FINAL
ENVIRONMENTAL IMPACT REPORT:

UPPER SANTA ANA RIVER WASH

LAND MANAGEMENT AND

HABITAT CONSERVATION PLAN

November 4, 2008

FINAL ENVIRONMENTAL IMPACT REPORT

The presentation will cover the following:

- CEQA requirements of a Final EIR
- Key Elements of the Wash Plan Final EIR
- Revisions to the Draft EIR
- Certification of the EIR and Adoption of Wash Plan

CEQA REQUIREMENTS FOR PREPARATION OF A FINAL EIR

Lead Agencies:

- Must prepare a Final EIR before approving a project;
- May provide opportunity to review the Final before approving the project;
- Must evaluate comments on environmental issues and prepare written responses;

CEQA REQUIREMENTS FOR CONTENT OF FINAL EIR

- Draft EIR or revision to Draft;
- List of Commenters on the Draft
- Comments received on the Draft
- Responses of the Lead Agency to significant points raised in comments
- Other information added by Lead Agency

EVALUATION OF AND RESPONSE TO COMMENTS

- Lead Agency must provide a written proposed response to a public agency commenting on the Draft EIR 10 days prior to certifying the Final EIR;
- The response must address significant environmental issues raised and provide a good faith, reasoned analysis;
- The text of the EIR must be revised, or somehow noted, when responses concur with comments requiring changes to important information in the Draft

KEY ELEMENTS OF THE WASH PLAN FINAL EIR

- Response to Comments received on the Draft EIR - Appendix K
- Mitigation Monitoring and Reporting Program – Appendix L;
- Biological Technical Report – Appendix M.

COMMENT LETTERS RECEIVED ON THE DRAFT EIR

STATE AND REGIONAL AGENCIES

- Office of Planning & Research (OPR)
- Native American Heritage Commission (NAHC)
- Dept. of Toxic Substances Control (DTSC)
- California Dept. of Transportation (CalTrans)
- California Dept. of Fish and Game (CDFG)
- So. Calif. Assoc. of Governments (SCAG)

COMMENT LETTERS RECEIVED ON THE DRAFT EIR

LOCAL AGENCIES

- City of Highland (Highland)
- City of Redlands (Redlands)
- S.B. County Flood Control District (SBCFCD)
- S.B. County Regional Parks Department (Reg. Parks)
- S.B. Valley Municipal Water District (Muni)
- Western Municipal Water District (Western)

COMMENT LETTERS RECEIVED ON THE DRAFT EIR

ORGANIZATIONS AND INDIVIDUALS

- **Center for Biological Diversity, San Bernardino Valley Audubon Society, & Sierra Club – San Gorgonio Chapter (CBD)**

COMMENT LETTERS RECEIVED FROM WASH PLAN TASK FORCE MEMBERS

- **Highland**
- **Redlands**
- **SBCFCD**
- **Reg. Parks**
- **CDFG**

HIGHLAND LETTER

Highland Comments: 78 comments, 9 from Comm. Dev. Dept. (CDD) and 69 from the Public Works Dept. (PWD). Most comments asked for revisions to clarify the project description.

- **CDD asked for clarification on aesthetic impact mitigation measures; requested to see Mitigation Monitoring Plan; identified new noise ordinance that should be recognized in EIR.**
- **PWD requested numerous changes to Chapters 1, 2, 3 to clarify right-of-way references; titles and display on some figures; certain terminology, and 20 ac. mitigation area rather than 16 ac.**
- **PWD substantive comments addressed incorrect lengths and acreages for the Greenspot Road widening, realignment and new bridge in the Project Description (Chapter 3) and corresponding changes in Traffic Impact Section 4.15.**
- **PWD requested changes to traffic mitigation measures to include all recommendations from the Traffic Study and the addition a new mitigation measure to provide fair share payment for improvements to north & south bound freeway on-ramps**

RESPONSE TO HIGHLAND LETTER

- **Corrections and clarifications were made generally as requested.**
- **Length of road segments and impacted acreage relative Greenspot Road improvements have been incorporated into the Final EIR text.**
- **Traffic Mitigation Measures have been revised as requested.**

REDLANDS LETTER

Redlands Comments: 25 comments, 20 from Comm. Dev. Dept. (CDD) and 5 from the Municipal Utilities & Eng. Dept. (MUED). Most comments asked for revisions to clarify the project description and certain discussions in impact analysis sections.

- **CDD requested additional discussion regarding the City's habitat area between Alabama and SR210 and clarification on the mining leased area under City ownership lying north of the habitat area also asked for clarification on timing of entitlement process relative to obtaining permits from FWS & CDFG.**
- **CDD requested various changes to Project Description to clarify right-of-way references, an additional GPA for the Santa Fe-Mentone Trail and indicated that "Negotiate and obtain compensation for 155 ac of habitat" should be added to City's actions on Table 3.1.**
- **MUED requested corrections to ROW citations and clarification on access to water wells, intersection LOS and NPDES procedures.**

UPPER SANTA ANA RIVER WASH LAND MANAGEMENT AND HABITAT CONSERVATION PLAN

RESPONSE TO REDLANDS LETTER.

- **Corrections and clarifications were made generally as requested.**
- **Acreage regarding City habitat acreage and mining lease area were corrected based on best available information. Timing of entitlement process relative to obtaining permits from FWS & CDFG was clarified.**
- **Response to City's position that "compensation for 155 ac of habitat" indicated that City had not originally taken such a position and the habitat conservation on that site was never part of the Concept Plan and that the Task Force understood that the City would assign the area to conservation to complete the Wash Plan.**

COUNTY COMMENT LETTERS AND RESPONSES

SBCFCD:

- **7 comments: Reaffirmed project description and boundary delineations, suggested additional clarification on WSPA**
- **Response: Corrections and clarifications were made generally as requested.**

Regional Parks:

- **6 comments concerning the Santa River Trail and relationship to Plan area. Requested incorporation of trail crossings at Alabama and Orange based on new alignment design.**
- **Response: Acknowledged comments. Indicated that the trail crossings could not be added to the EIR after the Draft was issued without serious procedural issues.**

COMMENTS AND RESPONSES ADDRESSING BIOLOGICAL IMPACTS

CDFG Comments: restated the Department's insight into the advantages of the Plan by connecting habitat areas and expanding woolly star conservation that currently exists in the WSPA, but pointed out that the Wash Plan has no jurisdiction over the WSPA; emphasized the need for more detailed mitigation in the HCP that would be a subsequent component of the EIR. The letter concludes by listing several advantages of the Wash Plan.

COMMENTS AND RESPONSES ADDRESSING BIOLOGICAL IMPACTS

<u>Responses to CDFG Comments</u>: acknowledged the Dept's emphasis on the HCP as a mechanism for providing the necessary details on funding, habitat management, monitoring and adaptive management; acknowledged State procedures for compliance with CESA and Section 1600 Streambed Alteration procedures; expressed agreement with the Dept's assessment of the mitigation measures and project advantages.

COMMENTS AND RESPONSES ADDRESSING BIOLOGICAL IMPACTS

Muni Comments: stated the agency's uncertainty about biological clearances, i.e. how those have been obtained; asked for clarification on the three components (EIR, EIS & HCP) and schedules for completion; questioned habitat conservation and water conservation activities; asked for documentation substantiating the ability to conduct water conservation on BLM exchange land; questioned what additional mitigation may be imposed in the future HCP.

COMMENTS AND RESPONSES ADDRESSING BIOLOGICAL IMPACTS

Responses to Muni Comments: responses point out the programmatic approach to biological impacts through addition of designated habitat conservation areas that will add to existing WSPA, the HEP consisting of 16 mitigation measures and the future HCP to be completed; responses indicate that final biological clearance will occur through the incidental take permit issued by the FWS and a consistency determination by the DFG relying on approval of the HCP; restates the basis of 31% water conservation and 69% habitat conservation in Phase 2 & 3 areas.

COMMENTS AND RESPONSES ADDRESSING BIOLOGICAL IMPACTS

CBD Comments: letter provides broad based attack on the Draft EIR citing inadequate analysis of impacts, inadequate mitigation, lack of current data on species occurrences, failure to consider proper reserve design, and general failure to provide clear and concise environmental assessment; cites many deficiencies related to HCP requirements and inadequate conservation for listed species; asserts inadequate conservation of all rare species and habitats within the Plan area; cites failure to evaluate indirect effects from edge effects adjoining residential land uses; calls for reanalysis and recirculation.

COMMENTS AND RESPONSES ADDRESSING BIOLOGICAL IMPACTS

Responses to CBD Comments: **11 pages of responses cite overall benefits of the plan as a comprehensive land management approach that provides additional commitment to habitat conservation, linking WSPA Units 2, 3 & 4 to the south with Unit 5 to the north and linkage of Units 1 & 2, providing connected corridor for biological diversity between the SAR and Plunge Creek; uses extensive references to the BTR for expanded analysis of impacts to listed and unlisted rare species; clarifies the follow-on HCP process that will provide detail on funding and sufficient offset of impacts with conservation to meet 10a permit issuance criteria; reiterates that EIR provides a sufficient project baseline and impact analysis consistent with CEQA requirements and includes extensive mitigation that will incorporated in the later HCP and includes measures that address off-site, indirect impacts; indicates that recirculation is not required.**

RECIRCULATION OF AN EIR

Lead Agency must recirculate when:

- Significant new information is added to EIR after distribution of Draft EIR, but prior to certification;
- Significant new information includes changes in project, environmental setting, or added data/analysis that changes the EIR in a way that deprives public of review and comment on a newly identified impact, new feasible mitigation or alternative to lessen environmental impact;
- Recirculation not required when new information merely clarifies, amplifies or makes other insignificant changes.

RECIRCULATION OF AN EIR

Examples of New Significant Information:

- A new significant impact is identified;
- A substantial increase in the severity of an impact unless additional mitigation can be added;
- A new feasible alternative is identified and the project proponents decline its use;
- The Draft EIR is determine so fundamentally inadequate and conclusory in nature that meaningful public review and comment were precluded.

BIOLOGICAL TECHNICAL REPORT

A Substantially Expanded Biological Technical Report (BTR) was completed by Dudek in October, included as Appendix M

- The report was prepared primarily to provide meaningful, good faith responses to the CBD comment letter;
- The report provides a comprehensive impact analysis for both listed and unlisted species and rare habitats and greatly expands the information present in Appendix E-1 of the Draft EIR;
- The report provides a habitat gain/loss analysis that provides substantial evidence for the value of the Wash Plan;
- The report also includes a comprehensive a net change to special status species analysis

BIOLOGICAL TECHNICAL REPORT

Summary of Key Additions :

- Survey records supplemented; surveys established as adequate for CEQA evaluation;
- Impacts calculated for suitable habitat for all 32 special-status species evaluated in EIR;
- Occurrence data evaluated in context of suitable habitat to determine redundancy/inaccuracies;
- Impacts analysis demonstrates average 65% conservation of suitable habitat for 32 species

BIOLOGICAL TECHNICAL REPORT

Summary of Key Additions (continued):

- Separate analysis conducted to remove land use areas that remain unchanged (Gain/Loss analysis);
- Gain/Loss analysis shows 431-acre net increase in conserved land; a 1.7:1 overall mitigation to impact ratio;
- Gain/Loss analysis shows that all 32 species benefit from additional conservation (average 297-acre net increase);
- Indirect impacts analyzed; additional measures added for construction monitoring, noise monitoring, and plan review

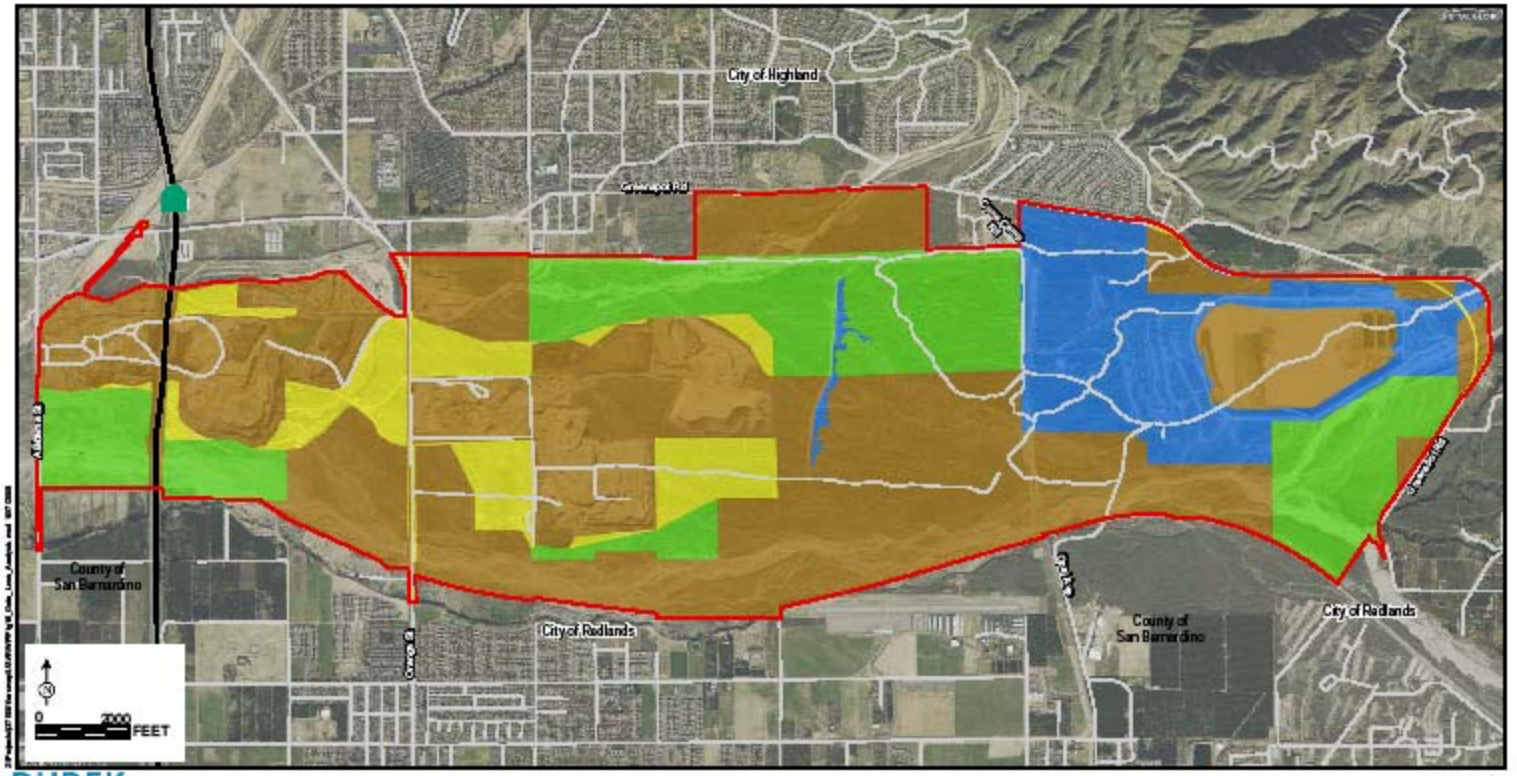
City of Highland
Greenspot Rd
Alabama St
County of San Bernardino
City of Redlands
Orange St
Tennessee St
City of Redlands
County of San Bernardino
N
0
2000
FEET
DUDEK
Project Area
Highway
Habitat Conservation
Gain
Loss
Water Conservation (consist of 69% conserved land and 31% developed land in locations which are to be determined in the future)
No Change
FIGURE 16
Upper Santa Ana River Wash Plan
Gain/Loss Analysis of Existing and Proposed Land Use

Table 12
Impacts to Vegetation Communities and Land Cover Types: Mining, Roads, Flood Control, Undesignated/Public Ownership, and Water Conservation Facilities

			Impact Type									
			Roads									
Vegetation Community	Status	Total Habitat on site (Acres)	*Alabama*	*Greenspot*	*Orange*	*SR 30*	Mining	Flood Control	Undesignated Public Ownership	Water Conservation Facilities*	Total Impacts	Percent of Impacts
Chamise Chaparral		111	0	0	0	0	0	0	0	10	10	9%
Chamise Chaparral/NNG		67	0	4	0	0	0	0	7	17	28	42%
Developed/Ruderal		776	4	10	15	31	636	15	1	15	727	94%
Non-native Grassland		159	0	0	1	0	13	13	4	13	44	28%
Recharge Basin		257	0	0	0	0	0	0	0	242	242	94%
Riversidean Alluvial Fan Sage Scrub – Pioneer	SUHP	398	0	0	1	5	0	162	0	2	170	43%
Riversidean Alluvial Fan Sage Scrub – Intermediate	SUHP	1,121	2	4	1	6	224	178	25	26	466	42%
Riversidean Alluvial Fan Sage Scrub - Intermediate/Mature	SUHP	1,048	0	0	9	0	285	30	9	35	368	35%
Riversidean Alluvial Fan Sage Scrub – Mature	SUHP	418	0	2	0	0	15	11	12	21	61	15%
Riversidean Alluvial Fan Sage Scrub - Mature/NNG	SUHP	40	0	0	0	0	0	0	7	1	8	19%
Riversidean Upland Sage Scrub		72	0	0	0	0	22	0	0	15	37	52%
Total		4,467	6	20	27	42	1,195	409	66	397	2,162	48%

* This represents the maximum development of 31% of the area designated for water conservation in addition to the existing 240-acre borrow pit.
SUHP = High priority vegetation community per List of California Terrestrial Natural Communities Recognized by the California Natural Diversity Database (CNDDB) (CDFG 2003).

Table 13
Total Impacts and Habitat Conservation for Special-Status Species

Species	Status			Total Suitable Habitat on site[1] (acres)	Habitat Conservation (acres)	Additional Undeveloped Lands (acres)	Potential Impact (acres)	Conservation Ratio	Percent Conserved	Occurrence Evaluation
	Fed	State	CNPS							
Plants										
Calochortus plummerae Plummer's mariposa lily	None	SP	1B.2	2,678	1,238	963	677	3.3	76%	6 of 24 mapped occurrences are within habitat conservation
Chorizanthe parryi var. parryi Parry's spineflower	None	SP	3.2	2,678	1,240	961	677	3.3	76%	0 of 5 mapped occurrences are within habitat conservation
Dodecahema leptoceras Slender-horned spineflower	FE	SE	1B.1	3,025	1,760	243	1,022	2.0	66%	32 of 44 mapped occurrences are within habitat conservation
Erigeron densiflorus ssp. sanctorum Santa Ana River woollystar	FE	SE	1B.1	3,025	1,760	243	1,022	2.0	66%	647 of 956 (68%) mapped occurrences are within habitat conservation
Imperata brevifolia California satintail	None	None	2.1	368	165	84	149	1.7	63%	No mapped occurrences
Lepidium virginicum var. robinsonii Robinson's pepper-grass	None	SP	1B.2	3,275	1,298	1,280	697	3.7	79%	No mapped occurrences
Symphyotrichum defoliatum (Aster defoliatus) San Bernardino aster	None	SP	2.2	3,275	1,840	355	1,080	2.0	67%	No mapped occurrences
Wildlife										
Amphibians										
Spea (=Scaphiopus) hammondii Western spadefoot	None	CSC	N/A	3,251	1,847	258	1,146	1.8	65%	0 of 1 mapped occurrence is within habitat conservation
Reptiles										
Aniella pulchra pulchra Silvery legless lizard	None	CSC	N/A	3,025	1,760	192	1,073	1.8	65%	No mapped occurrences
Aspidoscelis tigris stejnegeri Coastal western whiptail	None	SA	N/A	3,323	1,847	315	1,161	1.9	65%	No mapped occurrences
Crotalus ruber ruber Northern red-diamond rattlesnake	None	CSC	N/A	3,435	1,926	338	1,171	1.9	66%	No mapped occurrences
Phrynosoma coronatum blainvillii Coast (San Diego) horned lizard	None	CSC	N/A	3,323	1,847	315	1,161	1.9	65%	9 of 14 mapped occurrences are within habitat conservation
Birds										
Accipiter cooperii (nesting) Cooper's hawk	None	WL	N/A	3,097*	1,760*	224	1,113*	1.8	64%	No mapped occurrences
Aquila chrysaetos Golden eagle	None	WL, CFP	N/A	668*	341*	74	249*	1.7	63%	No mapped occurrences
Almophila ruficeps canescens Southern California rufous-crowned sparrow	None	CSC	N/A	3,164	1,760	262	1,142	1.8	64%	4 of 8 mapped occurrences are within habitat conservation
Amphispiza belli belli Bell's sage sparrow	BCC	CSC	N/A	3,275	1,840	263	1,152	1.8	65%	No mapped occurrences

Table 14
Impacts to Special-Status Species: Mining, Roads, Flood Control, Undesignated/Public Ownership, and Water Conservation Facilities

Species	Status			Total Suitable Habitat on site[1] (Acres)	Impact Type								Total Impacts	Percent of Total Impacts	Occurrence Evaluation
					Roads										
	Fed	State	CNPS		Alabama	Greenspot	Orange	SR 30	Mining Expansion	Flood Control	Undesignated/Public and Semi-Public	Future Water Conservation Facilities**			
Plants															
Calochortus plummerae Plummer's mariposa lily	None	SP	1B.2	2,128	0	4	10	3	457	50	58	95	677	34%	18 of 24 mapped occurrences are within impacted areas
Chorizanthe parryi var. parryi Parry's spineflower	None	SP	3	2,130	0	4	10	3	457	50	58	95	677	34%	5 of 5 mapped occurrences are within impacted areas
Dodecahema leptoceras Slender-horned spineflower	FE	SE	1B.1	2,970	2	4	12	9	476	360	54	85	1,022	36%	12 of 44 mapped occurrences are within impacted areas
Eriastrum densifolium ssp. sanctorum Santa Ana River woolly star	FE	SE	1B.1	2,970	2	4	12	9	476	360	54	85	1,022	36%	310 of 956 mapped occurrences are within impacted areas
Imperata brevifolia California satintail	None	None	2	319	0	0	1	1	0	145	0	2	149	43%	No mapped occurrences
Lepidium virginicum var. robinsonii Robinson's pepper-grass	None	SP	1B.2	2,209	0	4	10	7	457	66	58	95	697	35%	No mapped occurrences
Symphyotrichum defoliatum (Aster defoliatus) San Bernardino aster	None	SP	2	3,165	2	6	12	9	498	360	61	112	1,060	35%	No mapped occurrences
Wildlife															
Amphibians															
Spea (=Scaphiopus) hammondii Western spadefoot	None	CSC	N/A	3,251	2	11	12	11	537	393	64	116	1,146	35%	1 of 1 mapped occurrence is within impacted areas
Reptiles															
Aniella pulchra pulchra Silvery legless lizard	None	CSC	N/A	3,020	2	4	12	11	525	360	54	85	1,073	36%	No mapped occurrences
Aspidoscelis tigris stejnegeri Coastal western whiptail	None	SA	N/A	3,263	2	6	12	11	559	393	64	114	1,161	36%	No mapped occurrences
Crotalus ruber ruber Northern red-diamond rattlesnake	None	CSC	N/A	3,374	2	6	12	11	559	393	64	124	1,171	35%	No mapped occurrences
Phrynosoma coronatum blainvillei Coast (San Diego) horned lizard	None	CSC	N/A	3,263	2	6	12	11	559	393	64	114	1,161	36%	6 of 14 mapped occurrences are within impacted areas
Birds															
Accipiter cooperii (nesting) Cooper's hawk	None	WL	N/A	3,097*	2*	7*	12*	11*	546*	381*	54*	100*	1113*	36%	No mapped occurrences
Aquila chrysaetos Golden eagle	None	WL, CFP	N/A	664*	0	4*	2*	5*	13*	175*	17*	33*	249*	38%	No mapped occurrences
Amphispiza belli cinerea Southern California rufous-crowned sparrow	None	CSC	N/A	3,164	2	11	12	11	546	381	61	118	1,142	36%	5 of 8 mapped occurrences are within

Table 15
Comprehensive Net Change to Vegetation Communities

Vegetation Community	Total Habitat Onsite (Acres)	Developed Land Use Types								Conserved Land Use Types					Overall Gain/Loss[1]	
		Roads			Mining			Water Conservation Potential Development	Total Loss[2]	Habitat Conservation			Water Conservation-Undeveloped Land	Total Gain[3]	Net Acreage[4]	Ratio[5]
		Pre-	Post-	Net Change[2]	Pre-	Post-	Net Change[2]			Pre-	Post-	Net Change[2]				
Chamise Chaparral	111	0	0	0	0	0	0	34	34	0	55	56	22	78	44	2.3
Chamise Chaparral/NNG	67	0	4	4	0	0	0	17	21	0	0	0	38	38	17	1.8
Developed/Ruderal	776	51	60	9	628	636	8	15	32	15	10	-5	33	28	-4	0.9
Nonnative Grassland	159	1	1	0	5	13	8	15	23	34	84	50	30	80	57	3.5
Recharge Basin	257	0	0	0	0	0	0	2	2	5	10	5	4	9	7	4.8
Riversidean Alluvial Fan Sage Scrub – Pioneer (SLHP)	328	6	7	1	0	0	0	2	3	77	223	146	4	150	147	52.5
Riversidean Alluvial Fan Sage Scrub – Intermediate (SLHP)	1,121	7	13	6	109	224	115	35	156	341	596	255	79	334	177	2.1
Riversidean Alluvial Fan Sage Scrub - Intermediate/Mature (SLHP)	1,048	1	9	8	72	285	213	29	251	577	593	16	48	64	-187	0.3
Riversidean Alluvial Fan Sage Scrub – Mature (SLHP)	418	1	2	1	1	15	14	18	32	164	292	128	1	129	97	4.0
Riversidean Alluvial Fan Sage Scrub - Mature/NNG (SLHP)	40	0	0	0	0	0	0	26	26	3	32	29	59	88	61	3.3
Riversidean Upland Sage Scrub	72	0	0	0	17	22	5	15	20	0	0	0	34	34	14	1.7
Total	4,447	67	96	29	832	1,195	363	209	600	1,216	1,896	680	351	1,031	431	1.7

SLHP - State listed high priority

[1] For Roads and Mining, a positive Net Change means an increase in impacts (i.e., Loss); For Habitat Conservation, a positive Net Change means an increase in conservation (i.e., Gain)

[2] Total Loss = Net Change in Roads + Net Change in Mining + Water Conservation - Potential Development (a positive Total Loss means an increase in impacts)

[3] Total Gain = Net Change in Habitat Conservation+ Water Conservation - Undeveloped Land (a positive Total Gain means an increase in conservation)

[4] Overall Gain/Loss Net Acreage = Gain subtracted by Loss (a positive acreage means an increase in conservation; a negative acreage means an increase in impacts)

[5] Overall Gain/Loss Ratio = Gain divided by Loss (a number greater than 1 means the conservation exceeds impacts)

Table 16
Comprehensive Net Change to Special-Status Species

Species	Status			Total Suitable Habitat Onsite[1] (Acres)	Developed Land Use Type							Conserved Land Use Types					Overall Gain/Loss[2]		
					Roads			Mines			Post-Project Water Conservation Potential Development	Habitat Conservation				Post-Project Water Conservation Undeveloped Lands	Total Gain[2]	Net Acreage[3]	Occurrence	Evaluation
	Fed	State	CNPS		Pre-	Post-	Net Change[2]	Pre-	Post-	Net Change[2]		Total Loss[2]	Pre-	Post-	Net Change[2]					
Plants																				
Calochortus plummerae Plummer's mariposa lily	None	SP	1B.2	2,126	4	18	14	140	457	317	144	475	902	1,169	267	213	500	24	1 occurrence in the "Gain", 6 in the "No Change", and 17 in the Water Conservation areas	The project will result in an increase in protection of suitable habitat; most known occurrences are within Water Conservation where impacts are limited to 31% of that area; the proposed habitat conservation will adequately preserve habitat to maintain this species
Chorizanthe parryi var. *parryi* Parry's spineflower	None	SP	3	2,130	4	15	11	140	457	317	144	402	902	1,191	289	213	502	29	1 occurrence in the "Loss", 1 in the "No Change", and 3 in the Water Conservation areas	The project will result in an increase in protection of suitable habitat; most known occurrence are within Water Conservation where impacts are limited to 31% of that area; the proposed habitat conservation will offset habitat losses and preserve adequate habitat to maintain this species.
Chorizanthe leptoceras Aphanisa Slender-horned spineflower	FE	SE	1B.1	2,870	12	27	15	140	476	336	110	468	1,154	1,735	581	188	769	309	There are 7 mapped occurrences that will be impacted; however 37 will not be impacted and 1,760 acres of suitable habitat will be conserved; the proposed habitat conservation will offset habitat losses and preserve adequate habitat to maintain this species.
Eriastrum densifolium ssp. *sanctorum* Santa Ana River woolly-star	FE	SE	1B.1	2,870	12	27	15	140	476	336	110	468	1,154	1,735	581	188	769	309	253 occurrences in the "Gain", 112 in the "Loss", 543 in the "No Change", and 48 in the Water Conservation areas	112 mapped occurrences will be impacted; however, 756 mapped occurrences will not be impacted and the water conservation areas will only impact 31% of the area; the proposed habitat conservation will offset habitat losses and preserve adequate habitat to maintain this species.
Imperata brevifolia California satintail	None	None	2	319	2	3	1	0	0	0	2	3	54	165	111	4	115	112	No mapped occurrences	There will be a net gain of suitable habitat for this species.
Leptosiphon nigrescens var. *ashmunii* Robinson's pepper-grass	None	SP	1B.2	2,209	8	22	14	140	457	317	146	477	926	1,247	321	213	534	55	No mapped occurrences	Overall the project imposes habitat conservation for this species by 155 acres and preserves adequate habitat to maintain this species.
Symphyotrichum defoliatum/*Ruderal defoliatum* San Bernardino aster	None	SP	2	3,165	12	28	16	156	498	342	162	520	1,155	1,769	614	246	860	351	No mapped occurrences	There will be a net gain of suitable habitat for this species which will adequately conserve this species
Wildlife																				
Amphibians																				
Spea (=*Scaphiopus*) *hammondii* Western spadefoot	None	CSC	NA	3,251	16	36	20	187	537	350	143	513	1,195	1,820	625	258	883	370	1 occurrence in the Water Conservation area	Preservation of 69% of the water conservation area offers opportunities to preserve any extant occurrences of this species; overall the project will result in a net gain of suitable habitat species and preserve adequate habitat to maintain this species.

REVISED HAZARDOUS MATERIALS MITIGATION MEASURE

HAZ-3: **Added provision in response to DTSC comment that provides a performance standard in the event that hazardous materials are discovered during implementation of the project. Provision calls for remediation or other mitigation acceptable to the appropriate agency having jurisdiction.**

REVISED BIOLOGICAL MITIGATION MEASURES

BIO-1 & 2: **Minor editorial changes for clarification;**

BIO-6 & 7: **Correction to eliminate locational reference to chamise along Santa River since chamise does not exist at that location**

REVISED TRAFFIC MITIGATION MEASURES

TRAFFIC-1: **Changed text for clarification**

TRAFFIC-2,3,4 & 5: **Timing changed at to allow appropriate timing of condition at request of mining companies; other provisions added at request of City of Highland to include all recommendations from Traffic Study**

TRAFFIC-3: **Changed at request of Highland to incorporate mitigation for on-ramps and use of current construction cost at time of implementation**

ROLES AND RESPONSIBILITIES

SBVWCD: Lead Agency will certify the EIR and adopt the Wash Plan.

Task Force: Advisory body to the District and recommends adoption by the District.

Local and State Members are Responsible Agencies

Cities of Highland and Redlands

County and County Flood Control District

East Valley Water District

CDFG

CERTIFICATION OF AN EIR

Prior to approving a project a Lead Agency shall certify that:

- That the Final EIR has been completed in compliance with CEQA;
- That the Final EIR was presented to the decision-making body of the Lead Agency and considered prior to their action on the project;
- That the Final EIR represents the Lead Agency's independent judgment and analysis.

APPROVAL OF A PROJECT REQUIRING AN EIR

Lead Agencies must: 1) adopt a program for monitoring or reporting on mitigation, and 2) make findings regarding unavoidable significant impacts before approving a project including:

- Declaring that changes or alterations have been incorporated to lessen or avoid the impacts;
- Declaring that changes or alterations are within responsibility of another agency;
- Declaring that specific economic, legal, social, technical, or other considerations make certain mitigation or alternatives infeasible
  - Agency must declare that remaining unavoidable impacts are acceptable based on overriding considerations

SIGNIFICANT UNAVOIDABLE IMPACTS

Of the 16 environmental attributes, all the impacts were either not significant before or became non significant with mitigation, except for 5 attributes.

These attributes had significant, unavoidable impacts even with the number of associated mitigation measures (x).

Aesthetics	View of the mining pits (4)
Air Quality	Diesel emissions from mining vehicles (2)
Minerals	Unused aggregate resources (0)
Traffic	SR-30 Freeway ramps (4)
Biology	Loss of habitat (27)

UPPER SANTA ANA RIVER WASH LAND MANAGEMENT AND HABITAT CONSERVATION PLAN

CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT AND APPROVAL OF THE WASH PLAN

Scheduled for Presentation to the Board of Directors on November 12, 2008

QUESTIONS