Appendix 4.0

Jurisdictional Delineation for the St. Frances of Rome Church

JURISDICTIONAL DELINEATION FOR THE ST. FRANCES OF ROME CHURCH

CITY OF WILDOMAR, RIVERSIDE COUNTY, CALIFORNIA

APNs 366-170-058 and 366-330-011

Submitted to:

City of Wildomar
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Prepared for:

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March 27, 2019

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1.0 Introduction

Hernandez Environmental Services (HES) was contracted by Brian F. Smith and Associates Incorporated to prepare a Jurisdictional Delineation (JD) for Riverside County Assessor's Parcel Numbers (APNs) 366-170-058 and 366-330-011. The project area consists of approximately 10.65 acres located at the southeastern corner of Lemon Street and Orchard Street, east of Orchard Street, and north of Mojonnier Way, in the city of Wildomar, Riverside County, California.

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 21591 Lemon Street, southeast of the intersection of Lemon Street and Orchard Street in the city of Wildomar, Riverside County, California. The project site consists of APNs 366-170-058 and 366-330-011, totaling approximately 10.65 acres. Specifically, the project site is located within Township 6 South, Range 4 West, Section 22 of the *Elsinore* United States Geological Survey (USGS) 7.5' topographic quadrangle. The center point latitude and longitude for the site is 33°37'58.62" North and 117°16'57.17" West (Figures 1 and 2).

1.3 Project Description

The proposed project consists of the construction of a new 16,896 square-foot church and a 9,700 square-foot office/classroom building, the conversion of the existing church into a multi-purpose room, and the addition of 263 new parking spaces for a new total of 442 parking spaces. The proposed project also includes the construction of new access drives and stormwater facilities and related appurtenances. Refer to Figure 3.

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 401 of the CWA, 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 USACE regulates "discharge of dredged or fill material" into wetlands and waters of the United States (WUS), 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 CWA.

The USACE requires that the 1987 Corps of Engineers Wetland Delineation Manual (USACE, 1987) be used for delineating wetlands and WUS. To qualify for wetlands status, vegetation, soils, and hydrologic parameters must all be met. WUS 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 WUS where the material has the effect of:

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

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 WUS. 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 WUS. The term includes, but is not limited to, the following:

- The addition of dredged material to a specified discharge site located in WUS;
- 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 WUS 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 WUS 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 CWA even though the extraction and deposit of such material may require a permit from the USACE 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 March 26, 2019, HES biologist Juan Hernandez conducted a field survey of the entire approximately 10.65-acre project area. Field surveys were conducted to delineate jurisdictional drainages and wetland 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 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 Global Positioning System (GPS) unit 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 WUS, 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 USACE manual.

4.0 Results

4.1 Environmental Setting

The project site is located within the city of Wildomar, Riverside County, California. The 10.65-acre project site is currently developed with the existing St. Frances of Rome Church with

associated parking and walkways. The surrounding land uses include Lemon Street to the north and residential uses in all directions. Elevations on the sites range from 1,328 to 1,348 feet above mean sea-level (AMSL).

4.2 Existing Hydrological Features

The 10.65-acre project site contains approximately 0.87 acre of a man-made detention basin created to detain storm runoff (Figure 4). Aerials, historical aerials, topographic maps, and the field survey were reviewed to determine the following:

- The man-made detention basin is not and has not been a natural stream.
- The man-made detention basin is not connected to or part of a natural stream or lake.

The field evaluation also determined that the basin is an isolated feature intended to detain storm runoff from the residential development to the east and from storm runoff from the paved areas of the existing development.

4.3 Soils

Two soil classes are identified to occur on the project site by the United States Department of Agriculture (USDA) Web Soil Survey (Appendix B). Soils at the project site are classified as:

- Greenfield sandy loam (GyC2), 2 to 8 percent slopes, eroded, and
- Hanford coarse sandy loam (HcC), 2 to 8 percent slopes.

Two soil pits (Plots 1 and 2) were dug in order to check for hydric soils (Figure 4). Plot 1 had a chroma of 10 YR 3/4 with sandy soils at a depth of 18 inches. Plot 2 had a chroma of 7.5 YR 3/3 with sandy/loamy soils at a depth of 18 inches. No hydric soils were found.

4.4 Vegetation

The 0.87-acre man-made detention basin is dominated by upland ruderal species including barley (*Hordeum sp.*), wild oats (*Avena sp.*), cheeseweed (*Malva parviflora*), filaree (*Erodium sp.*), fiddleneck (*Amsinckia sp.*), and brome (*Bromus sp.)* No riparian vegetation is present within the detention basin.

4.5 Hydrology

The project site is located within the boundaries of the Water Quality Control Plan for the Santa Ana River Basin which is administered by the Santa Ana RWQCB (Region 9). The site is within the San Jacinto Valley Hydrologic Unit, Elsinore Valley Hydrologic Area, and Elsinore Subarea (802.31).

4.6 Existing Wetlands

The project site does not contain vernal pools nor isolated or adjacent wetlands.

4.7 California Department of Fish and Wildlife Jurisdiction

The project site does not contain any ephemeral drainages or riparian vegetation that would be considered CDFW jurisdictional drainage features. The site does contain an approximately 0.87-acre man-made detention basin. However, due to the fact that the detention basin is a man-made feature and is not connected to a natural stream and does not divert natural flow from any river, stream, or lake, this feature is not considered jurisdictional under the CDFW Lake and Streambed Alteration Program. The program states, "An entity shall not substantially divert or obstruct the natural flow ow, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or 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." Therefore, since the basin on the project area is not a "natural flow" of a stream, river, or lake, it would not be regulated under the CDFW Lake and Streambed Alteration Program.

4.8 Waters of the United States

The project site does not contain any waters that would be considered WUS or jurisdictional under the USACE or RWQCB. The project site does contain an approximately 0.87-acre man-made detention basin. However, the detention basin is not considered WUS because this isolated, man-made structure does not have a nexus to a traditional navigable WUS, nor does it have a biological, physical, or chemical connection or influence on traditional navigable WUS.

5.0 Impacts to Jurisdictional Areas

5.1 California Department of Fish and Wildlife

The project area does not contain any CDFW jurisdictional drainage features, therefore no impacts to CDFW jurisdictional drainage features are expected.

5.2 Waters of the United States/ Regional Water Quality Control Board

The project area does not contain any WUS; therefore, no impacts to waters jurisdictional under the USACE or RWQCB are expected.

6.0 Recommendation

USACE, CDFW, and RWQCB jurisdictional waters are regulated by federal, state, and local governments under a no-net-loss policy, and all impacts are considered significant and should be avoided to the greatest extent possible. The project has been designed to avoid any direct or indirect impacts to jurisdictional waters and wetlands. However, should impacts to jurisdictional waters and wetlands result from project implementation, the project would require mitigation through habitat creation, enhancement, or preservation as determined by consultation with the regulatory agencies during the permitting process. Any impacts to CDFW jurisdictional waters would require a 1600 Streambed Alteration Agreement from the CDFW. Any impacts to WUS

would require a Section 404 permit authorization from the USACE and a 401 State Water Quality Certification from the RWQCB. Should impacts to jurisdictional waters and wetlands result from project implementation, mitigation for impacts to jurisdictional resources will be addressed in a mitigation plan to be submitted for approval with the permit application packages.

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 March 27, 2019 SIGNED _____

Project Manager

Fieldwork Performed By:

Juan J. Hernandez

Principal Biologist

8.0 References

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FIGURES

Figure 1

Location Map
St. Frances of Rome Church
APNs 366-170-058 and 366-330-011
Riverside County, California

Legend

Project Site Boundary

N

Hernandez Environmental Services

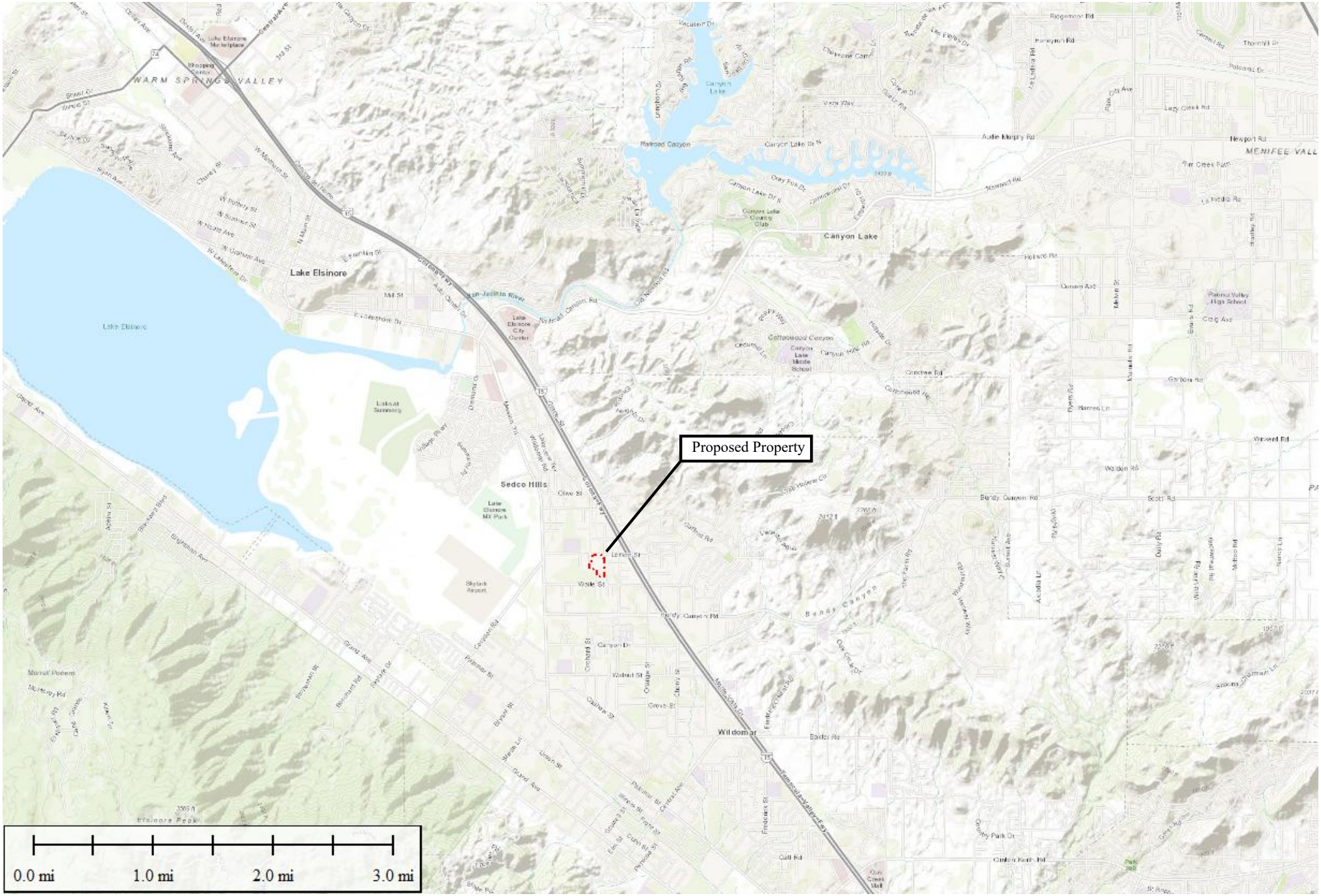


Figure 2

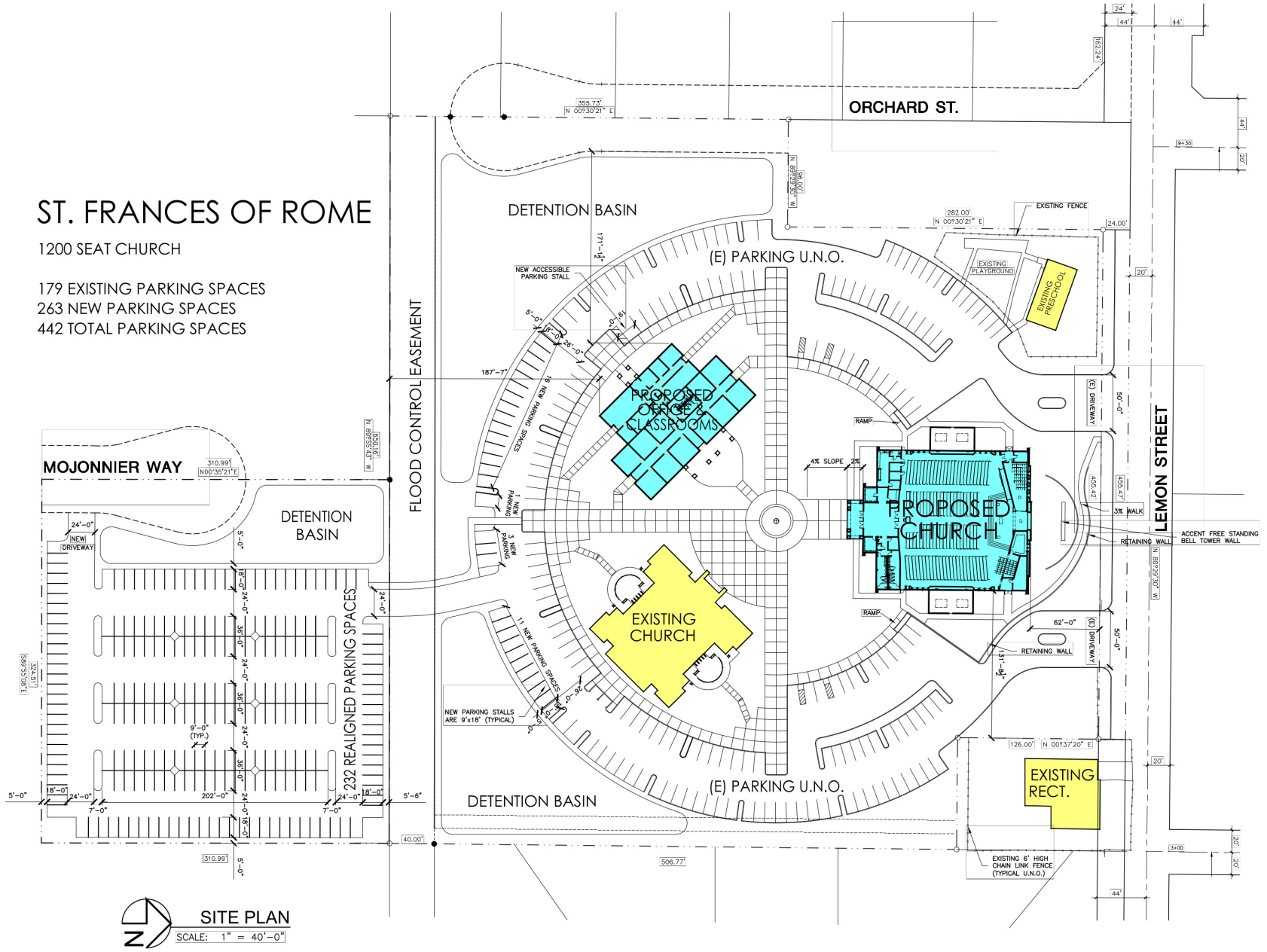
Vicinity Map
St. Frances of Rome Church
APNs 366-170-058 and 366-330-011
Riverside County, California

Legend

Project Site Boundary

N

Hernandez Environmental Services



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JOB
DATE 7/21/16
REV.
SCALE:

PRE-APPLICATION REVIEW

SITE PLAN

A-1
DRAWING #
OF #

Figure 3

Site Plans
St. Frances of Rome Church
APNs 366-170-058 and 366-330-011
Riverside County, California

Hernandez Environmental Services

Figure 4

Detention Basin Map
St. Frances of Rome Church
APNs 366-170-058 and 366-330-011
Riverside County, California

Legend

Project Site Boundary

Man-Made Detention Basin (0.87 acre)

N

Hernandez Environmental Services

APPENDIX A

Jurisdictional Delineation
for
St. Frances of Rome Church

APNs 366-170-058 and 366-330-011
Riverside County, California

Hernandez Environmental Services

Man-made detention basin observed on the project area.

The project area is currently developed with existing structures.

Jurisdictional Delineation
for
St. Frances of Rome Church

APNs 366-170-058 and 366-330-011
Riverside County, California

Hernandez Environmental Services

The project area has paved areas with ornamental vegetation.

The project area is surrounded by residences and developments.

APPENDIX B

Map Scale: 1:1,690 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 25 50 100 150

Feet: 0 50 100 200 300

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 11N WGS84

MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

Soils

- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features

- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Western Riverside Area, California
Survey Area Data: Version 11, Sep 12, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Feb 24, 2015—Feb 26, 2015

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
GyC2	Greenfield sandy loam, 2 to 8 percent slopes, eroded	10.1	91.6%
HcC	Hanford coarse sandy loam, 2 to 8 percent slopes	0.9	8.4%
Totals for Area of Interest		**11.0**	**100.0%**