Act.** Raptors and other nesting bird species are protected by California Fish and Game Code Sections 3503 and 3503.5 and by the MBTA of 1918 (16 USC 703-711), which make it unlawful to take, possess, or needlessly destroy the nest or eggs of any migratory bird or bird of prey.

Trees and shrubs on site may provide nesting habitat for nesting birds. Therefore the project may have direct and indirect effects to migratory birds. Direct effects may result from the removal and destruction of nesting bird habitat (e.g., trees and shrubs), and indirect effects may result from increased noise and human presence during construction activities that may cause birds to abandon nests or negatively affect nestlings. If project activities are planned during the general bird nesting season (February 15 through August 31), nesting bird surveys would be required within 30 days prior to any ground-disturbing activities to ensure birds protected under the MBTA and California Fish and Game Code are not affected. Should nesting birds be found, an exclusionary buffer will be established by a qualified biologist. The buffer may be up to 500 feet in diameter depending on the species of nesting bird found. This buffer will be clearly marked in the field by construction personnel under guidance of the biologist, and construction or clearing will not be conducted within this zone until the biologist determines that the young have fledged or the nest is no longer active.

**Other Adopted Habitat Conservation Plans.** The project is within the Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP) fee boundary, but is not within a SKR HCP core reserve.

Payment of the SKR HCP Mitigation Fee is required upon issuance of a grading permit or a certificate of occupancy or upon final inspection, whichever occurs first.

## RECOMMENDATIONS

The following actions are recommended to be consistent with the MSHCP and other regulatory requirements:

- Initial ground-disturbing activities (e.g., grading) should be conducted outside the bird nesting season (February 15 through August 31). If project activities are planned during the bird nesting season, nesting bird surveys should be conducted within 30 days prior to disturbance to ensure birds protected under the MBTA are not disturbed by construction-related activities such as noise and increased human presence.
  - Should nesting birds be found, an exclusionary buffer will be established by a qualified biologist. The buffer may be up to 500 feet in diameter depending on the species of nesting bird found. This buffer will be clearly marked in the field by construction personnel under guidance of the biologist, and construction or clearing will not be conducted within this zone until the biologist determines that the young have fledged or the nest is no longer active.

Sincerely,

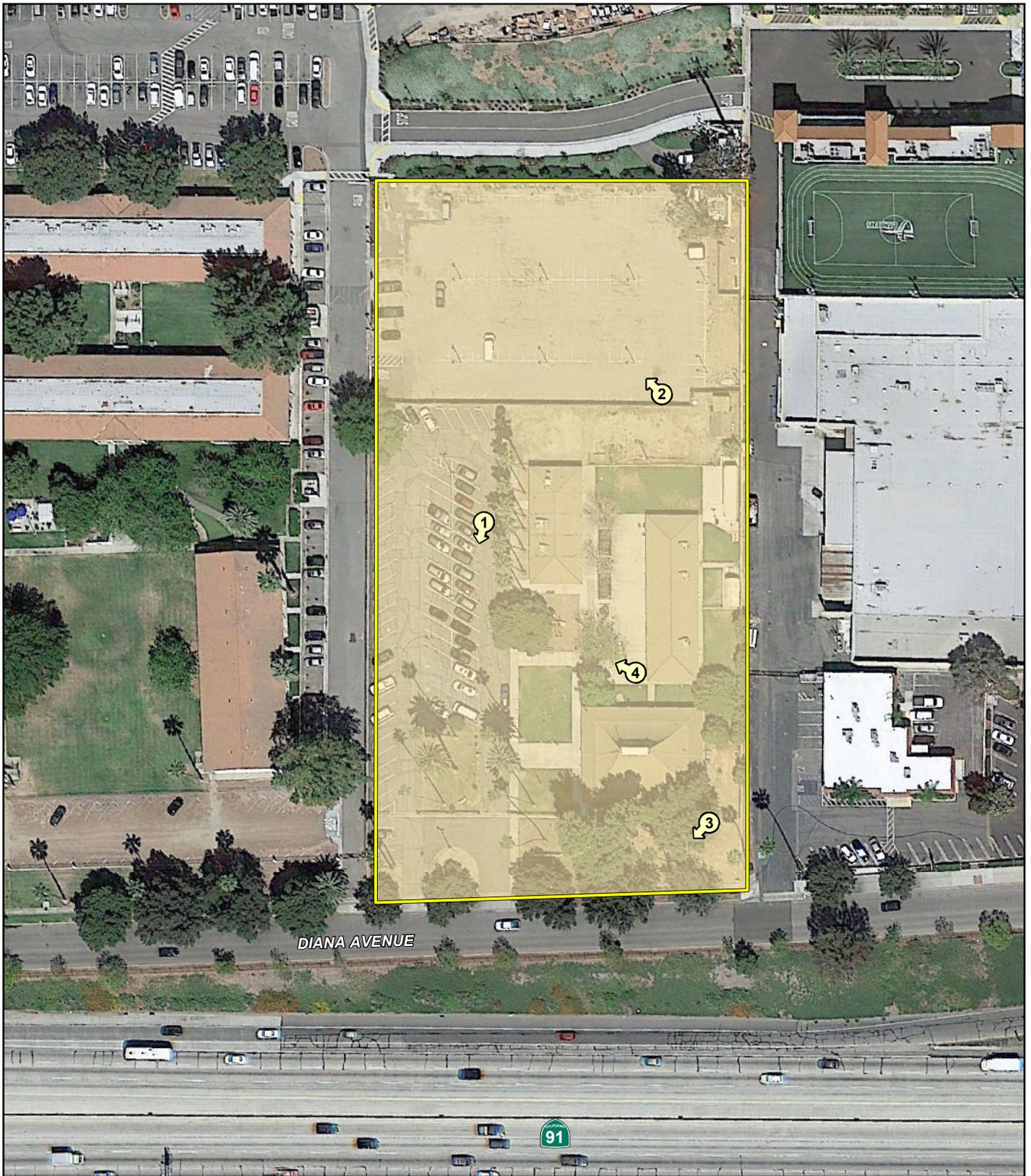
**LSA ASSOCIATES, INC.**



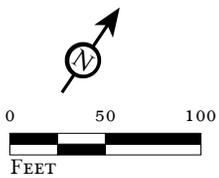
Sarah Barrera  
Senior Biologist

Attachments: Figure 1: Regional and Project Location  
Figure 2: Study Area, Land Use, and Photograph Locations Map  
Figure 3: Site Photographs





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- Project Location
- Developed/Ornamental
- Photo Location

FIGURE 2

*Riverside Free Methodist  
Church Demolition Project  
General Biological Resources*

Land Use and Site Photograph Locations Map

SOURCE: Google Earth, 2014; Riverside County, 2014

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PHOTOGRAPH 1: *View of Parking Lot on west side of existing church facility, facing southwest.*



PHOTOGRAPH 2: *View of Parking Lot on north side of existing church facility, facing northwest.*

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FIGURE 3A

*Riverside Free Methodist  
Church Demolition Project  
General Biological Resources  
Site Photographs*



PHOTOGRAPH 3: *View of ornamental trees and lawn on south side of existing church facility, facing southwest.*



PHOTOGRAPH 4: *View of existing church facility courtyard with landscaping and ornamental vegetation, facing northwest.*

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FIGURE 3B

*Riverside Free Methodist  
Church Demolition Project  
General Biological Resources  
Site Photographs*