

# Gilman Springs Median and Shoulder Improvements Project

## Section 4(f) De Minimis Finding

Submitted Pursuant to 49 USC 303 and 23 USC 138

Riverside County, California  
08-RIV-Gilman Springs Road  
Federal Project Number: HSIPL-5956(263)



December 2018



STATE OF CALIFORNIA  
Department of Transportation

12-27-2018  
Date of Approval

  
Aaron Burton  
Senior Environmental Planner

The environmental review, consultation, and any other action required in accordance with applicable Federal laws for this project is being, or has been, carried-out by Caltrans under its assumption of responsibility pursuant to 23 USC 326.

For individuals with sensory disabilities, this document is available in Braille, large print, on audiocassette, or computer disk. Individuals who require documentation in alternate formats are requested to contact Jan Bulinski at the Riverside County Transportation Department at (951) 955-6859 or at 3525 14<sup>th</sup> Street, Riverside, CA 92501.

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## List of Abbreviated Terms

BMP	best management practice
Caltrans	California Department of Transportation
CDFW	California Department of Fish and Wildlife
CFR	Code of Federal Regulations
County	County of Riverside Transportation Department
ESA	environmentally sensitive area
FHWA	Federal Highway Administration
MSHCP	Multiple Species Habitat Conservation Plan
NEPA	National Environmental Policy Act
NRHP	National Register of Historic Places
P/QP	Public/Quasi-Public
RCA	Western Riverside County Regional Conservation Authority
RSS	Riversidian sage scrub
SJWA	San Jacinto Wildlife Area
SWPPP	Storm Water Pollution Prevention Plan
TCE	temporary construction easement
USC	United States Code
WDP	Wolfskill-Driscoll Properties

# Chapter 1 Introduction

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## 1.1 Section 4(f) of the Department of Transportation Act of 1966

Section 4(f) of the Department of Transportation Act of 1966, codified in federal law at 49 United States Code (USC) 303, declares that “it is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites.”

Section 4(f) specifies that the Secretary of Transportation may approve a transportation program or project requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance, or land of an historic site of national, State, or local significance (as determined by the federal, state, or local officials having jurisdiction over the park, area, refuge, or site) only if:

- there is no prudent and feasible alternative to using that land; and
- the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.

Section 4(f) further requires consultation with the Department of the Interior and, as appropriate, the involved offices of the Department of Agriculture and the Department of Housing and Urban Development in developing transportation projects and programs that use lands protected by Section 4(f). If historic sites are involved, then coordination with the State Historic Preservation Officer is also needed.

The proposed project is a transportation project that would receive federal funding and/or discretionary approvals through the U.S. Department of Transportation, Federal Highway Administration (FHWA); therefore, documentation of compliance with Section 4(f) is required.

## 1.2 Section 4(f) De Minimis Impact Evaluation Requirements

Section 6009(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act amended Section 4(f) legislation at 23 USC 138 and 49 USC 303 to simplify the processing and approval of projects that have only *de minimis* impacts on lands protected by Section 4(f). This revision provides that once the U.S. Department of Transportation determines that a transportation use of Section 4(f) property, after consideration of any impact avoidance, minimization, and mitigation or enhancement measures, results in a *de minimis* impact on that property, an analysis of avoidance alternatives is not required and the Section 4(f) evaluation process is complete. FHWA’s final rule on Section 4(f) *de minimis* findings is codified in 23 Code of Federal Regulations (CFR) 774.3 and CFR 774.17.

Responsibility for compliance with Section 4(f) has been assigned to the California Department of Transportation (Caltrans) pursuant to 23 USC 326 and 327, including determinations and approval of

Section 4(f) evaluations, as well as coordination with those agencies that have jurisdiction over a Section 4(f) resource that may be affected by a project action.

### **1.3 Section 4(f) Use**

The term “use” is defined in 23 CFR 774.17 in three ways:

- When land is permanently incorporated into a transportation facility;
- When there is a temporary occupancy of land that is adverse in terms of the statute’s preservation as determined by the criteria in §774.13(d); or
- When there is a constructive use<sup>1</sup> of a Section 4(f) property as determined by the criteria in §774.15

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<sup>1</sup> A constructive use occurs when the transportation project does not incorporate land from a Section 4(f) property, but the project’s proximity impacts are so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially impaired. Substantial impairment occurs only when the protected activities, features, or attributes of the property are substantially diminished.

# Chapter 2 Project Description

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The County of Riverside Transportation Department (County), in cooperation with Caltrans, proposes to widen the median and shoulders along Gilman Springs Road from approximately 1.29 miles north of Jack Rabbit Trail to approximately 1 mile south of Bridge Street. The proposed project is located in Riverside County, California, and covers a distance of approximately 4.4 miles. See Figures 1 and 2 for the Project Vicinity and Location Maps. Gilman Springs Road is a two-lane, undivided road with one 12-foot lane in each direction and shoulder widths varying from 1 to 4 feet.

## 2.1 Purpose

The purpose of this project is to improve safety and traffic operations by eliminating the hazards associated with narrow, undivided roadways, and improving driver awareness on Gilman Springs Road.

## 2.2 Need

The current roadway configuration on Gilman Springs Road consists of two lanes of undivided traffic and narrow shoulders, which presents safety risks for both directions of traffic and drivers intending to turn onto the road from Kennedy Hills Materials, Eden Hot Springs Road/Central Avenue, and Jack Rabbit Trail/Curtis Street/Knoch Road.

## 2.3 Proposed Project

The proposed Gilman Springs Road Median and Shoulder Improvements project would reconstruct the existing roadway to a configuration that includes 8-foot shoulders and a 12-foot lane in each direction, as well as a 2-foot painted double yellow median with rumble strips in the median and shoulders within the project limits. The project is located on Gilman Springs Road from approximately 1.29 miles north of Jack Rabbit Trail to approximately 1 mile south of Bridge Street.

The widening would be accomplished by expanding the pavement by 4 feet along the eastern (northern) edge of the roadway with the remainder of the widening along the western (southern) edge. The centerline of the road would be shifted westerly so the existing pavement would need to be resurfaced in order to shift the crown of the road accordingly. The work would include vegetation and tree removal, grading along adjacent properties, reconstructing driveway and street tie-ins, and other associated work as needed. The existing culvert crossings and drainage structures would be extended and or reconstructed. Traffic devices such as striping, reflective markers, and signage would be relocated to the new roadway configuration. Lighting systems would be added for intersections at Kennedy Hills Materials, Eden Hot Springs Road/Central Avenue, and Jack Rabbit Trail/Curtis Street/Knoch Road.

Utility relocations and adjustments would be made to power poles, gas valves, and any other utilities determined to be present. Any affected utilities would be relocated in accordance with State law and

regulations and County policies. Permanent acquisition of right-of-way, along with temporary construction easements, are expected to be necessary at various locations along the project.

The proposed project is included in Southern California Association of Governments' 2019 financially constrained Federal Transportation Improvement Program as project ID FTIP No. SCAG015. This project ID is for grouped projects for safety improvements. Within that listing the proposed project has the unique project ID H8-08-021.





**Figure 1**  
**Regional Vicinity Map**  
**Gilman Springs Median and Shoulder Improvements Project**

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**Figure 2**  
**Project Location**  
**Gilman Springs Median and Shoulder Improvements Project**

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# Chapter 3 List and Description of Section 4(f) Properties

As noted above, resources subject to Section 4(f) consideration include publicly owned lands such as public parks; recreational areas of national, state, or local significance; wildlife and waterfowl refuges; and historic sites of national, state, or local significance.

Resources in the project study area were identified if they were:

- Existing publicly owned recreational and park resources, including local, regional, and state resources;
- Publicly owned wildlife and water fowl refuges and conservation areas;
- Existing public bicycle, pedestrian, and equestrian trails;
- National Register of Historic Places (NRHP) listed or eligible historic sites; or
- NRHP listed or eligible archaeological sites.

Research was conducted to identify publicly owned parks, recreational areas, wildlife and waterfowl refuges, and land from historic properties within 0.5 mile of the proposed project. Based on this research, there are two properties within 0.5 mile of the project corridor that qualify as Section 4(f) resources, which are two wildlife refuges. There are no historic properties located within the project Area of Potential Effects, and thus there would be no impacts on cultural resources. There are no public parks, trails, or schools within 0.5 mile of the project alignment.

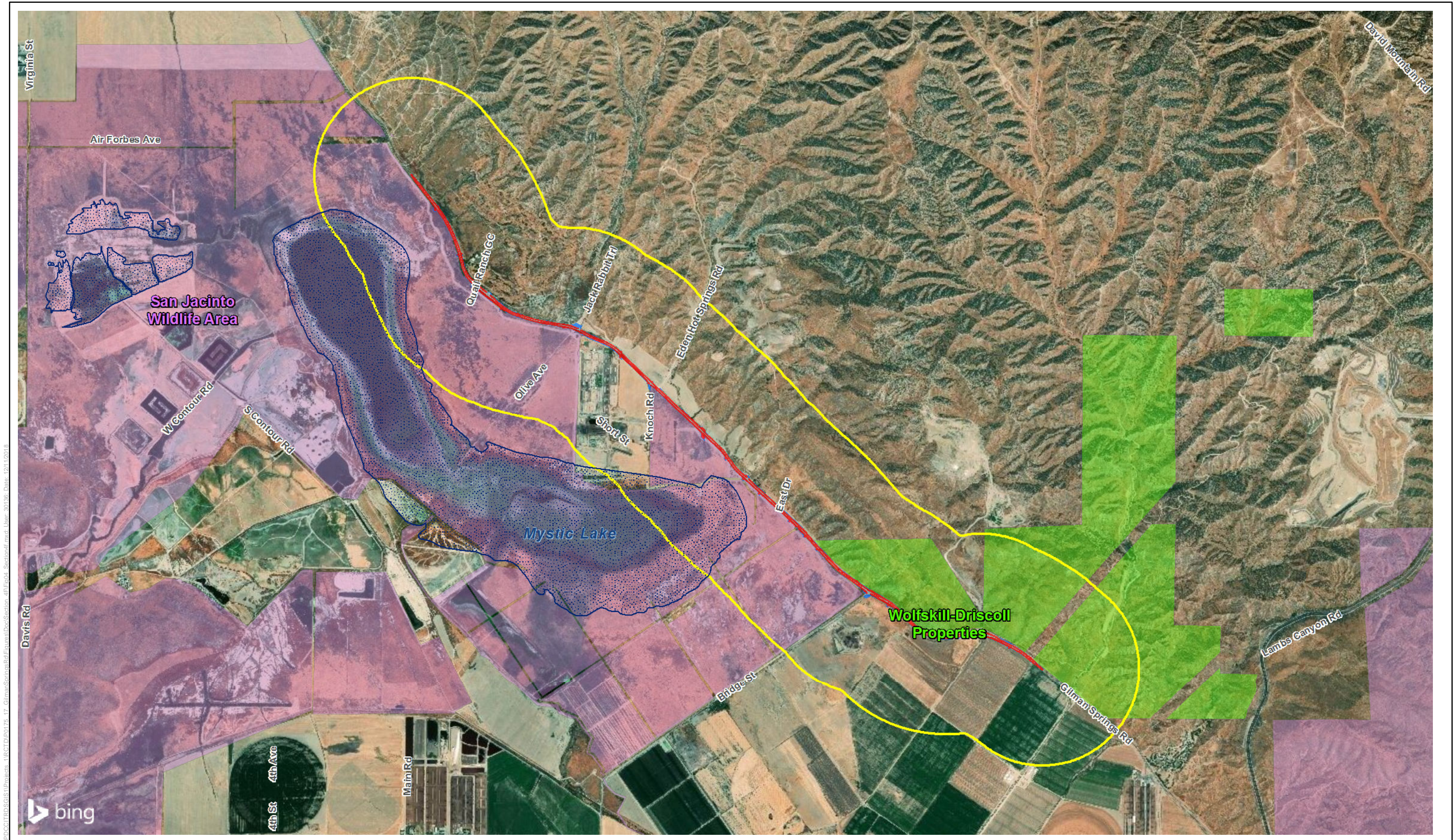
A summary of the number of identified resources is provided in Table 1. A map of 4(f) properties within the project study area is provided as Figure 3.

**Table 1. Summary of Properties Subject to Section 4(f) Consideration**

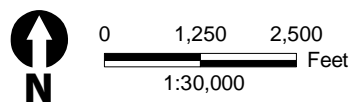
Property Name and Location	Current Ownership	Facilities	Subject to Section 4(f) Protection?	Impacts
<b>Wildlife Refuges</b>				
San Jacinto Wildlife Area	California Department of Fish and Wildlife	18,353.59 Acres	Yes	Permanent Impact: 0.66 acre Temporary Impact: 1.8 acres
Wolfskill-Driscoll Properties	Western Riverside County Regional Conservation Authority	1,135.83 Acres	Yes	Permanent Impact: 0.06 acre Temporary Impact: 0.19 acre

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- Legend**
- Half Mile Buffer
  - San Jacinto Wildlife Area
  - Wolfskill-Driscoll Properties
  - Intermittent Water
  - Permanent Impacts
  - Temporary Impacts
  - Roadway

**Figure 4 - Overview**  
**Section 4(f) Resources**  
**Gilman Springs Median and Shoulder Improvements Project**



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# Chapter 4 Impacts on Section 4(f) Properties

This section describes the Section 4(f) resources, and the potential use of these resources, within 0.5 mile of the proposed project

## 4.1 Resources Evaluated Relative to the Requirements of Section 4(f): De Minimis Determination

A summary of potential effects is provided in Table 2. Later in this chapter, additional analysis follows for each resource with the potential to be affected by the proposed project. In each instance, an assessment has been made as to whether any permanent or temporary occupation of the property would occur, and whether the proximity of the project would cause any access, visual, air quality, noise, vibration, biological, or water quality effects that would substantially impair the features or attributes that qualify the resource for protection under Section 4(f).

Based on current design plans, both the San Jacinto Wildlife Area (SJWA) and Wolfskill-Driscoll Properties (WDP) would be directly and temporarily used by the project; however, no adverse effects on these resources are anticipated because the areas to be acquired do not beneficially contribute to the attributes that qualify these resources under Section 4(f). Therefore, a *de minimis* finding is proposed for both properties.

**Table 2. Section 4(f) Impact Summary for Build Alternative**

Property Name	Direct Use?	Temporary Use?	Constructive Use?	Comments
San Jacinto Wildlife Area	Yes	Yes	No	Permanent Impact: 0.66 acre Temporary Impact: 1.8 acres
Wolfskill-Driscoll Properties	Yes	Yes	No	Permanent Impact: 0.06 acre Temporary Impact: 0.19 acre

Source: ICF, 2018

The analysis of potential effects on Section 4(f) resources that follows includes discussion of how the proposed project would affect each resource and whether the effects would result in a use of the Section 4(f) resource.

### 4.1.1 San Jacinto Wildlife Area

#### Description of San Jacinto Wildlife Area

Located in Riverside County near Gilman Springs Road, the SJWA is owned and maintained by the California Department of Fish and Wildlife (CDFW). It is approximately 19,000 acres with about 9,000 acres of reclaimed wetlands and anywhere from 600 to 800 acres of freshwater marsh habitat. A variety of birds, such as waterfowl and quail, can be found on the refuge. Plant habitats include Riverside Sage Scrub,

Alkali Sink Scrub, Summer Wetlands, Semi-permanent Wetlands, and Permanent Wetlands.<sup>2</sup> The area is hydrologically active with the nearby Perris Reservoir, San Jacinto River, and Mystic Lake. Land use surrounding the refuge consists of primarily of agricultural uses.

There are recreational opportunities located on the SJWA that include wildlife viewing and hunting. The main gate is open from 7 a.m. to sunset, 7 days a week. The property was designated as a wildlife area by the Fish and Game Commission in 1982. In the following years, areas within the wildlife area have been altered to enhance and enlarge wetland habitats for conservation and for native animal species (<https://www.wildlife.ca.gov/Lands/Places-to-Visit/San-Jacinto-WA#12580244-history>).

### **Project Effects at San Jacinto Wildlife Area**

The proposed project would require permanent acquisition of 0.66 acre of the SJWA for construction and drainage easements adjacent to the existing edge of roadway, which represents approximately 0.003 percent of the SJWA's pre-project acreage (see Figure 4). The proposed project would temporarily use approximately 1.8 acres of land for temporary construction easements (TCEs), storage and staging locations, and access to construction areas. These temporary areas would be restored to pre-project conditions and, as such, would have no long-term impacts.

The SJWA runs along the western (southern) side of Gilman Springs Road. The work would include vegetation and tree removal, grading along adjacent properties, reconstructing driveway and street tie-ins, and other associated work as needed. The area to be acquired primarily consists of Residential/Urban/Exotic vegetation communities, which do not contribute to the wildlife refuge.

The direct use areas described above would not adversely affect any of the attributes within the SJWA that qualify it as a wildlife refuge. Although the acquisition area would minimally reduce the overall size of the SJWA, it would not inhibit existing uses of the SJWA. In fact, given the small percentage (0.003) of the SJWA that would be acquired, the proposed project would not result in any adverse impacts on the Section 4(f) attributes of this resource.

### **Applicability of Section 4(f)**

The proposed project would result in direct use of the SJWA through the acquisition of 0.66 acre of the SJWA, which represents approximately 0.003 percent of the SJWA's pre-project acreage. According to the FHWA guidance provided in the Environmental Review Toolkit for Section 4(f) Evaluations, to be considered a *de minimis* impact, the amount of land to be acquired from any Section 4(f) site must not exceed 10 percent of the site. The proposed project would acquire considerably less than 10 percent of the SJWA. In addition, the area to be acquired primarily consists of Residential/Urban/Exotic vegetation communities, which do not beneficially contribute to the attributes that qualify SJWA as a resource under Section 4(f).

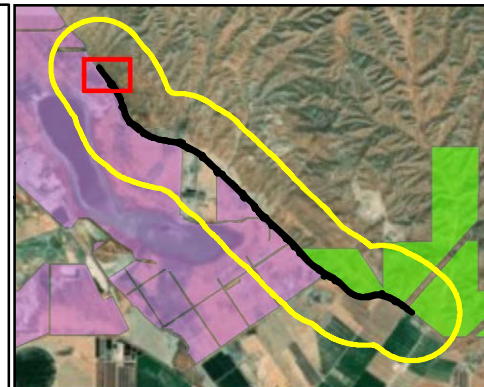
For the reasons outlined above, the impacts on the SJWA are considered to be *de minimis*.

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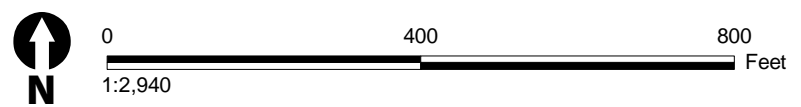
<sup>2</sup> <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=93801&inline>



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- Legend**
- Half Mile Buffer
  - San Jacinto Wildlife Area
  - Wolfskill-Driscoll Properties
- Refuge Impact**
- Permanent Impacts
  - Temporary Impacts



**Figure 4 - Sheet 1**  
**Section 4(f) Resources**  
**Gilman Springs Median and Shoulder Improvements Project**



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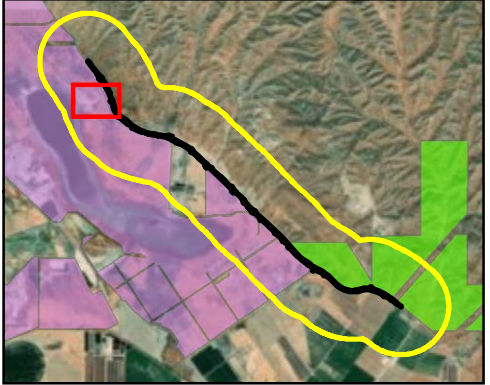


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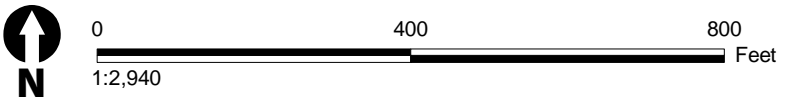
San Jacinto  
Wildlife Area

Gilman Springs Rd

Quail Ranch GC



- Legend**
- Half Mile Buffer
  - San Jacinto Wildlife Area
  - Wolfskill-Driscoll Properties
- Refuge Impact**
- Permanent Impacts
  - Temporary Impacts



**Figure 4 - Sheet 2**  
**Section 4(f) Resources**  
**Gilman Springs Median and Shoulder Improvements Project**

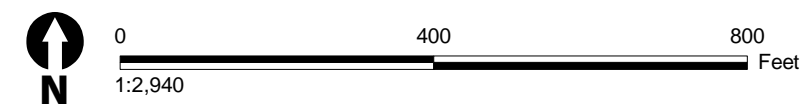


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**Figure 4 - Sheet 3**  
**Section 4(f) Resources**  
**Gilman Springs Median and Shoulder Improvements Project**

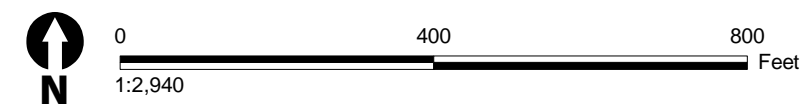


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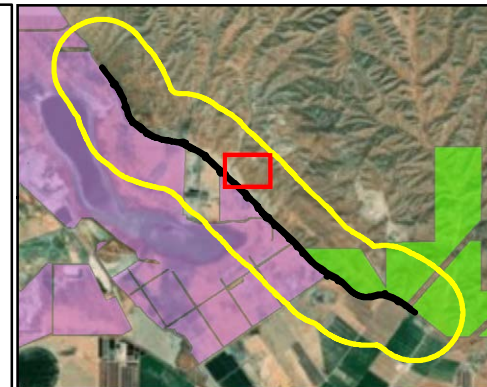


**Figure 4 - Sheet 4**  
**Section 4(f) Resources**  
**Gilman Springs Median and Shoulder Improvements Project**



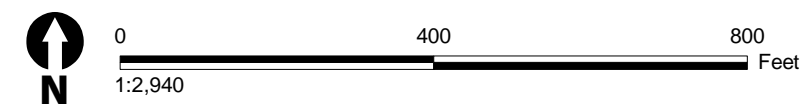
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- Legend**
- Half Mile Buffer
  - San Jacinto Wildlife Area
  - Wolfskill-Driscoll Properties
- Refuge Impact**
- Permanent Impacts
  - Temporary Impacts

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**Figure 4 - Sheet 5**  
**Section 4(f) Resources**  
**Gilman Springs Median and Shoulder Improvements Project**



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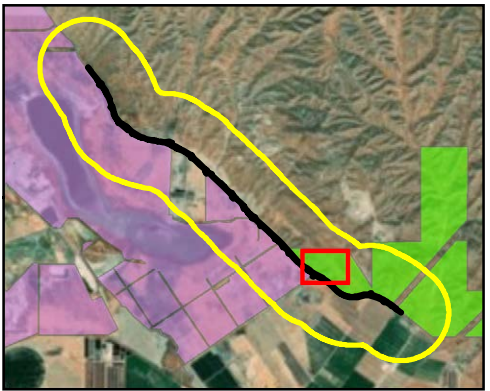




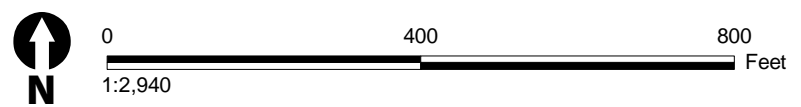
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- Legend**
- Half Mile Buffer
  - San Jacinto Wildlife Area
  - Wolfskill-Driscoll Properties
- Refuge Impact**
- Permanent Impacts
  - Temporary Impacts



**Figure 4 - Sheet 8**  
**Section 4(f) Resources**  
**Gilman Springs Median and Shoulder Improvements Project**



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## 4.1.2 Wolfskill-Driscoll Properties

### Description of Wolfskill-Driscoll Properties

Owned and maintained by the Western Riverside County Regional Conservation Authority (RCA), the WDP is an approximately 1,135-acre conservation reserve area. The RCA was established in 2004 as a joint powers authority to administer the 2003 Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The WDP is protected and has been subject to monitoring and restoration in the past decade. The area is hydrologically active with the nearby Perris Reservoir, San Jacinto River, and Mystic Lake.

### Project Effects at Wolfskill-Driscoll Properties

The proposed project would require acquisition of 0.06 acre of the WDP, which represents approximately 0.02 percent of the refuge's pre-project acreage. The proposed project would temporarily use approximately 0.19 acre of land for TCEs, storage and staging locations, and access to construction areas. These temporary areas would be restored to pre-project conditions and, as such, would have no long-term impacts.

The WDP runs along the eastern (northern) side of Gilman Springs Road for approximately 1.3 miles at the eastern limits of the project. The work would include vegetation and tree removal, grading along adjacent properties, reconstructing driveway and street tie-ins, and other associated work as needed. The area to be acquired primarily consists of Residential/Urban/Exotic vegetation communities, which do not contribute to the wildlife refuge.

The direct use areas described above would not adversely affect any of the attributes within the WDP that qualify it as a wildlife refuge. Although the acquisition area would minimally reduce the overall size of the WDP, it would not inhibit existing uses of the refuge. In fact, given the small percentage (0.005) of the WDP that would be acquired, the proposed project would not result in any adverse impacts on the Section 4(f) attributes of this resource.

### Applicability of Section 4(f)

The proposed project would result in a direct use of the WDP through the acquisition of 0.06 acre of the WDP, which represents approximately 0.005 percent of the WDP's pre-project acreage. According to the FHWA guidance provided in the Environmental Review Toolkit for Section 4(f) Evaluations, to be considered a *de minimis* impact, the amount of land to be acquired from any Section 4(f) site must not exceed 10 percent of the site. The proposed project would acquire considerably less than 10 percent of the WDP. In addition, the area to be acquired is primarily Residential/Urban/Exotic vegetation communities, which do not beneficially contribute to the attributes that qualify WDP as a resource under Section 4(f).

For the reasons outlined above, the impacts on the WDP are considered to be *de minimis*.

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## Chapter 5 Public Noticing Process

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Section 4(f) is a federal process and must comply with National Environmental Policy Act (NEPA) requirements. The appropriate NEPA approval for this project is a Categorical Exclusion, which does not require public circulation. Typically, for projects that do not require public circulation, a public notice and opportunity for review and comment would be needed. As SJWA and WDP are considered to be a refuges, a Notice of Availability of a preliminary *de minimis* determination will be posted in the local newspaper and at a local library. Following public circulation of the preliminary *de minimis* determination, Caltrans will request that CDFW (for SJWA) and RCA (for WDP) prepare and submit a letter confirming that the project would result in a *de minimis* impact on SJWA and WDP because CDFW and RCA, respectively, have jurisdiction over these Section 4(f) resources.

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# Chapter 6 Avoidance, Minimization, and/or Mitigation Measures

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## 6.1 Common Measures to Minimize Harm

Several common measures have been identified during development of the technical studies and the Draft Initial Study to minimize potential project impacts on Section 4(f) properties.

### 6.1.1 Common Measures for both SJWA and WDP Refuges

The following are the relevant avoidance and minimization measures identified for implementation during construction for both refuges. These come from the *Natural Environment Study (Minimal Impacts)* report completed for this project (ICF 2018).

**BIO-1:** Clearing of natural vegetation (including sage scrub) will be performed outside of the active breeding season for birds (March 1 through June 30) (refer to measure **BIO-17** for the nesting bird survey requirements).

**BIO-2:** Active construction areas will be watered regularly to control dust and thus minimize impacts on adjacent vegetation.

**BIO-3:** When work is conducted during the fire season (as identified by the Riverside County Fire Department) adjacent to Riversidian sage scrub (RSS), appropriate fire-fighting equipment (e.g., extinguishers, shovels, water tankers) will be available on the project site during all phases of project construction to help minimize the chance of human-caused wildfires. Shields, protective mats, and/or other fire preventative methods will be used during grinding, welding, and other spark-inducing activities. Personnel trained in fire hazards, preventative actions, and responses to fires will advise contractors regarding fire risk from all construction-related activities.

**BIO-4:** A qualified biologist will conduct a training session for project and construction personnel prior to grading or staging.

**BIO-5:** The qualified project biologist will monitor construction activities for the duration of the proposed project at a frequency necessary to ensure that practicable measures are being employed and avoid incidental disturbance of habitat and species of concern outside the project footprint. To avoid attracting predators of the species of concern, the project site shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site(s), as will any other waste, dirt, or rubble that is generated from project activities. Special attention will be provided to ensure that any environmentally sensitive area (ESA) fencing required in **BIO-6** is maintained. Additionally, ongoing monitoring and reporting will occur for the duration of the construction activity to ensure implementation of best management practices (BMPs). This will be done in tandem with **BIO-6**,

below, which includes the fencing of sensitive areas (e.g., riparian/riverine resources and jurisdictional waters and wetlands adjacent to the LOD and conserved lands).

**BIO-6:** Construction personnel will strictly limit their activities, vehicles, equipment, and construction materials to the proposed project footprint and designated staging areas and routes of travel. The construction area(s) will be the minimal area necessary to complete the proposed project and will be specified in the construction plans. Construction limits adjacent to sensitive resource areas will be demarcated using ESA fencing (e.g., orange snow fencing, silt fencing, signage). The ESA fencing will be reviewed at a frequency deemed necessary by the biological monitor (as indicated in **BIO-5**) until the completion of all construction activities. Employees will be instructed that their activities are restricted to the construction areas. Access to sites will be from pre-existing access routes to the greatest extent possible.

**BIO-7:** Exotic plant species removed during construction will be properly handled to prevent sprouting or regrowth. Vegetation removed from the project site will be covered while being carried on trucks, and vegetation materials removed from the site will be disposed of in accordance with applicable laws and regulations.

**BIO-8:** Construction equipment will be cleaned of mud or other debris that may contain invasive plants and/or seeds and inspected to reduce the potential of spreading noxious weeds before mobilizing to the site and before leaving the site during the course of construction. The cleaning of equipment will occur at least 300 feet from ESA fencing to prevent the spread of invasives.

**BIO-9:** Plans for water pollution and erosion control (i.e., Storm Water Pollution Prevention Plan [SWPPP]) will be prepared in accordance with project aquatic resource permits and other project requirements. The plans will describe sediment and hazardous materials control, dewatering or diversion structures, fueling and equipment management practices, and use of plant material for erosion control. Plans will be reviewed and approved by the County prior to construction. The following measures will be incorporated into the plans, as applicable:

- Water pollution and erosion control plans will be developed and implemented in accordance with RWQCB requirements and will ensure that no fluids or sediment from construction will enter into the ESA fenced areas.
- Sediment and erosion control measures will be implemented until such time soils are determined to be successfully stabilized.
- No erodible materials will be deposited into watercourses or areas demarcated with ESA fencing. Vegetation, loose soils, or other debris material will not be stockpiled within stream channels or on adjacent banks.
- Projects that cannot be conducted without placing equipment or personnel in riparian vegetation areas shall be timed to avoid the breeding season of riparian-associated species identified in WRC MSHCP Global Species Objective No. 7. Breeding season is March 1 through June 30.
- If streamflows must be diverted, the diversions will be conducted using sandbags or other methods requiring minimal instream impacts as directed in project permits. Silt fencing or other sediment trapping materials will be installed at the downstream end of construction activity to minimize the



transport of sediments off-site. Settling ponds where sediment is collected will be cleaned out in a manner that prevents the sediment from reentering the stream (if applicable). Care will be exercised when removing silt fences, as feasible, to prevent debris or sediment from returning to the stream. Short-term diversions will consider impacts on wildlife.

- Equipment storage, fueling, and staging areas will be located on non-sensitive upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas will be located in such a manner as to prevent any runoff from entering sensitive habitat. Necessary precautions will be taken to prevent the release of cement or other toxic substances into surface waters. Project-related spills of hazardous materials will be reported to appropriate entities, including, but not limited to, the applicable jurisdictional city, County, USFWS, CDFW, and the RWQCB, and will be cleaned up immediately and contaminated soils removed to approved disposal areas.
- All equipment maintenance, staging, and dispensing of fuel, oil, coolant, or any other toxic substances will occur only in designated areas within the proposed grading limits of the project site. These designated areas will be clearly marked and located in such a manner as to contain runoff.

**BIO-10:** The limits of disturbance, including the upstream, downstream, and lateral extents on either side of any stream adjacent to the project impact footprint, will be clearly defined and marked in the field. Monitoring personnel (biology) will review the limits of disturbance prior to initiation of construction activities. This will ensure avoidance of jurisdictional areas and riparian habitat.

**BIO-11:** During construction, the placement of equipment within a stream or on adjacent banks or adjacent upland habitats occupied by WRC MSHCP covered species that are outside of the project footprint will be avoided (WRC MSHCP Volume I, Section 7.5.3, and WRC MSHCP Volume I, Appendix C).

**BIO-13 (Mitigation):** Compensation for permanent impacts on Public/Quasi-Public (P/QP) lands and riparian/riverine resources will occur at a minimum 1:1 ratio for P/QP lands, 3:1 ratio for riparian resources, and 1:1 ratio for riverine resources. The compensation can be a combination of enhancement, restoration, and/or creation as long as there is no net loss of either P/QP lands/functions and values or riparian/riverine resources as applicable. The remaining compensation can occur as enhancement and/or restoration or as directed in the project permits. Compensation can also occur through the purchase of mitigation bank credits through the Riverside-Corona Resources Conservation District In-lieu Fee Program, Santa Ana Watershed Association, or other approved mitigation provider. The temporary impacts may be replaced through in-kind restoration at their current locations at a 1:1 ratio.

**BIO-17:** If construction commences during the bird breeding season (March 1 through June 30), a preconstruction survey for nesting birds will occur within three days prior to construction activities by an experienced avian biologist. The survey will occur within all suitable nesting habitat within the project impact area and a 500-foot buffer where access is permitted. If nesting birds are found, an avoidance area will be established as appropriate by a qualified biologist around the nest until it has determined that young have fledged or nesting activities have ceased. The project site will need to be re-surveyed if there is a lapse in construction activities for more than seven days during the nesting season.

**BIO-18:** A preconstruction sweep will be conducted by a qualified biologist each morning prior to clearing/grubbing in areas of suitable habitat to support terrestrial wildlife.

## **6.2 Specific Measures to Minimize Harm by Specific Section 4(f) Property**

With the common measures described above, indirect impacts would be reduced to *de minimis* levels through implementation of these measures at the potentially affected Section 4(f) resources. Therefore, no specific measures are required.