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In Reply Refer To:
FWS/CDFW-WRIV-15B0316-15CPA0328

SEP 17 2015

Mr. Brian Norton
City of Riverside
Community Development Planning Department Division
3900 Main Street, 3rd Floor
Riverside, California 92522

Subject: Draft DBESP for the proposed Quail Run Apartments project,
City of Riverside, California

Dear Mr. Norton:

The U.S. Fish and Wildlife Service (Service) and the California Department of Fish and Wildlife (Department), hereafter collectively referred to as the Wildlife Agencies, have reviewed the draft Determination of Biologically Equivalent or Superior Preservation (DBESP) for the proposed Quail Run Apartments (P14-0683 through P14-0685) residential project (project) which we received on August 18, 2015. The DBESP was prepared consistent with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Policy on the Protection of Species Associated with Riparian/Riverine Areas (MSHCP section 6.1.2). The Wildlife Agencies are providing the following comments as they relate to the project's consistency with the MSHCP. We request some clarifications and have recommendations regarding the proposed restoration plan.

The proposed project is an apartment complex on 30.93 acres of land located along Box Springs Canyon Creek near the northwest corner of the intersection of Quail Run Road and Central Avenue in the City of Riverside. The proposed development includes 216 apartments in 13 buildings. Most of the project site is outside of the MSHCP Criteria Area; however, approximately 1 acre of the site is within Criteria Cell 719.

The DBESP states that the project will impact 6.18 acres of riparian and riverine resources along Box Springs Canyon Creek. A 4-acre riparian woodland-wetland complex on the southwestern portion of the site will be avoided. Material from two areas in the northern portion of the project site, totaling 6.33 acres, will be used to as fill to create the building pads for the apartment complex. The project proponent proposes to offset the unavoidable impacts to riparian/riverine resources by recontouring and restoring the two borrow areas. The restored areas would be protected with a permanent conservation easement held by the entity managing the apartment complex.

Habitat Restoration and Management Plan

During the February 2015 site visit hosted by the Project proponent, the Wildlife Agencies requested a detailed habitat restoration plan for the proposed mitigation areas, including post-

restoration elevation contours, a list of the plant species to be established (species, numbers, planting map); installation method, irrigation type, frequency, and quantity; planned maintenance actions; success criteria; and a monitoring and reporting schedule. We have yet to receive this information. The DBESP provided the outline for a restoration plan, but did not specify when it will be available to the Wildlife Agencies for review and approval.

Hydrology of Restored Areas

The post-construction contours and elevations in the restoration areas need to be designed so that the restored vegetation does not wash away during high-flow storm events. Please include hydrological information in the restoration plan that addresses the likelihood that high-flow events will wash away the created habitat areas, illustrates where water will spread (and/or scour out vegetation) during low-, moderate-, and high-flow events, and estimates the quantities of sediment that will likely be deposited in the habitat creation areas over the long run. Deposition estimates could be based on the quantity of material deposited in (or removed from) the adjacent flood detention basin during the years since its construction.

Seed Collection and Cuttings

To maximize the probability of establishing native plants on a specific restoration site, it is desirable to use genetic material from the plants most adapted to the site's own soils and hydrology – i.e., genetic material from plants already successfully growing on or near the project site. Therefore, we recommend that the restoration plan include provisions for collecting seeds and cuttings from the existing riparian plants on the site prior to ground disturbance, and then using these to produce the individuals which will be planted in the restoration areas.

Southwest Riparian Woodland-Wetland

The DBESP states that 3.98 acres of willow-mulefat woodland and cattail marsh located in the southwestern part of the project site will be avoided by the project, but does not specify its long-term fate. Per the MSHCP, "if an avoidance alternative is selected, measures shall be incorporated into the project design to ensure the long-term Conservation of the areas to be avoided, and associated functions and values, through the use of deed restrictions, conservation easement, or other appropriate mechanisms." The Wildlife Agencies recommend that the conservation easement for the restored areas also include the avoided wooded-wetland areas, collectively called the conserved habitat. Please provide clarification regarding the long-term conservation of this area. We request that invasive plants such as tamarisk trees and giant cane (*Arundo donax*) be removed from the southwestern woodland-wetland during or immediately following construction to reduce the spread of invasive plants into the restoration areas. To protect the long-term conservation values of the conserved habitat, we request that provisions be made for the long-term control of invasive non-native plants.

Fuel Reduction/Management Zones

Please provide a map showing the locations of any planned fuel reduction/management zones in relation to the impacted and un-impacted site habitats, and confirm that the fuel reduction/management zones will be located in the project's permanent impact areas rather than in the habitat avoidance areas and the temporary impact/restoration areas.


Long-term Conservation of the Conserved Habitat

The DBESP states that conservation easement will be held by the apartment complex property management entity. The property management entity is not an appropriate steward for the conserved habitat. We encourage the project proponent to pursue the alternative strategy of engaging land managers with the skills to manage conserved habitat, such as the Riverside Land Conservancy or the San Jacinto Basin Resource Conservation District to be the easement holder and land steward. Both of those entities are on the list of organizations authorized by the Department to hold mitigation lands (available online at <https://www.wildlife.ca.gov/Conservation/CESA/Endowments>). To ensure protection of the long-term conservation values of the conserved habitat, the land steward should be tasked with maintaining the restored areas in perpetuity, which includes control of invasive species.

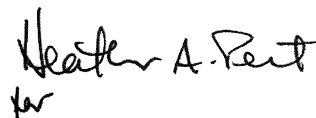
The project proponent should provide the land steward with an endowment sufficient to enable the land steward to maintain the restored areas in perpetuity. The amount needed can be determined by consultation with the proposed land steward, subject to final approval by the Department.

Please provide the requested clarifications in the form of a letter supplement to the DBESP. We appreciate the opportunity to provide comments on this DBESP, and look forward to reviewing the habitat restoration plan. If you have any questions or comments regarding this letter, or to schedule a discussion of mitigation options, please contact please contact Jim Thiede of the Service at 760-322-2070, extension 219, or Heather Pert of the Department at 858-395-9692.

Sincerely,



Kennon A. Corey
Assistant Field Supervisor
U.S. Fish and Wildlife Service



Leslie MacNair
Regional Manager
California Department of Fish and Wildlife

Mr. Brian Norton (FWS/CDFW-WRIV-15B0316-15CPA0328)

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cc:

Charles Landry, Regional Conservation Authority

Jeff Brandt, California Department of Fish and Wildlife

Andrade, Frances

From: Pert, Heather@Wildlife <Heather.Pert@wildlife.ca.gov>
Sent: Friday, January 08, 2016 4:23 PM
To: Norton, Brian
Cc: Freeburn, Kim@Wildlife; Thiede, James; Steve; Norton, Brian; Scheidlinger, Carla; Karin Cleary-Rose
Subject: [External] DBESP Quail Run

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Brian,

The Wildlife Agencies have reviewed the letter Supplement (received December 22, 2015 and revised on January 8, 2016) to the Quail Run Development DBESP that was provided in response to our DBESP review letter (sent September 17, 2015) regarding consistency with the Western Riverside County Multiple Species Habitat Conservation Plan. Based on the information received, the Wildlife Agencies are in agreement that the additional information provided in the Supplement to the DBESP addresses our concerns with the understanding that the Wildlife Agencies will have the opportunity to review and approve the Habitat Restoration and Management Plan. We appreciate the time and effort the project applicants have been taken to respond to our comments and provide additional information. We look forward to working with them on the habitat restoration plan.

Sincerely,

Heather Pert
Karin Cleary-Rose

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