

**Appendix E:
Jurisdictional Determination Update Memo**

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Memo

Date: May 28, 2018

To: County of San Bernardino, California
Advance Planning Division
Land Use Services Department

From: Kevin Derby, Senior Biologist, FirstCarbon Solutions

Subject: Update/Confirmation of Jurisdictional Delineation for the Moon Camp Project Site, San Bernardino County, California

METHODS

FirstCarbon Solutions (FCS) biologist Dennis Peterson performed a site visit at Moon Camp on May 18, 2018 to confirm the findings of the Jurisdictional Delineation prepared for the 2004 Moon Camp Draft EIR.

General Site Conditions

The Moon Camp project site is located approximately midway along the north shore of Big Bear Lake, at the eastern edge of the community of Fawnskin (Exhibit 1). The 62.43-acre site slopes upward from the lakeshore and State Route 38 (SR-38) (Lakeshore Drive) from a lake surface elevation of approximately 6,747 feet above mean sea level (msl) to approximately 6,960 feet msl at the northeast boundary. Slopes vary from 5 to 40 percent and continue upward beyond the property to a ridgeline exceeding 7,800 feet msl on the north (Exhibit 2). The on-site variation in elevation is approximately 213 feet.

Jurisdictional Waters

The delineation of federal and State Jurisdictional Waters prepared by RBF Consulting (March 2002) in conjunction with the 2004 Draft EIR identified three unnamed drainages located within the Project site (Exhibit 3). A review of U.S. Geological Survey (USGS) topographic maps and aerial photographs were used to identify areas that may fall under an agency's jurisdiction. United States Army Corps of Engineers (USACE) jurisdictional wetlands were delineated using the methods outlined in the USACE Wetland Delineation Manual (1987) based on hydrologic and edaphic features of the site, and on the vegetation composition of the site. Non-wetland waters of the United States (U.S.) were delineated based on the limits of the ordinary high water mark (OHWM) as determined by erosion, the deposition of vegetation or debris, and changes in the vegetation. Generally, CDFW takes jurisdiction to the bank of seasonal and ephemeral stream/channels with no adjacent riparian vegetation. Analysis of the Project site consisted of a field survey and verification of current conditions. Vegetation within the drainages of the Project site is primarily upland species, dominated by Jeffrey pines and unvegetated channel bottoms. Soils within the



drainages were documented to be silty-sand (large grain). Soil samples taken on-site were generally dry and lacked characteristics of hydric soils (i.e., odor, streaking, mottling). No wetlands were identified within the project area. No flowing water was observed within the on-site drainages during the May 18, 2018, field visit. However, sediment deposits and minor erosion (indicators of OHWMs) were observed within the drainages. Please refer to Appendix A for representative photographs of each of the three jurisdictional drainages taken on May 18, 2018. Drainage 1 is the westernmost of the mapped drainages and Drainage 3 is the easternmost of the mapped drainages. Appendix A also includes additional photos of an area that showed up on the aerial photographs as potentially jurisdictional, but field investigations concluded it was a signature from an old residential driveway and was not a jurisdictional feature; neither by federal nor state definitions. This driveway area is labeled in red on the attached Exhibit 3.

Waters of the U.S. (Non-Wetland) Determination

Based on the results of the field observations and data collection, RBF identified three drainages consisting of 0.15-acre of Corps jurisdictional “waters of the U.S.” within the Proposed Project site. These drainages are ephemeral and largely influenced by seasonal snow melt. The location and USACE jurisdictional area of these drainages remains unchanged and are consistent with the previous report.

California Department of Fish and Wildlife (1603) Jurisdiction

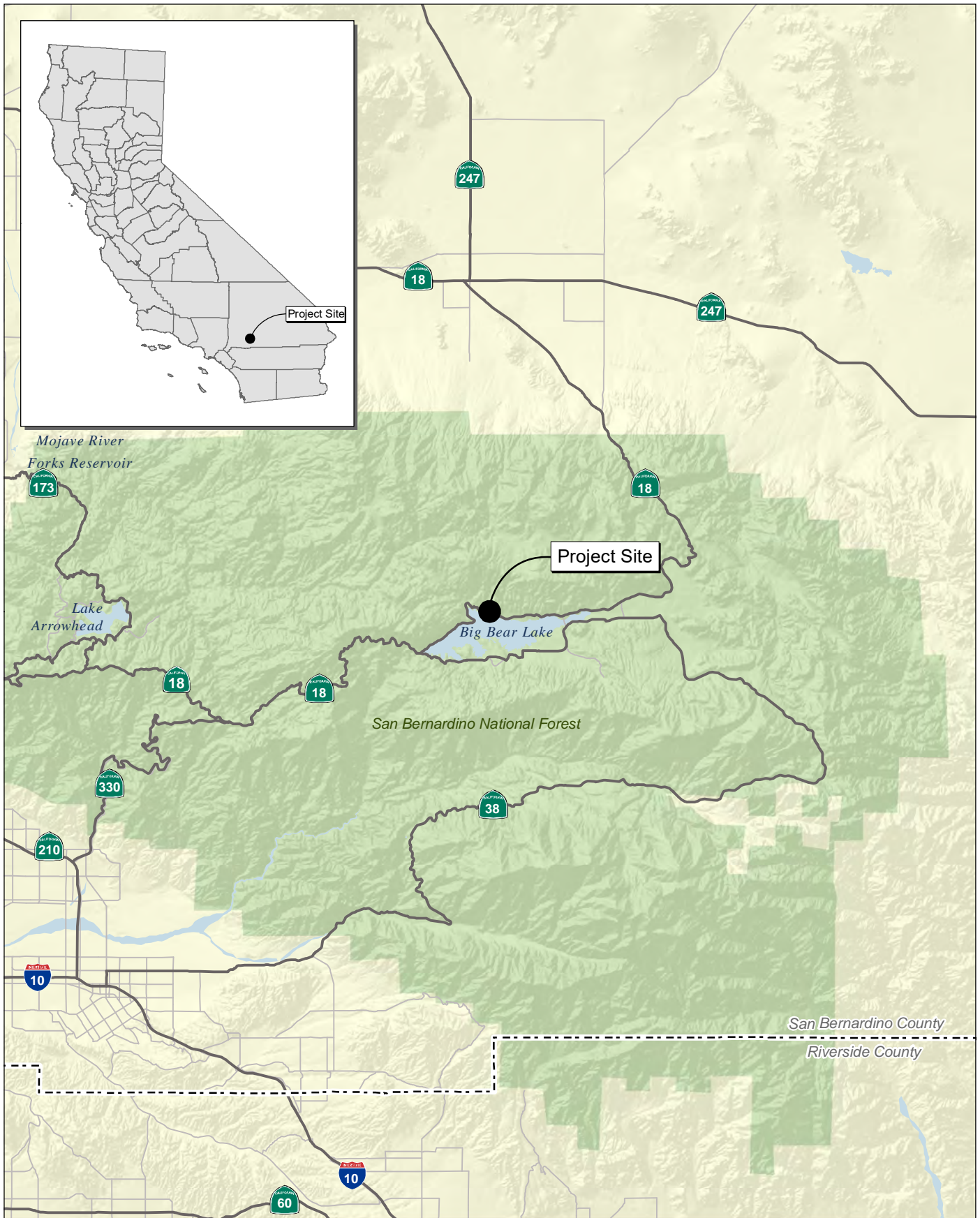
Based on the results of the field observations and data collection, RBF identified 0.15-acre of CDFW jurisdictional waters. The location and CDFW jurisdictional area of these drainages remains unchanged and are consistent with the 2002 delineation map and report.

California Department of Fish and Wildlife (1603) Jurisdiction

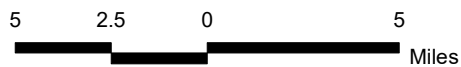
Based on the results of the field observations and data collection, RBF identified 0.15-acre of CDFW jurisdictional waters. The location and CDFW jurisdictional area of these drainages remains unchanged and are consistent with the 2002 delineation map and report.

CONCLUSION

Based on the site conditions observed by FCS biologist Dennis Peterson, and current federal and state regulations, the 2002 jurisdictional map and report adequately identify potential impacts to jurisdictional waterways.



Source: Census 2000 Data, The CaSIL



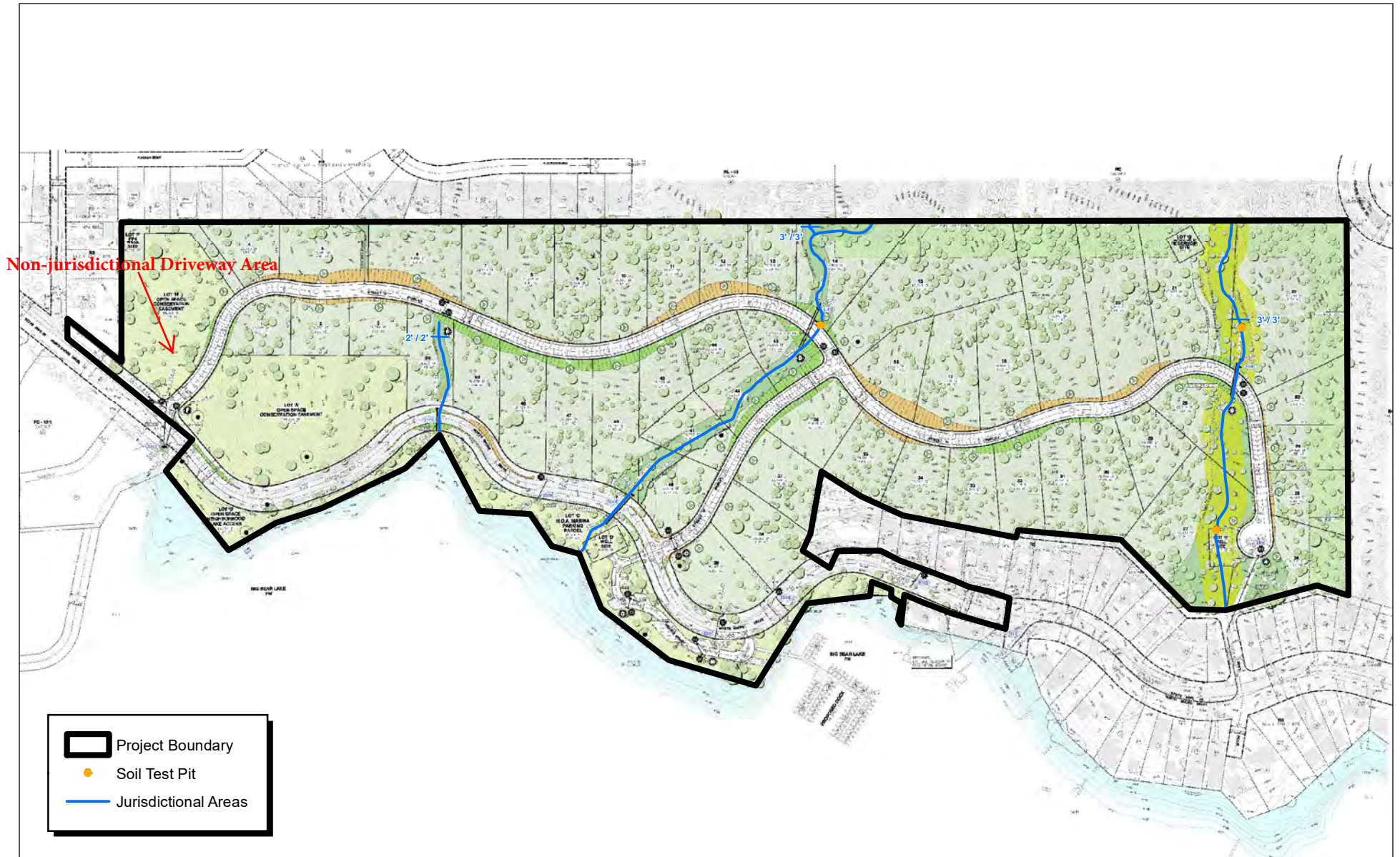


Source: ESRI Aerial Imagery.

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Exhibit 2 Project Vicinity Map Aerial Base



Source: Hicks & Hartwick, Inc. (December, 2010), Bon Terra Consulting (July, 2003), Tim Krantz (2008), Scott White & MBA.





Non-jurisdictional Driveway Area Facing South



Downslope of Non-jurisdictional Driveway Area Facing Southwest



Drainage One Facing South



Drainage One Facing North



Drainage Two Facing South



Drainage Two Facing Southwest



Drainage Three Facing North



Drainage Three Facing South

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