

## C.0 FURTHER DISCUSSION OF EXISTING CONDITIONS

This appendix provides further discussions of existing conditions that pertains to this DEIS/SEIR.

### C.1 AIR QUALITY

#### C.1.1 CRITERIA POLLUTANTS

The following is a further discussion of the criteria pollutants as well as PM<sub>2.5</sub> and volatile organic compounds.

##### **Carbon Monoxide (CO)**

CO is an odorless, colorless toxic gas that is emitted by mobile and stationary sources as a result of incomplete combustion of hydrocarbons or other carbon-based fuels. In cities, automobile exhaust can cause as much as 95 percent of all CO emissions. CO replaces oxygen in the body's red blood cells. Individuals with a deficient blood supply to the heart, patients with diseases involving heart and blood vessels, fetuses (unborn babies), and patients with chronic hypoxemia (oxygen deficiency) as seen in high altitudes are most susceptible to the adverse effects of CO exposure. People with heart disease are also more susceptible to developing chest pains when exposed to low levels of carbon monoxide. Exposure to high levels of carbon monoxide can slow reflexes and cause drowsiness, and result in death in confined spaces at very high concentrations.

##### **Ozone (O<sub>3</sub>)**

Ozone occurs in two layers of the atmosphere. The layer surrounding the earth's surface is the troposphere. The troposphere extends approximately 10 miles above ground level, where it meets the second layer, the stratosphere. The stratospheric (the "good" ozone layer) extends upward from about 10 to 30 miles and protects life on earth from the sun's harmful ultraviolet rays.

"Bad" ozone is a photochemical pollutant, and needs volatile organic compounds (VOCs), nitrogen oxides (NO<sub>x</sub>), and sunlight to form; therefore, VOCs and NO<sub>x</sub> are ozone precursors. To reduce ozone concentrations, it is necessary to control the emissions of these ozone precursors. Significant ozone formation generally requires an adequate amount of precursors in the atmosphere and a period of several hours in a stable atmosphere with strong sunlight. High ozone concentrations can form over large regions when emissions from motor vehicles and stationary sources are carried hundreds of miles from their origins.

While ozone in the upper atmosphere (stratosphere) protects the earth from harmful ultraviolet radiation, high concentrations of ground-level ozone (in the troposphere) can adversely affect the human respiratory system and other tissues. Ozone is a strong irritant that can constrict the airways, forcing the respiratory system to work hard to deliver oxygen. Individuals exercising outdoors, children,

and people with pre-existing lung disease such as asthma and chronic pulmonary lung disease are considered to be the most susceptible to the health effects of ozone. Short-term exposure (lasting for a few hours) to ozone at levels typically observed in Southern California can result in aggravated respiratory diseases such as emphysema, bronchitis and asthma, shortness of breath, increased susceptibility to infections, inflammation of the lung tissue, increased fatigue, as well as chest pain, dry throat, headache, and nausea.

### **Nitrogen Dioxide (NO<sub>2</sub>)**

Nitrogen oxides (NO<sub>x</sub>) are a family of highly reactive gases that are a primary precursor to the formation of ground-level ozone, and react in the atmosphere to form acid rain. NO<sub>2</sub> (often used interchangeably with NO<sub>x</sub>) is a reddish-brown gas that can cause breathing difficulties at high levels. Peak readings of NO<sub>2</sub> occur in areas that have a high concentration of combustion sources (e.g., motor vehicle engines, power plants, refineries, and other industrial operations).

NO<sub>2</sub> can irritate and damage the lungs, and lower resistance to respiratory infections such as influenza. The health effects of short-term exposure are still unclear. However, continued or frequent exposure to NO<sub>2</sub> concentrations that are typically much higher than those normally found in the ambient air may increase acute respiratory illnesses in children and increase the incidence of chronic bronchitis and lung irritation. Chronic exposure to NO<sub>2</sub> may aggravate eyes and mucus membranes and cause pulmonary dysfunction.

### **Coarse Particulate Matter (PM<sub>10</sub>)**

PM<sub>10</sub> refers to suspended particulate matter, which is smaller than 10 microns or ten one-millionths of a meter. PM<sub>10</sub> arises from sources such as road dust, diesel soot, combustion products, construction operations, and dust storms. PM<sub>10</sub> scatters light and significantly reduces visibility. In addition, these particulates penetrate into lungs and can potentially damage the respiratory tract. On June 19, 2003, the California Air Resources Board (CARB) adopted amendments to the statewide 24-hour particulate matter standards based upon requirements set forth in the Children's Environmental Health Protection Act (Senate Bill 25).

### **Fine Particulate Matter (PM<sub>2.5</sub>)**

Due to recent increased concerns over health impacts related to fine particulate matter (particulate matter 2.5 microns in diameter or less), both State and Federal PM<sub>2.5</sub> standards have been created. Particulate matter impacts primarily affect infants, children, the elderly, and those with pre-existing cardiopulmonary disease. In 1997, the U.S. Environmental Protection Agency (EPA) announced new PM<sub>2.5</sub> standards. Industry groups challenged the new standard in court and the implementation of the standard was blocked. However, upon appeal by the EPA, the United States Supreme Court reversed this decision and upheld the EPA's new standards.

On January 5, 2005, the EPA published a Final Rule in the Federal Register that designates the Basin as a nonattainment area for Federal PM<sub>2.5</sub> standards. On June 20, 2002, CARB adopted amendments for statewide annual ambient particulate matter air quality standards. These standards were

revised/established due to increasing concerns by CARB that previous standards were inadequate, as almost everyone in California is exposed to levels at or above the current State standards during some parts of the year, and the statewide potential for significant health impacts associated with particulate matter exposure was determined to be large and wide-ranging.

### **Sulfur Dioxide (SO<sub>2</sub>)**

SO<sub>2</sub> is a colorless, irritating gas with a rotten egg smell; it is formed primarily by the combustion of sulfur-containing fossil fuels. Sulfur dioxide is often used interchangeably with SO<sub>x</sub> and lead (Pb). Exposure of a few minutes to low levels of SO<sub>2</sub> can result in airway constriction in some asthmatics.

### **Lead (Pb)**

Lead is found in old paints and coatings, plumbing, and a variety of other materials. Once in the blood stream, lead can cause damage to the brain, nervous system, and other body systems. Children are highly susceptible to the effects of lead.

### **Reactive Organic Gases/Volatile Organic Compounds (ROG/VOC)**

It should be noted that there are no state or federal ambient air quality standards for VOCs because they are not classified as criteria pollutants. VOCs are regulated; however, a reduction in VOC emissions reduces certain chemical reactions, which contribute to the formation of ozone. VOCs are also transformed into organic aerosols in the atmosphere, contributing to higher PM<sub>10</sub> and lower visibility levels. Although health-based standards have not been established for VOCs, health effects can occur from exposures to high concentrations of VOC because of interference with oxygen uptake. In general, ambient VOC concentrations in the atmosphere, even at low concentrations, are suspected to cause coughing, sneezing, headaches, weakness, laryngitis, and bronchitis. Some hydrocarbon components classified as VOC emissions are thought or known to be hazardous. Benzene, for example, is a hydrocarbon component of VOC emissions that is known to be a human carcinogen.

## **C.1.2 STANDARD REGULATIONS AND RULES TO REDUCE FUGITIVE DUST**

SCAQMD Rule 403 requires that fugitive dust be controlled with best-available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emissions source. Applicable dust-suppression techniques from Rule 403 and Rule 1157 are summarized below:

- Apply non-toxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously disturbed areas inactive for 10 days or more).
- Water active sites at least twice daily. (Locations where mining is to occur would be thoroughly watered prior to earthmoving.)
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least six inches of freeboard in accordance with the requirements of California Vehicle Code

(CVC) Section 23114 (freeboard is vertical space between the top of the load and top of the trailer).

- Pave mining access roads at least 100 feet onto the site from main road.
- Traffic speeds on all unpaved roads shall be reduced to 15 mph or less.

Under the direction of AQMD, the quarry operators, the Conservation District and SBCFCD shall continue to comply with SCAQMD Rule 402, which requires implementation of dust-suppression techniques to prevent fugitive dust from creating a nuisance off site. Applicable dust-suppression measures may include the following:

- Re-vegetate disturbed areas as quickly as possible.
- All excavating and mining operations shall be suspended when wind speeds (as instantaneous gusts) exceed 25 mph.
- All paved streets shall be swept once per day if visible soil materials are carried to adjacent streets (recommend water sweepers with reclaimed water).
- Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash trucks and any equipment leaving the site each trip.

All on-site roads shall be paved as soon as feasible, watered periodically or chemically stabilized.

### **C.1.3 SCREEN3 PLUME MODELING SOFTWARE**

The modeling provides conservative estimates of concentrations considering site and source geometry, source strength, distance to receptor, and building wake effects on plume distribution. The SCREEN3 model was developed to provide an easy-to-use method of obtaining pollutant concentration estimates where upper-bound estimates are required or where meteorological data is unavailable. It is a useful tool in proving that an impact is not significant (i.e., if a screening-level analysis demonstrates an impact not significant, its conservative nature provides confidence in this conclusion). Screening-level modeling is less useful in concluding that an impact is significant. When a screening-level analysis indicates a significant impact, this conclusion normally points to the need for a more sophisticated (and less conservative) method of analysis using a model such as ISCST3.

## **C.2 GEOLOGIC RESOURCES**

As outlined in the HCP, the Plan Area is located in the broad fluvial plain formed by the deposition of the Santa Ana River, Mill Creek, and City Creek as they flow southwest from the San Bernardino Mountains. Several fault-bounded structural blocks saddle the general vicinity of the Plan Area. The down-dropped San Bernardino Valley block underlies the Plan Area and represents a buried rift between the San Andreas Fault to the northeast, and the San Jacinto Fault to the southwest. As the block subsided, alluvium derived from the San Bernardino Mountains filled the resulting depression, causing a maximum alluvial thickness of 600 to 1,200 feet east of the San Bernardino International Airport. It is this alluvium

that is mined throughout the Plan Area. The alluvial deposit is of the Quaternary Age and consists of igneous and metamorphic clasts whose rocks are found in the mountains and at Crafton Hills. The class sizes vary from that of fine size to boulders. All materials within the Plan Area are classified in the Soboba Series, specifically Soboba stony loamy sand.

The Plan Area is subject to ground shaking from earthquakes but is not located within an Alquist-Priolo special studies zone. The area is gently sloping (3–6% slope) and is not subject to landslide hazards. Depth to groundwater fluctuates with season and groundwater recharge activities. The area is subject to liquefaction though this is not considered hazardous for mining, reclamation, recharge, and flood control activities.

The Santa Ana River extends the length of the Plan Area; two tributaries to the Santa Ana River also occur within the Plan Area: Plunge Creek in the north and Mill Creek in the southeast. Soils within the Plan Area are mapped as Soboba stony loamy sand, 2 to 9% slopes; Psamments and Fluvents, frequently flooded; and Hanford coarse sandy loam, 2 to 9% slopes. Soils in and along the channels of the Mill Creek, the Santa Ana River, Plunge Creek, and an old channel between Plunge Creek and the Santa Ana River (roughly 15% of the Plan Area) are mapped as Fluvents and Psamments. These are recent soils with little or no evidence of horizon development. Fluvents are formed by recent water-deposited sediments in floodplains, fans, and stream or river deltas and consist of layers of various soil textures. Psamments formed on terraces or outwash plains and contain well sorted, freely draining soils that always contain sand, fine sand, loamy sand, or coarse sand in subsoils between 10 and 40 inches in depth.

Most of the Plan Area consists of Soboba stony loamy sand. This soil forms on alluvial fans in granitic alluvium and typically contains stony loamy sand, very stony loamy sand, and very stony sand to a depth of approximately 60 inches. Included within this soil are areas of Tujunga gravelly loamy sand. A small area of Hanford coarse sandy loam occurs in the northeastern part of the Plan Area. This is a well-drained soil formed in recent granitic alluvium on valley floors and alluvial fans that contains sandy loam to a depth of about 60 inches.

Fluvial process is the physical interaction of flowing water and the natural channels of rivers and streams. Over much of the world the erosion of landscape, including the reduction of mountains and the building of plains, is brought about by the flow of water. As rain falls and collects in watercourses, the process of erosion not only degrades the land, but the products of erosion themselves become the tools with which the rivers carve the valleys in which they flow. Sediment materials eroded from one location are transported and deposited in another, only to be eroded and redeposited time and again before reaching the ocean. At successive locations, the river plain and the river channel itself are products of the interaction of a water channel's flow with the sediment brought down from the drainage basin above.<sup>1</sup>

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<sup>1</sup> <https://www.britannica.com/science/fluvial-process>

The three phases of RAFSS (pioneer, intermediate, and mature) appear to correlate with factors indicative of fluvial disturbance such as time since last flood with significant overbank flows, elevation and distance from the main river channel, and substrate features such as texture and moisture. Under natural conditions, flood waters periodically overtop or “break out” of alluvial river channels in unpredictable spatial and temporal scouring vegetation and transporting and depositing sands. This fluvial process contributes to a braided mosaic of pioneer, intermediate, and mature associations of RAFSS on the floodplain.<sup>2</sup>

As outlined in the USFWS’ 2002 Biological Opinion for the operation of Seven Oaks Dam, the dam is one major component of the greater Santa Ana River Mainstem Project undertaken by USACE to address flood control on the Santa Ana River. The dam is intended to be operated for flood control purposes by temporarily retaining water and attenuating peak flows until the downstream flood threat has passed. The hydrologic effect of Seven Oaks Dam is to reduce peak flood flows downstream to Prado Dam, which controls floods downstream Pacific Ocean. Construction of the Dam began in March 1994 and the dam became operable in December 1999.

If the dam was operated in the long term for flood control in the absence of the additional conservation measures, a decline in the quality and quantity of suitable habitat for SBKR, woolly-star and spineflower would be anticipated. Such a decline would result from a reduction in the frequency, magnitude, and extent of flood events due to the operation of the dam. These flood events would normally serve to rejuvenate intermediate and late succession alluvial sage scrub; however, the presence of the dam and its operations will prevent flood flows from reaching at least approximately 15 percent of alluvial scrub habitats on the Santa Ana Wash area. The dam will trap sediment and release water that is relatively free of sand and gravel, thus reducing the amount and quality of sediment that is also necessary for fluvial processes. Therefore, in the absence of additional conservation measures over the life of the dam, that succession of habitat would have an adverse effect on SBKR, woolly-star, and spineflower by precluding flood and scour processes necessary for rejuvenation of their habitats. In addition to operation for flood control, it is anticipated that water releases will be made to maintain and enhance habitat for listed species under a finalized Multi-Species Habitat Management Plan (MSHMP) for listed species as outlined in the Biological Assessment. It is anticipated that the water used for controlled releases, for both experimental treatments and management measures, would come from flood flows stored. The objective would be to mimic historic conditions without compromising public safety or dam integrity.

As the fluvial process is a part of the life history needs for three of the Covered Species, SBKR, woolly-star, and spineflower, retaining or replicating the natural fluvial process in the Plan Area is critical to conservation.

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<sup>2</sup> USDOJ, Fish and Wildlife Service, Biological Opinion for the Operations of Seven Oaks Dam by US Army Corps of Engineers, December 19, 2002.

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## C.3 HYDROLOGY

### C.3.1 REQUIREMENTS OF A STORMWATER POLLUTION PREVENTION PLAN

Required elements of a SWPPP include the following:

- Site description addressing the elements and characteristics specific to the site;
- Descriptions of BMPs for erosion and sediment controls;
- BMPs for waste handling and disposal;
- Implementation of approved local plans;
- Proposed post-construction control requirements; and
- Non-stormwater management.

Activities, such as material handling and storage, equipment maintenance and cleaning, industrial processing or other operations that occur at industrial facilities are often exposed to stormwater. The runoff from these areas may discharge pollutants directly into nearby water bodies or indirectly via storm sewer systems, thereby degrading water quality. The US EPA developed permitting regulations under the NPDES to control stormwater discharges associated with eleven categories or sectors of industrial activity. One of the sectors includes glass, clay, cement, concrete, and gypsum product manufacturing facilities.

Common requirements for coverage under an industrial stormwater permit include development of a written SWPPP, implementation of control measures, and submittal of a request for permit coverage, usually referred to as the Notice of Intent (NOI). The SWPPP is a written assessment of potential sources of pollutants in stormwater runoff and control measures that would be implemented at the facility to minimize the discharge of these pollutants in runoff from the site. These control measures include site-specific BMPs, maintenance plans, inspections, employee training, and reporting. The procedures detailed in the SWPPP must be implemented by the facility and updated as necessary, with a copy of the SWPPP kept on-site. The State Water Resources Control Board and the Regional Water Quality Control Boards implement and enforce the Industrial General Permit. The industrial stormwater permit also requires collection of visual, analytical, and/or compliance monitoring data to determine the effectiveness of implemented BMPs. BMPs must be selected and implemented to address the following:

- Good Housekeeping Practices,
- Minimizing Exposure,
- Erosion and Sediment Control, and
- Management of Runoff.

The following types of industrial stormwater monitoring requirements are typically included industrial general permits:

- **Visual Assessments of Discharges.** Permittees are required to regularly and frequently take a grab sample during a rain event and assess key visual indicators of stormwater pollution – color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other qualitative markers of pollution. The findings of these assessments are used to trigger further facility inspections and corrective actions to modify problems found at the site.
- **Indicator or Benchmark Sampling.** Stormwater samples are collected from a site’s discharge points (or outfalls) for laboratory analysis and the results are compared with benchmark pollutant concentrations as an indicator of the performance of stormwater control measures.
- **Compliance Sampling.** Where a facility is subject to one of the Federal effluent limitation guidelines addressing limits on stormwater runoff, sampling is required to determine compliance with those limits. Typically, permits require corrective action and further sampling when an effluent limitation is exceeded. An exceedance of an applicable effluent limitation guideline constitutes a violation of the permit.
- **Monitoring Requirements for Discharges to Impaired Waters.** General industrial permits may have special monitoring requirements for facilities that discharge pollutants of concern into impaired waters.

### C.3.2 INTEGRATED REGIONAL WATER MANAGEMENT PLAN (IRWMP)

The Upper Santa Ana River Watershed (USARW) has a long-standing history of collaboration by water resources management agencies to manage the watershed’s unique water supply, water quality, flood, and habitat challenges. In 2005, this collaboration allowed the agencies to successfully form the USARW Integrated Regional Water Management Region (Region) and develop an integrated plan for managing water resources in the Region. The IRWMP is a result of that effort. The 2015 IRWMP serves as an update to the IRWMP developed in 2007, and incorporates new information describing the Region updates goals and objectives, re-evaluates strategies, and develops a process for future implementation of the IRWMP.

Water supply management in the Region dates back to the 1800s when predecessors of today’s water agencies were constructing ditches to deliver water. Management now consists of dozens of water supply agencies that deliver water to this rapidly growing region. These water suppliers also face institutional complexities and must account for the hydrological variation that occurs in both local and imported water supplies. The IRWMP Region’s water suppliers plan to meet demand through a combination of imported water, groundwater, local surface water, recycled water, and water use efficiency programs. By 2035, demand in the Region is projected to increase by over 100,000 acre-feet per year (AFY) and will require the continued development of diverse water supply portfolio to overcome various challenges and uncertainties. The IRWMP Region is highly dependent on its local water supplies, particularly precipitation stored as groundwater, which provides approximately 67% of

supplies during average years and over 70% of supplies during drought years. The Region plans to store as much water as possible in the groundwater basins during wet years and then to pump this water from groundwater storage during drought years (i.e. conjunctive use).

The primary purpose of the IRWMP is to encourage integrated planning among the agencies in the IRWMP Region. In particular, the need to improve water supply reliability by implementing local supply projects is recognized as a priority given that imported water is increasingly viewed as a less reliable supply and considering that water purveyors within the Region rely on imported water to meet between 13% and 16% of their demands. As the IRWMP Region continues to implement the strategies in the IRWMP, it will be better positioned during drought periods. In addition, the IRWMP Region is dedicated to protecting its groundwater basins from water quality degradation and threat of liquefaction, where applicable, as well as maintaining its natural and recreational water resources.

The water budget for the IRWMP compares the supply and demand for the IRWMP Region. The IRWMP water budget relies primarily on the 2010 Urban Water Management Plans for each water supplier within the IRWMP Region. Chapter 3.3, *Water Supplies*, of the IRWMP provides a description of each water supply within the IRWMP Region, the projected demands for each supply, and an estimate of the available water supply based on data presented in Urban Water Management Plans (UWMPs) and the Western-San Bernardino Watermaster report. The SBBA was adjudicated by the Western Judgment in 1969. The judgment established the natural safe yield of the SBBA to be a total of 232,100 AFY for surface water diversions and groundwater extractions. Surface water is diverted from Mill Creek, Lytle Creek, and the Santa Ana River. The average surface diversions in the SBBA for direct use from 1968 to 2000 were 39,000 AFY. It was determined in the Western Judgment that the Plaintiffs have a 64,862 AFY share of the safe yield, which equates to 27.95% of the safe yield. The Plaintiffs include the City of Riverside (the successor to the Riverside Water Company and the Gage Canal Company), Riverside Highland Water Company, Meeks & Daley Water Company, and Regents of the University of California.

The Non-Plaintiffs' (agencies within San Bernardino County) rights are 167,238 AFY, which equates to 72.05% of the safe yield. If the Non-Plaintiff extractions exceed the safe yield of the SBBA, the Conservation District is obligated to import and recharge a like amount of water into the SBBA. The Western-San Bernardino Watermaster produces an annual report calculating the total extractions and comparing it to the safe yield. If the total extractions are less than the safe yield, there is a groundwater "credit" in the basin. If the total extractions are more than the safe yield, there is a replenishment obligation. According to the 2012 Annual Western-San Bernardino Watermaster Report, the District has 114,369 AFY of credit accumulated in the SBBA through 2011.

To meet future demands in the IRWMP Region, groundwater modeling results indicate that the Conservation District will need to import an average of about 62,000 AFY. During wet years, over 37,000 AFY of water would be stored. In dry years, 50,000 AFY would be pumped from storage, thereby reducing the Conservation District service area's dry year need from the State Water Project to 12,000 AFY. The 2011 State Water Project Final Delivery Reliability Report predicts that the State Water Project (SWP) may deliver as little as 11% of its maximum delivery capacity during a future drought; most

recently, this amount was reduced to 5% during the 2014 drought. The Conservation District's ultimate direct delivery need is about 30%, leaving 18% or 19,000 AFY deficit in dry years. A storage program is currently being developed (the proposed Water Conservation Activities evaluated as part of this DEIS/SEIR) that would store enough water upstream of the Conservation District's service area to make up for this deficit during dry years. The SBBA is forecasted to supply over 50% of the future water demand within the Region. Computer models were used to help determine whether the available surface water (local surface water and imported water) and groundwater supplies would meet ultimate demands (in 2035). Based on modeling results, and assuming that the SWP is as reliable as the Department of Water Resources estimated in 2011 (60%), the SBBA storage can be maintained to meet the 2035 demands.

## C.4 BIOLOGICAL RESOURCES

The following provides additional detailed information on the Biological Resources within the plan area that pertain to this DEIS/SEIR.

### C.4.1 VEGETATION COMMUNITIES

#### C.4.1.1 Riversidean Alluvial Fan Sage Scrub (RAFSS)

RAFSS is a shrubland type that occurs in washes and on gently sloping alluvial fans. Alluvial scrub is made up predominantly of drought-deciduous soft-leaved shrubs, but with significant cover of larger perennial species typically found in chaparral. Scalebroom generally is regarded as an indicator of Riversidean alluvial scrub.

The Holland (1986)<sup>3</sup> classification system describes three sub-classifications of RAFSS: pioneer; intermediate; and mature, with their distribution typically based on differences in flooding frequency and intensity. The majority of vegetation within the Plan Area is RAFSS habitat (3,196 acres) of the naturally occurring vegetation and includes all three sub-classifications.

##### **Pioneer Riversidean Alluvial Fan Sage Scrub (RAFSS)**

The most frequently flooded areas tend to be located adjacent to the active creek channel and are where early successional (or pioneer) plant species tend to establish and dominate the landscape. Vegetation tends to be sparse and of low species diversity and stature. In the Santa Ana River, the pioneer stage of RAFSS was indicated by the presence of scale broom (*Lepidospartum squamatum*) and/or golden aster (*Heterotheca sessiliflora*) and where soils are characterized by high sand and low organic and clay content. Other plant species found in the pioneer stage include brittlebush (*Encelia farinosa*), Santa Ana River woolly star, sweet bush (*Bebbia juncea*), and California croton (*Croton californicus*). The three representative plant species of the pioneer phase are scale broom, California buckwheat (*Eriogonum fasciculatum*), and mulefat (*Baccharis salicifolia*). Total vegetative cover in a

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<sup>3</sup> Holland, R. 1986. A Description of the Terrestrial Natural Communities of California. California Department of Fish and Game, October.

pioneer phase ranges from 1-48% and lasts approximately 30-40 years after flooding. There are 470.9 acres of pioneer vegetation within the Wash Plan HCP Area.

#### **Intermediate Riversidean Alluvial Fan Sage Scrub (RAFSS)**

Areas at mid-elevated locations above the active floodplain (or terraces) tend to be much less frequently flooded and support mid-successional (or intermediate) plant species. Vegetation can be rather dense and is composed mainly of subshrubs. In the Santa Ana River the intermediate stage of RAFSS are indicated by the presence of senecio (*Senecio flaccidus var. douglasii*) and white sage (*Salvia apiana*). Other plant species found in the intermediate stage are pine-bush (*Ericameria pinifolia*), matchweed (*Gutierrezia californica*), deerweed (*Lotus scoparius*), California juniper (*Juniperus californica*), and yucca (*Yucca whipplei*), as well as cryptogamic soil crusts<sup>4</sup>. The three representative plant species of the intermediate phase are California buckwheat, yerba santa (*Eriodictyon trichocalyx*), and grassland goldenbush (*Ericameria palmeri*). The Service also lists valley cholla (*Cylindropuntia californica*) and coastal prickly pear (*Opuntia littoralis*) in the intermediate phase. Total vegetative cover in an intermediate phase ranges from 49-65% and lasts approximately 40-70 years after flooding. Some areas of the Plan Area where intermediate and mature intergrade have been classified as intermediate/mature RAFSS. There are 2,129.7 acres of intermediate RAFSS habitat and 1,057.8 acres of intermediate/mature RAFSS in the Plan Area.

#### **Mature Riversidean Alluvial Fan Sage Scrub (RAFSS)**

The highest elevated terraces are where flooding only occurs during extreme and rare events and support late-successional (or mature) plant species. Vegetation is dense and is composed of fully developed subshrubs and woody shrubs. In the Santa Ana River the mature stage of RAFSS was indicated by the presence of California sagebrush, prickly pear (*Opuntia parryi*), and wire lettuce (*Stephanomeria pauciflora*). Other plant species found in the mature stage were yerba santa (*Eriodictyon angustifolium*), chamise (*Adenostoma fasciculatum*), deerweed, and California juniper. Four representative plant species of the mature phase are chamise, California buckwheat, yerba santa, and grassland goldenbush. The Service also lists sugar bush (*Rhus ovata*), holly-leaved cherry (*Prunus ilicifolia*) are representative of the mature phase. Total vegetative cover in mature phase ranges from 66-88% and lasts approximately 70+ years after flooding. Some areas of the Plan Area where non-native grasses predominate in the understory have been classified as mature RAFSS/non-native grassland. There are 428.6 acres of mature RAFSS habitat and 109.2 acres of mature/non-native grassland RAFSS within the Plan Area.

#### **C.4.1.2 Riversidean Upland Sage Scrub (RSS)**

Riversidean sage scrub is dominated by a characteristic suite of low-statured, aromatic, drought-deciduous shrubs and subshrub species. It is a more xeric expression of coastal sage scrub, occurring further inland in drier areas where moisture and climate are not moderated by proximity to the marine

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<sup>4</sup> Cryptogamic soil crusts, also known as biological soil crusts, are communities of living organisms on the soil surface in arid and semi-arid ecosystems. They perform important ecological roles including soil stabilization.

environment. RSS typically occurs on steep slopes, severely drained soils or clays that are slow to release stored soil moisture.

Species composition varies substantially depending on physical circumstances and the successional status of the habitat; however, characteristic species include California sagebrush, buckwheat, laurel sumac, California encelia, and several species of sage. Other common species include brittlebush, sugarbush, yellow bush penstemon, Mexican elderberry, sweetbush, boxthorn, coastal prickly-pear, coastal cholla, tall prickly-pear, and species of dudleya.

Onsite, Riversidean sage scrub includes brittlebush, deerweed, spiny redberry, California sagebrush, California buckwheat, white sage, and yerba santa (*Eriodictyon crassifolium*). Physical characteristics include gravely, sandy and/or silty soil with few cobbles. Within the Plan Area, RSS occurs on cut slopes that have been re-vegetated where no alluvial processes are present. There are only 9.4 acres of RSS habitat within the Plan Area.

#### **C.4.1.3 Chamise Chaparral**

Chamise chaparral occurs throughout much of the range of chaparral in California up to approximately 6,000 feet in elevation. This vegetation is found on all slope-aspects generally on shallow soils and is dominated by chamise. Vegetation structure is open to dense from approximately 3 to 13 feet in height, with little litter and few understory species in mature stands. On site this vegetation type is dominated by chamise but also includes yerba santa, California buckwheat, sugar bush, and yucca with an understory of non-native brome grasses and gracile buckwheat. Within the Plan Area chamise chaparral occurs on the north, on either side of the Metropolitan Water District pipeline easement. There are 108.2 acres of chamise chaparral in the Plan Area.

#### **C.4.1.4 Willow Thickets**

The active aggregate mining operation has sedimentation basins that are used to receive excess water from processing the aggregate. On the boundaries of these active sedimentation basins, willow thickets have formed. Although not all willow species were systematically identified within this plant community, expected species include black willow (*Salix gooddingii*), sandbar willow (*Salix exigua*), and arroyo willow (*Salix lasiolepis*), as well as a secondary species such as mulefat (*Baccharis salicifolia*) and cottonwood (*Populus fremontii*). There are 11.3 acres of willow thickets in the Plan Area.

#### **C.4.1.5 Mulefat Scrub**

There are several areas near the Plunge Creek and City Creek confluence where mulefat is the predominant plant species, and these have been classified as mulefat scrub (or mulefat thickets). Other much less dominant species observed within these areas includes black willow, pepperweed (*Lepidium latifolium*), and California sagebrush. There are 1.4 acres of mule fat habitat within the Plan Area.

#### C.4.1.6 Aquatic Vegetation

The active aggregate mining operation has sedimentation basins that are used to receive excess water from processing the aggregate. Within the central portion of these active sedimentation basins, aquatic vegetation was observed to be dominated by cattail (*Typha* species). This community was not closely inspected so secondary species were not identified. There is 0.2 acre of aquatic vegetation in the Plan Area.

#### C.4.1.7 Non-Native Grassland

Disturbance by maintenance (e.g., mowing, scraping, spraying), grazing, repetitive fire, agriculture, or other mechanical disruption may alter soils and remove native seed sources from areas formerly supporting native habitat. Within the Plan Area, non-native grassland consists of a sparse to dense cover of annual grasses (*Bromus* spp.) as well as native and non-native annual forb species. Fountain grass (*Pennisetum setaceum*) is a perennial grass that is not native to California and the California Invasive Plant Council classifies its potential impact on native ecosystems as moderate.<sup>5</sup> Tocalote, also known as Maltese or Napa star thistle (*Centaurea melitensis*), is an annual herb that is not native to California.<sup>6</sup> Physical characteristics include clay soils or fine-textured loamy soils. There are 156.3 acres of non-native grassland habitat within the Plan Area.

#### C.4.1.8 Perennial Pepper Weed

One area dominated by perennial pepperweed (*Lepidium latifolium*), an invasive species, has been identified in the northwestern portion of the Plan Area. There is an intermittent to continuous cover of perennial pepperweed, as well other non-native species such as mustards (*Brassica* spp.) and wild radish (*Raphanus* species). Also present are emergent trees and shrubs that occur at a low cover, such as occasional Goodding's black willow (*Salix gooddingii*) and mulefat (*Baccharis salicifolia*). This community has established at this location due to levees that have created a hydrology pattern that constricts Plunge Creek as it enters City Creek and allows for seasonal flooding. There are 21.1 acres of perennial pepper weed in the Plan Area.

#### C.4.1.9 Tamarisk Thickets

The aggregate mining areas have inactive sedimentation basins that were formerly used to receive excess water from processing the aggregate. These areas may have minimal to no current artificial water inputs. Where there are still some minimal water input remains, the areas are dominated by fairly large and lush tamarisk (*Tamarix ramosissima*), with interspersed Fremont's cottonwood. Other sediment basins where there are no current artificial water inputs consist of more open sandy areas that are sparsely vegetated by tamarisk, and have a large component of dead and dying wood from the tree

<sup>5</sup> [https://www.calflora.org/cgi-bin/species\\_query.cgi?where-calrecnum=6133](https://www.calflora.org/cgi-bin/species_query.cgi?where-calrecnum=6133)

<sup>6</sup> [https://www.calflora.org/cgi-bin/species\\_query.cgi?where-calrecnum=1851](https://www.calflora.org/cgi-bin/species_query.cgi?where-calrecnum=1851)

species that occupied this area when the sediment basin was active. There are 30.0 acres of tamarisk thickets in the Plan Area.

## **C.4.2 OTHER LAND COVER TYPES**

### **C.4.2.1 Recharge Basins**

The recharge basins were constructed onsite by the Conservation District. These basins contain standing water intermittently during the year. When dry, they can be characterized as similar to developed/disturbed habitat described below. Recharge basins account for 68.9 acres of the Plan Area.

### **C.4.2.2 Active Sediment Basins**

The active aggregate mining operation has sediment basins that are used to receive excess water from processing aggregate. The open water and bare ground (including silt/mud flat) areas of these basins have been classified as active sediment basin land cover type. It is expected that there would be a large amount of year-to-year variation in this area depending on season and the overall activity level of the mining operation and water input. Furthermore, once the artificial water source is removed, the land cover type would be expected to convert fairly rapidly to ruderal, pioneering vegetation. Active sediment basins account for 2.9 acres of the Plan Area.

### **C.4.2.3 Disturbed/Developed**

Developed land refers primarily to existing mining pits, paved roads, facilities, and other similar areas throughout the Plan Area. However, developed land also includes previously graded areas, (e.g., existing mining, landscaped areas and areas actively maintained or utilized in association with existing developments). Disturbed /developed lands account for 1,286.4 acres of the Plan Area.

## **C.4.3 NON COVERED SENSITIVE SPECIES**

The following tables include information on non-covered species determined to occur or have the potential to occur within the Plan Area.

**Table C.4.3-1. Non-Covered Sensitive Plant Species Present or with Potential to Occur in the Plan Area and Avoidance and Mitigation Measures**

Scientific Name Common Name	Status Designation	Potential to Occur	Avoidance and Mitigation Measures
<i>Berberis nevinii</i> Nevin's barberry	USFWS: FE CDFW: FE CRPR: List 1B.1	Low	Prior to Covered Activities/Proposed Projects which will result in ground disturbance, preconstruction surveys will be conducted by a qualified biologist using the Bureau of Land Management's Survey Protocols. In the event of the species being found, plants will be relocated to appropriate receptor sites located on the HCP Preserve at the direction of the Preserve Manager.
<i>Calochortus plummerae</i> Plummer's mariposa-lily	USFWS: None CDFW: None CRPR: List 4.2	Present	Prior to Covered Activities/Proposed Projects which will result in ground disturbance, preconstruction surveys will be conducted by a qualified biologist using the Bureau of Land Management's Survey Protocols. In the event of the species being found, plants will be relocated to appropriate receptor sites located on the HCP Preserve at the direction of the Preserve Manager. The plant's corm and cormlets can be unearthed, bagged up, and relocated to a site with similar soils where non-native annual grass control has been completed, or where they are absent.
<i>Chorizanthe parryi</i> var. <i>parryi</i> Parry's spineflower	USFWS: None CDFW: None CRPR: List 1B.1 BLM: S	Present	Prior to Covered Activities/Proposed Projects which will result in ground disturbance, preconstruction surveys will be conducted by a qualified biologist using the Bureau of Land Management's Survey Protocols. In the event of the species being found, seed will be collected and planted in appropriate receptor sites located on the HCP Preserve at the direction of the Preserve Manager. If seed is not immediately planted after collection, it will be cleaned and stored in cool dry conditions. Seeds will be planted with preferred habitat where non-native annual grass control has been completed or where they are absent. Weeds should be removed prior to planting. Seeds will be raked into substrate.
<i>Imperata brevifolia</i> California satintail	USFWS: None CDFW: None CRPR: List 2B.1	Low	Prior to Covered Activities/Proposed Projects which will result in ground disturbance, preconstruction surveys will be conducted by a qualified biologist using the Bureau of Land Management's Survey Protocols. In the event of the species being found, seed will be collected and planted in appropriate receptor sites located on the HCP Preserve at the direction of the Preserve Manager. If seed is not immediately planted after collection, it will be cleaned and stored in cool dry conditions. Seeds will be planted with preferred habitat. Weeds should be removed prior to planting. Seeds will be raked into substrate.
<i>Lepidium virginicum</i> var. <i>robinsonii</i> Robinson's pepper-grass	USFWS: None CDFW: None CRPR: List 4.3	Present	Prior to Covered Activities/Proposed Projects which will result in ground disturbance, preconstruction surveys will be conducted by a qualified biologist using the Bureau of Land Management's Survey Protocols. In the event of the species being found, seed will be collected and planted in appropriate receptor sites located on the HCP Preserve at the direction of the Preserve Manager. If seed is not immediately planted after collection, it will be cleaned and stored in cool dry conditions. Seeds will be planted with preferred habitat. Weeds should be removed prior to planting. Seeds will be raked into substrate.
<i>Malacothamnus parishii</i> Parish's bush mallow	USFWS: None CDFW: None CRPR: 1A	Low	Prior to Covered Activities/Proposed Projects which will result in ground disturbance, preconstruction surveys will be conducted by a qualified biologist using the Bureau of Land Management's Survey Protocols. In the event of the species being found, plants will be relocated to appropriate receptor sites located on the HCP Preserve at the direction of the Preserve Manager.
<i>Mucronea californica</i> California spineflower	USFWS: None CDFW: None CRPR: List 4.2	Present	Prior to Covered Activities/Proposed Projects which will result in ground disturbance, preconstruction surveys will be conducted by a qualified biologist using the Bureau of Land Management's Survey Protocols. In the event of the species being found, plants will be relocated to appropriate receptor sites located on the HCP Preserve at the direction of the Preserve Manager.

Scientific Name Common Name	Status Designation	Potential to Occur	Avoidance and Mitigation Measures
<i>Symphytotrichum defoliatum</i> San Bernardino aster	USFWS: None CDFW: None CRPR: 1B.2 BLM: S	Low	Prior to Covered Activities/Proposed Projects which will result in ground disturbance, preconstruction surveys will be conducted by a qualified biologist using the Bureau of Land Management's Survey Protocols. In the event of the species being found, seed will be collected and planted in appropriate receptor sites located on the HCP Preserve at the direction of the Preserve Manager. If seed is not immediately planted after collection, it will be cleaned and stored in cool dry conditions. Seeds will be planted with preferred habitat. Weeds should be removed prior to planting. Seeds will be raked into substrate.
<p>USFWS = United States Fish and Wildlife Service                      CDFW = California Department of Fish and Wildlife                      BLM =Bureau of Land Management</p> <p><u>California Rare Plant Ranking (CRPR) Designations:</u>                      List 1A: Plants presumed extinct in California and either rare or extinct elsewhere.                      List 1B: Plants rare, threatened, or endangered in California and elsewhere. List 1B plant species are designated BLM Sensitive.                      List 2A: Plants presumed extirpated in California, but common elsewhere                      List 2B: Plants rare, threatened, or endangered in California, but more common elsewhere                      List 3: Plants about which we need more information; a review list.                      List 4: Plants of limited distribution; a watch list.</p> <p><u>Threat Ranks:</u>                      0.1: Seriously endangered in California (over 80 percent of occurrences threatened / high degree and immediacy of threat).                      0.2: Moderately threatened in California (20-80 percent occurrences threatened/ moderate degree and immediacy of threat).                      0.3: Not very threatened in California (&lt;20 percent of occurrences threatened/ low degree and immediacy of threat or no current threats known).                      0.4: Apparently Secure within California</p> <p>Sources:                      1. Calflora: Information on California plants for education, research and conservation, with data contributed by public and private institutions and individuals, including the Consortium of California Herbaria. [web application]. 2017. Berkeley, California: The Calflora Database [a non-profit organization]. Available: <a href="http://www.calflora.org/">http://www.calflora.org/</a>(Accessed: Feb 09, 2017)                      2. California Natural Diversity Data Base (CNDDB). 2017. State &amp; Federally Listed Endangered &amp; Threatened Plants of California. February 2017.</p>			

**Table C.4.3-2. Non-Covered Sensitive Reptile and Amphibian Species Present or with Potential to Occur in the Plan Area and Avoidance and Mitigation Measures**

Scientific Name Common Name	Status Designation	Potential to Occur	Avoidance and Mitigation Measures
<i>Anniella stebbinsi</i> Silvery legless lizard	USFWS: None CDFW: SSC BLM: None	Present	Prior to any ground-disturbing activities, the area shall be surveyed by a qualified biologist demonstrated expertise with special-status terrestrial herpetofauna for special status reptiles and amphibians. The survey will take place at the appropriate time of year and time of day when the species' are active. If individuals special status reptiles or amphibians are detected, they will be captured and relocated to appropriate habitat within the HCP Preserve under the direction of the Preserve Manager the nearest adjacent Preserve lands. Results of the surveys and relocation efforts shall be provided to the District and/or USFWS (as part of the annual report of activities prepared as part of HCP implementation) and relocation of animals shall only occur with the proper scientific collection and handling permits.
<i>Aspidoscelis tigris stejnegeri</i> Coastal western whiptail	USFWS: None CDFW: None BLM: None	High	Prior to any ground-disturbing activities, the area shall be surveyed by a qualified biologist demonstrated expertise with special-status terrestrial herpetofauna for special status reptiles and amphibians. The survey will take place at the appropriate time of year and time of day when the species' are active. If special status reptiles or amphibians are detected, they will be captured and relocated to the nearest adjacent Preserve lands. Results of the surveys and relocation efforts shall be provided to the District and/or USFWS (as part of the annual report of activities prepared as part of HCP implementation) and relocation of animals shall only occur with the proper scientific collection and handling permits.
<i>Crotalus ruber ruber</i> Northern red- diamond rattlesnake	USFWS: None CDFW: SSC BLM: None	High	Prior to any ground-disturbing activities, the area shall be surveyed by a qualified biologist demonstrated expertise with special-status terrestrial herpetofauna for special status reptiles and amphibians. The survey will take place at the appropriate time of year and time of day when the species' are active. If special status reptiles or amphibians are detected, they will be captured and relocated to the nearest adjacent Preserve lands. Results of the surveys and relocation efforts shall be provided to the District and/or USFWS (as part of the annual report of activities prepared as part of HCP implementation) and relocation of animals shall only occur with the proper scientific collection and handling permits.
<i>Phrynosoma coronatum (blainvillii population)</i> Coast (San Diego) horned lizard	USFWS: None CDFW: SSC BLM: S	Present	Prior to any ground-disturbing activities, the area shall be surveyed by a qualified biologist demonstrated expertise with special-status terrestrial herpetofauna for special status reptiles and amphibians. The survey will take place at the appropriate time of year and time of day when the species' are active. If special status reptiles or amphibians are detected, they will be captured and relocated to the nearest adjacent Preserve lands. Results of the surveys and relocation efforts shall be provided to the District and/or USFWS and relocation of animals shall only occur with the proper scientific collection and handling permits.
<i>Spea (Scaphiopus) hammondii</i> Western spadefoot toad	USFWS: FC CDFW: SSC BLM: S	Present	Prior to any ground-disturbing activities, the area shall be surveyed by a qualified biologist demonstrated expertise with special-status terrestrial herpetofauna for special status reptiles and amphibians. The survey will take place at the appropriate time of year and time of day when the species' are active. If special status reptiles or amphibians are detected, they will be captured and relocated to the nearest adjacent Preserve lands. Results of the surveys and relocation efforts shall be provided to the District and/or USFWS (as part of the annual report of activities prepared as part of HCP implementation) and relocation of animals shall only occur with the proper scientific collection and handling permits.

Scientific Name Common Name	Status Designation	Potential to Occur	Avoidance and Mitigation Measures
<i>Thamnophis hammondi</i> Two-striped garter snake	USFWS: None CDFW: SSC BLM: S	Low	Prior to any ground-disturbing activities, the area shall be surveyed by a qualified biologist demonstrated expertise with special-status terrestrial herpetofauna for special status reptiles and amphibians. The survey will take place at the appropriate time of year and time of day when the species' are active. If special status reptiles or amphibians are detected, they will be captured and relocated to the nearest adjacent Preserve lands. Results of the surveys and relocation efforts shall be provided to the District and/or USFWS (as part of the annual report of activities prepared as part of HCP implementation) and relocation of animals shall only occur with the proper scientific collection and handling permits.
USFWS = United States Fish and Wildlife Service CDFW = California Department of Fish and Wildlife BLM = Bureau of Land Management  <u>Federal Designations: (Federal Endangered Species Act, USFWS):</u> FE: Federally listed endangered FT: Federally listed threatened FC: Federal candidate			<u>Federal Designations (BLM)</u> BLM S: BLM Sensitive  <u>State Designations: (California Endangered Species Act, CDFW):</u> ST: State listed threatened SE: State listed endangered FP: Fully protected SSC: State Species of Concern WL: California Department of Fish and Wildlife Watch List

**Table C.4.3-3. Non-Covered Sensitive Mammal Species Present or with Potential to Occur in the Plan Area and Avoidance and Mitigation Measures**

Scientific Name Common Name	Status Designation	Potential to Occur	Avoidance and Mitigation Measures
<i>Antrozous pallidus</i> Pallid bat	USFWS: None CDFW: SSC BLM: S	Low	A qualified biologist shall conduct a bat roosting habitat suitability assessment of structures and trees that may be removed, altered, or indirectly impacted by Proposed Projects. Any locations with the potential for roosting or suitable as a maternity roost will be surveyed by using appropriate combination of structure inspection, sampling, exit counts, and acoustical surveys. Surveys shall be conducted during the appropriate season and time of day/night to ensure detection of bats. If bats are found using structures or trees the biologist shall identify the bats to the species level, and evaluate the colony to determine its size and significance. Construction and operations and maintenance activities shall not occur at structures housing a maternity colony of bats during the recognized bat breeding season (March 1 to October 1) unless concurrence is received from CDFW.
<i>Chaetodipus fallax fallax</i> Northwestern San Diego pocket mouse	USFWS: None CDFW: SSC BLM: None	Present	A qualified biologist shall survey for Northwestern San Diego pocket mouse as part of preconstruction SBKR surveys. If ground disturbance does not occur within 72 hours of the survey, temporary fencing will be placed between the planned ground disturbance area and the Preserve lands to prevent animals from returning to the impact area. SBKR exclusionary fencing required by the HCP may be utilized for this purpose. Alternatively, individual animals may be held in appropriate conditions for up to two weeks after collection and any animal captured shall be relocated to adjacent areas of suitable habitat within the Preserve under the direction of the Preserve Manager.
<i>Eumops pertis californicus</i> Western mastiff bat	USFWS: None CDFW: SSC BLM: S	Moderate	A qualified biologist shall conduct a bat roosting habitat suitability assessment of structures and trees that may be removed, altered, or indirectly impacted by Proposed Projects. Any locations with the potential for roosting or suitable as a maternity roost will be surveyed by using appropriate combination of structure inspection, sampling, exit counts, and acoustical surveys. Surveys shall be conducted during the appropriate season and time of day/night to ensure detection of bats. If bats are found using structures or trees the biologist shall identify the bats to the species level, and evaluate the colony to determine its size and significance. Construction and operations and maintenance activities shall not occur at structures housing a maternity colony of bats during the recognized bat breeding season (March 1 to October 1) unless concurrence is received from CDFW.
<i>Lepus californicus bennettii</i> San Diego black-tailed jackrabbit	USFWS: None CDFW: SSC BLM: None	Present	A qualified biologist shall survey for San Diego black-tailed jackrabbit. If they are detected, the biologist shall passively relocate them out of the work area prior to ground disturbance if feasible. If an active warren (burrow) is detected in an area where ground disturbance will occur, the warren will be avoided, if feasible, until the qualified biologist determines it is no longer active. Dens that are determined to be inactive by the qualified biologist shall be collapsed by hand to prevent occupation of the burrow between the time of the survey and construction activities.
<i>Neotoma lepida intermedia</i> San Diego desert woodrat	USFWS: None CDFW: SSC BLM: None	Present	A qualified biologist shall survey for San Diego woodrat as part of preconstruction SBKR surveys. If woodrats or active nests are detected, they will be biologists trapped animals will be and moved to suitable habitat in the Preserve under the direction of the Preserve Manager. Nests will be avoided until trapping is concluded.

Scientific Name Common Name	Status Designation	Potential to Occur	Avoidance and Mitigation Measures
<i>Onychomys torridus Ramona</i> Southern grasshopper mouse	USFWS: None CDFW: SSC BLM: None	Moderate	A qualified biologist shall survey for southern grasshopper mouse as part of preconstruction SBKR surveys. If ground disturbance does not occur within 72 hours of the survey, temporary fencing will be placed between the planned ground disturbance area and the Preserve lands to prevent animals from returning to the impact area. SBKR exclusionary fencing required by the HCP may be utilized for this purpose. Alternatively, individual animals may be held in appropriate conditions for up to two weeks after collection and any animal captured shall be relocated to adjacent areas of suitable habitat within the Preserve under the direction of the Preserve Manager.
<i>Perognathus longimembris brevinasus</i> Los Angeles pocket mouse	USFWS: None CDFW: SSC BLM: None	Present	A qualified biologist shall survey for Los Angeles pocket mouse as part of preconstruction SBKR surveys. If ground disturbance does not occur within 72 hours of the survey, temporary fencing will be placed between the planned ground disturbance area and the Preserve lands to prevent animals from returning to the impact area. SBKR exclusionary fencing required by the HCP may be utilized for this purpose. Alternatively, individual animals may be held in appropriate conditions for up to two weeks after collection and any animal captured shall be relocated to adjacent areas of suitable habitat within the Preserve under the direction of the Preserve Manager.
<i>Taxidea taxus</i> American badger	USFWS: None CDFW: SSC BLM: None	High	A qualified biologist shall survey for American badger. If badgers are detected, the biologist shall passively relocate badgers out of the work area prior to ground disturbance, if feasible. If an active den is detected in an area where ground disturbance will occur, the den will be avoided, if feasible, until the qualified biologist determines it is no longer active. Dens that are determined to be inactive by the qualified biologist shall be collapsed by hand to prevent occupation of the burrow between the time of the survey and construction activities.
USFWS = United States Fish and Wildlife Service CDFW = California Department of Fish and Wildlife BLM =Bureau of Land Management <u>Federal Designations: (Federal Endangered Species Act, USFWS):</u> FE: Federally listed endangered FT: Federally listed threatened FC: Federal candidate			<u>Federal Designations (BLM)</u> BLM S: BLM Sensitive  <u>State Designations: (California Endangered Species Act, CDFW):</u> ST: State listed threatened SE: State listed endangered FP: Fully protected SSC: State Species of Concern WL: California Department of Fish and Wildlife Watch List

Table C.4.3-4. Non-Covered Sensitive Bird Species Present or with Potential to Occur in the Plan Area and Avoidance and Mitigation Measures

Scientific Name Common Name	Status Designation	Potential to Occur	Avoidance and Mitigation Measures
<i>Accipiter cooperii</i> Cooper's hawk	USFWS: None CDFW: WL BLM: S	Present	The breeding season for this species will be avoided if feasible when conducting ground disturbing activities. If it cannot be avoided pre-construction surveys and active nest avoidance measures following the Impact Avoidance and Minimization Measure for migratory birds in Section 5.5 of the HCP. If an active nest is detected during pre-construction surveys, it will be avoided until nesting is complete. If a nest tree or grove is removed by a Covered Activity/Proposed Project, the habitat will be restored at a suitable location determined in consultation with the Preserve Manager. Performance standards for the restoration will be developed in coordination with the Preserve Manager and provided to the Preserve Management Committee for their review and approval.
<i>Aimophila ruficeps canescens</i> Southern California rufous-crowned sparrow	USFWS: None CDFW: WL BLM: None	Present	The breeding season for this species will be avoided if feasible when conducting ground disturbing activities. If it cannot be avoided pre-construction surveys and active nest avoidance measures following the Impact Avoidance and Minimization Measure for migratory birds in Section 5.5 of the HCP. Area specific management directives must include maintenance of dynamic processes to perpetuate some open phases of coastal sage scrub with herbaceous components. Thinning of vegetation for management of this species could occur if deemed necessary by the Preserve Manager. Areas of open coastal sage scrub suitable for this species and its presence on site will be monitored.
<i>Amphispiza belli belli</i> Bell's sage sparrow	USFWS: BCC CDFW: WL BLM: None	Present	The breeding season for this species will be avoided if feasible when conducting ground disturbing activities. If it cannot be avoided pre-construction surveys and active nest avoidance measures following the Impact Avoidance and Minimization Measure for migratory birds in Section 5.5 of the HCP.
<i>Aquila chrysaetos</i> Golden eagle	USFWS: None State: FP, WL BLM: S	Present – foraging Low - nesting	The breeding season for this species will be avoided if feasible when conducting ground disturbing activities. If it cannot be avoided pre-construction surveys and active nest avoidance measures following the Impact Avoidance and Minimization measure for migratory birds in Section 5.5 of the HCP. Nesting habitat is not present but suitable foraging habitat is. This species has been seen flying over the Plan Area and it has been known to nest in the vicinity. The HCP will provide for the permanent conservation and management of large interconnected blocks of habitat adjacent to other conserved areas. In addition, aggregate mining, the Covered Activity/Proposed Project with the highest level of human caused disturbance, will be consolidated next to existing mining areas, minimizing disturbance to conserved areas. These measures will provide mitigation for the loss of habitat from Covered Activities/Proposed Projects.
<i>Asio flammeus</i> Short-eared owl	USFWS: None CDFW: SSC BLM: None	Present	The breeding season for this species will be avoided if feasible when conducting ground disturbing activities. If it cannot be avoided pre-construction surveys and active nest avoidance measures following the Impact Avoidance and Minimization Measure for migratory birds in Section 5.5 of the HCP.
<i>Athene cunicularia</i> Burrowing owl	USFWS: BCC CDFW: SSC BLM: S	Present	The breeding season for this species will be avoided if feasible when conducting ground disturbing activities. If it cannot be avoided pre-construction surveys and active nest avoidance measures following the Impact Avoidance and Minimization Measure for migratory birds in Section 5.5 of the HCP. Prior to any ground disturbance, pre-construction surveys will be conducted for burrowing owl and mitigation measures will be implemented as necessary per the 2012 Burrowing Owl Consortium Burrowing Owl Survey Protocol and Mitigation Guidelines. If the guidelines are updated or superseded, the current accepted protocol will be followed. The guidelines include avoidance of nests during nesting season and measures to relocate owls during the non-nesting season. If owls must be relocated, it will be to the nearest suitable habitat within the Preserve.

Scientific Name Common Name	Status Designation	Potential to Occur	Avoidance and Mitigation Measures
<i>Elanus leucurus</i> White-tailed kite	USFWS: None CDFW: FP BLM: S	Moderate	The breeding season for this species will be avoided if feasible when conducting ground disturbing activities. If it cannot be avoided pre-construction surveys and active nest avoidance measures following the Impact Avoidance and Minimization Measure for migratory birds in Section 5.5 of the HCP. If an active nest is detected during pre-construction surveys, it will be avoided until nesting is complete. If a nest tree or grove is removed by a Covered Activity/Proposed Project, the habitat will be restored at a suitable location determined in consultation with the Preserve Manager. Performance standards for the restoration will be developed in coordination with the Preserve Manager and provided to the Preserve Management Committee for their review and approval.
<i>Eremophila alpestris actia</i> California horned lark	USFWS: None CDFW: WL BLM: None	Present	The breeding season for this species will be avoided if feasible when conducting ground disturbing activities. If it cannot be avoided pre-construction surveys and active nest avoidance measures following the Impact Avoidance and Minimization Measure for migratory birds in Section 5.5 of the HCP.
<i>Falco Mexicana</i> Prairie Falcon	USFWS: None CDFW: None BLM: None	Low	The HCP will provide for the permanent conservation and management of large interconnected blocks of habitat adjacent to other conserved areas. In addition, aggregate mining, the Covered Activity/Proposed Project with the highest level of human caused disturbance, will be consolidated next to existing mining areas, minimizing disturbance to conserved areas. These measures will provide mitigation for the loss of habitat from Covered Activities/Proposed Projects.
<i>Lanius ludovicianus</i> Loggerhead shrike	USFWS: BCC CDFW: SSC BLM: None	Present	The breeding season for this species will be avoided if feasible when conducting ground disturbing activities. If it cannot be avoided pre-construction surveys and active nest avoidance measures following the Impact Avoidance and Minimization Measure for migratory birds in Section 5.5 of the HCP.
USFWS = United States Fish and Wildlife Service CDFW = California Department of Fish and Wildlife BLM =Bureau of Land Management <u>Federal Designations: (Federal Endangered Species Act, USFWS):</u> FE: Federally listed endangered FT: Federally listed threatened FC: Federal candidate <u>Federal Designations: (USFWS)</u> BCC: Birds of Conservation Concern			<u>Federal Designations (BLM)</u> BLM S: BLM Sensitive  <u>State Designations: (California Endangered Species Act, CDFW):</u> ST: State listed threatened SE: State listed endangered FP: Fully protected SSC: State Species of Concern WL: California Department of Fish and Wildlife Watch List

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## C.5 TRANSPORTATION SYSTEMS AND TRAFFIC

### C.5.1 TRAFFIC STUDY INFORMATION

The *Traffic Study* evaluated baseline traffic conditions,<sup>7</sup> opening year 2008 conditions (anticipated at the time the study was prepared) and forecast year 2030 conditions in the vicinity of the Plan Area. The *Traffic Study* also evaluated a.m. peak hour and p.m. peak hour traffic conditions. At the time the *Traffic Study* was prepared in 2007, the now designated SR-210 that runs north-south in the western portion of the Plan Area was designated SR-30. The mainline freeway section between I-210 in Glendora and the I-10 in Redlands was completed in 2007. This segment was designated SR-210, replacing former designations of SR-330 and SR-30.

Caltrans census data was reviewed to determine if there have been any significant changes in volume along SR-210 in the Plan Area since the *Traffic Study* was prepared in 2007. SR-210 is the primary traffic route through the Plan Area and the best available indicator of traffic volume trends in the study area since 2007.

Caltrans' Traffic Census Program includes traffic counts collected each year for the state highway system, including Interstates, California State Routes, and United States Routes at specific mileposts along these highways. Annual average daily traffic (AADT) is the total traffic volume for the year divided by 365 days (2007-2010). Starting in 2011 the Annual average daily traffic counts were taken for Back AADT and Ahead AADT. Back AADT usually represents traffic south or west of the count location and is the total volume for the year divided by 365 days. Ahead AADT usually represents traffic north or east of the count location and is the total volume for the year divided by 365 days.

Traffic volumes (AADT) on SR-210 at Fifth Street in Highland (mile post 30.23) in the Plan Area are included in **Table C.5-1: Traffic Volumes on SR-210 at Fifth Street**, from 2007 until 2015 (data at this milepost was not included in the 2012 counts). The most current data available on the Caltrans website is for 2016<sup>8</sup>. Back and Ahead AADT's capture both directions of travel in the count, so adding them together would result in erroneous data.

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<sup>7</sup> The use of 2004 traffic levels is based upon the release date of the project Notice of Preparation of the District's EIR.

<sup>8</sup> <http://www.dot.ca.gov/trafficops/census/>

**Table C.5-1: Traffic Volumes on SR-210 at Fifth Street**

Year	Milepost	Description	AADT	Back AADT	Ahead AADT
2007	R30.23	Fifth Street, City of Highland	90,000		
2008	R30.23	Fifth Street, City of Highland	90,000		
2009	R30.23	Fifth Street, City of Highland	90,000		
2010	R30.23	Fifth Street, City of Highland		76,000	92,000
2011	R30.23	Fifth Street, City of Highland		76,000	93,000
2013	R30.23	Fifth Street, City of Highland		76,000	93,000
2014	R30.23	Fifth Street, City of Highland		77,500	95,000
2015	R30.23	Fifth Street, City of Highland		77,500	95,000
2016	R30.23	Fifth Street, City of Highland		79,000	97,000

Based on Caltrans' traffic volume data there has been an increase in AADT on SR-210 at Fifth Street in Highland from 2007 to 2016 from 90,000 to 97,000<sup>9</sup>, which represents a 7.7% increase over a 9-year period or a 0.86 % increase per year if averaged over the 9-year period. The ambient growth rate used in the *Traffic Study* was 2% annually. Therefore, the cumulative analysis contained in the Traffic Study is a conservative estimate (considered worst-case) of the potential impacts.

The lack of significant increase in traffic volumes since 2007 could be related to the great recession from December 2007 to June 2009<sup>10</sup>, or other factors such as higher gas prices or changes in travel behavior due to increased emphasis on alternative modes of transport or an aging population that travels less. Because there has not been a substantial increase in traffic volume in the study area since 2007 the impact analysis and mitigation measures in the 2007 *Traffic Study* are anticipated to remain valid for the purpose of assessing potential impacts from expanded aggregate mining as a result of the Proposed Actions/Projects.

The trips associated with Proposed Projects other than mining, including those for water conservation, wells and water infrastructure, widening roadways, flood control facilities, trails, habitat enhancement and an existing citrus grove are limited in number, and those for construction are temporary in nature and thus are not anticipated to have an appreciable impact on the local highway and roadway network. Trips associated with construction, operation and maintenance of the other Proposed Projects are not analyzed further in this DEIS/SEIR.

The *Traffic Study* for the proposed aggregate mining was prepared using a methodology to calculate the contribution of the proposed aggregate mining trips to intersection volumes for California Environmental Quality Act (CEQA) compliance. This method, specified by the *Congestion Management*

<sup>9</sup> Using Back AADT data for 2010-2016

<sup>10</sup> [https://www.federalreservehistory.org/essays/great\\_recession\\_of\\_200709](https://www.federalreservehistory.org/essays/great_recession_of_200709)

*Program for San Bernardino County*<sup>11</sup> and used for CEQA compliance, defines aggregate mining traffic to be the difference between the year 2030 with project peak hour traffic volumes and the baseline peak hour traffic volumes. The aggregate mining's percentage contribution to total new traffic is then calculated by dividing the total new aggregate mining's peak hour trip volume at each study area intersection by the total new traffic.

Additionally, the *Traffic Study* analyzes four separate vehicle circulation alternatives. Alternative D from the *Traffic Study* is the preferred alternative and included in the HCP as Covered Activity CRM.02, Haul Road Expansion. Under Alternative D, the vast majority of Project traffic would travel on the new internal access road with the exception of local delivery trucks (For more information see the description of Alternative D and its depiction in Figure 2D in the *Traffic Study*).

As defined in the *Traffic Study*, roadway operations and the relationship between capacity and traffic volumes are generally expressed in terms of Level of Service (LOS), which are defined using letter grades A through F, as recommended by the 2000 Highway Capacity Manual analysis methodologies. These levels recognize that, while an absolute limit exists as to the amount of traffic traveling through a given intersection, the conditions that motorists experience rapidly deteriorate as traffic approaches absolute capacity. Under such conditions, congestion is experienced. There is generally instability in the traffic flow, which means that relatively small incidents can cause considerable fluctuations in speeds and delays. This near-capacity situation is labeled LOS E. Beyond LOS E, capacity has been exceeded, and arriving traffic will exceed the ability of the intersection to accommodate it. LOS definitions are provided in Table C.5-2, *Traffic Level of Service (LOS) Definitions*.

The level of service criteria for unsignalized and signalized intersections is summarized in Table C.5-3, below.

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<sup>11</sup> Congestion Management Program for San Bernardino County, 2003 Update, December 3, 2003, by San Bernardino Associated Governments, prepared by SANBAG in cooperation with the Comprehensive Transportation Plan Technical Advisory Committee, Attachment 4, Appendix C, Guidelines for CMP Traffic Impact Analysis Reports in San Bernardino County, 2005 Update.

**Table C.5-2 Traffic Level of Service (LOS) Definitions**

LOS	Description
A	No approach phase is fully utilized by traffic and no vehicle waits longer than one red indication. The approach appears quite open, turns are made easily, and nearly all drivers find freedom of operation.
B	This service level represents stable operation, where an occasional approach phase is fully utilized and a substantial number approach full use. Many drivers begin to feel restricted within platoons of vehicles.
C	This level still represents stable operating conditions. Occasionally, drivers may have to wait through more than one red signal indication, and backups may develop behind turning vehicles. Most drivers feel somewhat restricted, but not objectionably so.
D	This level encompasses a zone of increasing restriction approaching instability at the intersection. Delays to approaching vehicles may be substantial during short peaks within the peak period; however, enough cycles with lower demand occur to permit periodic clearance of developing queues, thus preventing excessive backups.
E	Capacity occurs at the upper end of this service level. It represents the most vehicles that any particular intersection approach can accommodate. Full utilization of every signal cycle is seldom attained no matter how great the demand.
F	This level describes forced flow operations at low speeds, where volume exceeds capacity. These conditions usually result from queues of vehicles backing up from a restriction downstream. Speeds are reduced substantially and stoppages may occur for short or long periods of time due to the congestion. In the extreme case, both speed and volume can drop to zero.

Source: Transportation Research Board Highway Capacity Manual Special Report 209 1985.

**Table C.5-3 – Level of Service Criteria for Unsignalized and Signalized Intersections**

Level of Service	Unsignalized Intersection Average Delay per Vehicle (sec.)	Signalized Intersection Average Delay per Vehicle (sec.)
A	$\leq 10$	$\leq 10$
B	$> 10$ and $\leq 15$	$> 10$ and $\leq 20$
C	$> 15$ and $\leq 25$	$> 20$ and $\leq 35$
D	$> 25$ and $\leq 35$	$> 35$ and $\leq 55$
E	$> 35$ and $\leq 50$	$> 55$ and $\leq 80$
F	$> 50$	$> 80$

Source: Transportation Research Board, 2000 Highway Capacity Manual, Intersection Level of Service Criteria, December 2000.

For all study area intersections, the 2000 Highway Capacity Manual<sup>12</sup> (HCM 2000) analysis methodologies were used to determine intersection levels of service. All levels of service were calculated using the Traffix version 7.8 software, which uses the HCM 2000 methodologies. Saturation flow rates consistent with Congestion Management Program (CMP) guidelines for baseline conditions, opening year, and future year analyses were used in the calculations of intersection capacity. Minimum green times required for pedestrian movements were calculated using Equation 16-2 contained in Chapter 16 of the HCM 2000. Minimum green time calculations are included in Appendix H of the *Traffic Study*.

<sup>12</sup> Transportation Research Board, 2000 Highway Capacity Manual (HCM 2000), December 2000.

The Plan Area spans three jurisdictions for the purpose of traffic analysis: the City of Highland, the City of Redlands, and the California Department of Transportation (Caltrans), which has jurisdiction over State highways and freeway ramp terminus intersections. The City of Redlands uses LOS C as the threshold of acceptability during peak hours; therefore, any intersection operating at LOS D, E, or F would be considered to have a significant impact requiring mitigation. The remaining jurisdictions use LOS D as the threshold of acceptability during peak hours; therefore, any intersection operating at LOS E or F would be considered to have a significant impact requiring mitigation.

**Study Area.** The study area for the *Traffic Study* includes the following 10 intersections, shown in Figure 4.7-1, Study Intersection Locations:

- Palm Avenue/5th Street;
- Palm Avenue/3<sup>rd</sup> Street;
- Alabama Street/Robertson's Access;
- Alabama Street/Cemex Access;
- Church Avenue/5<sup>th</sup> Street;
- Truck Access/5<sup>th</sup> Street (future intersection);
- SR-210 (SR-30) Southbound Ramps/5<sup>th</sup> Street;
- SR-210 (SR-30) Northbound Ramps/5<sup>th</sup> Street;
- Boulder Avenue/Greenspot Road; and
- Orange Street-Boulder Avenue/ Cemex Access.

Per the San Bernardino Associated Governments (SANBAG) TIA methodology, a dedicated right-turn lane has been assumed at the intersections where the rightmost through lane is at least 20 feet wide. These right-turn lanes are indicated with a "D" (for "de facto") in the figure so that they may be distinguished from right-turn lanes that are actually striped.

### C.5.2.1 Analysis Scenarios

LOS and volumes are discussed below for three different scenarios against which Project impacts are compared:

- Baseline (2004) setting without the Project;
- Opening year (2008) background without the Project; and
- Future (2030) background without the Project.

**Baseline (2004) Setting Baseline Without the Project.** Baseline traffic volumes at study area intersections are based on peak hour intersection turning movement counts.<sup>13</sup> Baseline freeway segment volumes are based on bidirectional peak hour traffic counts published by Caltrans in 2004. An intersection level of service analysis was conducted for baseline conditions to determine current circulation system performance. All study area intersections were operating at satisfactory levels of service in 2004. Figure 4.7-2 shows baseline a.m. and p.m. peak hour traffic volumes without the project. The baseline conditions levels of service for the study area intersections are summarized in Table C.5-4, wherein all study area intersections are shown to be operating at satisfactory levels of service during the p.m. peak hour.

Table C.5-5 summarizes the baseline a.m. and p.m. peak hour freeway mainline traffic volumes and levels of service for the freeway segments on SR-210 (SR-30). All freeway segments are operating at satisfactory levels of service during the p.m. peak hour.

**Opening Year (2008) Background Without the Project.** Traffic volumes at study area intersections for year 2008 background without Project conditions were developed by applying a 2.0 percent per year ambient growth rate (8.24% total) to baseline (2004) counts and adding trips from cumulative projects expected to open by 2008. Information regarding cumulative projects was obtained from the City of Highland and was reviewed to determine which projects would have a significant impact on traffic at the study intersections. The following five projects were determined to be significant:

- Southeast corner of Boulder Avenue/Fifth Street – 300 attached (multifamily) dwelling units.
- Southeast corner of Boulder Avenue/Fifth Street – Drive-through pharmacy retail center.
- Southwest corner of Boulder Avenue/Fifth Street – gasoline station with retail center and Jack-in-the-Box restaurant.
- Northeast corner of Boulder Avenue/Fifth Street – 123 detached (single-family) houses.
- Fifth Street between Boulder Avenue and SR-210 – 40,000 square foot office park.

For analysis purposes, the cumulative projects were grouped into two areas that would be expected to have the same distribution at the study intersections. Trip generation for each of the cumulative projects was developed using rates from the Institute of Transportation Engineers (ITE) Trip Generation (7<sup>th</sup> Edition).

Year 2008 background without Project a.m. and p.m. peak hour turn volumes for the study area intersections are illustrated in Figure 3.7-3, and year 2008 background without Project levels of service for the study area intersections are summarized in Table C.5-4. All intersections listed would operate at satisfactory levels of service during the a.m. and p.m. peak hours for the 2008 background without Project scenario, with the exception of the following intersections:

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<sup>13</sup> Collected by Counts Unlimited, Inc. in November and December 2004, and May 2005. Count sheets are contained in the *Traffic Study*, Appendix J of the Conversation District's 2008 EIR.

- Palm Avenue/5<sup>th</sup> Street.

Table C.5-5 summarizes the year 2008 background a.m. and p.m. peak hour freeway traffic volumes and levels of service for segments on SR-210 (SR-30). The SR-210 northbound 5th Street Off-Ramp Influence Area is forecast to operate at LOS F during the p.m. peak hour. The SR-210 southbound 5th Street On-Ramp Influence Area is forecast to operate at LOS F during the a.m. peak hour.

**Future (2030) Background Without the Project.** The *CMP Traffic Impact Analysis* procedures require that an analysis of cumulative long-term conditions be conducted using the horizon year traffic data from an approved local or regional traffic model. The year 2030 traffic volumes for the proposed Project were developed using data from the East Valley Traffic Model (EVTM), maintained by the City of San Bernardino. The EVTM includes a passenger vehicle model and a truck model. The base year for the passenger vehicle model is 2000 and the forecast year is 2030. The base year for the truck model is 1994 (which, according to the SCAG, should be assumed to represent year 2000), and the forecast year is 2020. Sheets illustrating the modeled link volumes from the SCAG are contained in Appendix J of the *Traffic Study*. The socioeconomic data in the EVTM for the forecast years include continued operations of the quarries; therefore, the modeled forecast year traffic volumes include trips generated by the existing plants/ mining operations.

Figure 4.7-4 illustrates year 2030 background without Project PCE peak hour traffic volumes for the study area intersections. A level of service analysis was conducted to evaluate projected circulation system performance. Table C.5-4 summarizes the year 2030 background without Project levels of service for the study area intersections. All intersections examined would operate at satisfactory levels of service during the p.m. peak hour, with the exception of the following seven intersections:

- Palm Avenue/5th Street;
- Palm Avenue/3rd Street;
- Alabama Street/Robertson's Access;
- Alabama Street/Cemex;
- SR-210 (SR-30) Southbound Ramps/5th Street;
- Boulder Avenue/Greenspot Road; and
- Orange Street-Boulder Avenue/Cemex Access

**Table C.5-4 Background Without Practice Intersection Levels of Service**

Freeway Segment	Baseline (2004)						2008 Without Project						2030 Without Project					
	A.M. Peak Hour			P.M. Peak Hour			A.M. Peak Hour			P.M. Peak Hour			A.M. Peak Hour			P.M. Peak Hour		
	V/C	Delay	LOS	V/C	Delay	LOS	V/C	Delay	LOS	V/C	Delay	LOS	V/C	Delay	LOS	V/C	Delay	LOS
1. Palm Avenue/ 5 <sup>th</sup> Street	0.57	31.0	C	0.75	38.8	D	0.67	35.6	D	0.90	56.1	E	1.26	191.9	F	1.46	187.2	F
2. Palm Avenue/ 3 <sup>rd</sup> Street	0.38	26.4	C	0.44	33.1	C	0.43	26.9	C	0.48	35.0	C	0.80	71.5	E	0.87	180.2	F
3. Alabama Street/ Robertson's Access		11.9	B		15.9	C		12.5	B		17.5	C		35.6	E		337.8	F
4. Alabama Street/ CEMEX Access		11.1	B		15.8	C		11.6	B		17.4	C		33.2	D		359.4	F
5. Church Avenue/ 5 <sup>th</sup> Street	0.40	13.8	B	0.38	14.3	B	0.47	15.0	B	0.46	14.8	B	0.74	30.1	C	0.71	24.5	C
6. Truck Access/ 5 <sup>th</sup> Street	<i>Future Intersection</i>																	
7. SR-210 (SR-30) Southbound Ramps/ 5 <sup>th</sup> Street	0.84	25.8	C	0.60	21.6	C	0.94	32.8	C	0.72	23.8	C	1.21	74.1	F	1.02	38.1	F
8. SR-210 (SR-30) Northbound Ramps/ 5 <sup>th</sup> Street	0.71	24.8	C	0.52	23.7	C	0.82	28.1	C	0.70	25.3	C	1.06	66.7	F	0.87	32.7	C
9. Boulder Avenue/ Greenspot Road	0.55	26.6	C	0.47	27.3	C	0.67	32.7	C	0.58	30.3	C	1.09	83.5	F	1.17	111.9	F
10. Orange Street/ CEMEX Access	0.56	6.4	A	.63	3.8	A	0.62	6.4	A	0.71	5.0	A	1.15	84.4	F	1.33	146.5	F

V/C = Volume/Capacity ratio; Delay measured in seconds; LOS = Level of Service; SR = State Route; Shaded = Exceeds LOS standard

Source: Traffic Study Upper Santa Ana River Wash, San Bernardino County, California; prepared by LSA Associates, Inc.; August 31, 2007, Table D (Baseline), Table G (2008), Table L (2030).

**Table C.5-5 – Freeway Mainline Background Levels of Service Without Project**

Freeway Segment	Baseline 2004						2008 Without Project						2030 Without Project					
	A.M. Peak Hour			P.M. Peak Hour			A.M. Peak Hour			P.M. Peak Hour			A.M. Peak Hour			P.M. Peak Hour		
	S	D	LOS	S	D	LOS	S	D	LOS	S	D	LOS	S	D	LOS	S	D	LOS
<i>SR-210 (SR-30) Northbound</i>																		
5 <sup>th</sup> Street Off-Ramp Influence Area	55.9	31.5	D	55.7	39.8	E	55.7	35.1	E	†	†	F	†	†	F	†	†	F
5 <sup>th</sup> Street On-Ramp Influence Area	56.0	26.4	C	54.0	32.5	D	55.0	29.1	D	53.0	35.9	E	†	†	F	†	†	F
<i>SR-210 (SR-30) Southbound</i>																		
5 <sup>th</sup> Street Off-Ramp Influence Area	56.8	33.8	D	56.8	32.7	D	56.7	37.9	E	56.8	35.0	D	†	†	F	†	†	F
5 <sup>th</sup> Street On-Ramp Influence Area	51.0	38.4	E	53.0	34.4	D	†	†	F	52.0	37.3	E	†	†	F	†	†	F

S = Speed in miles per hour; D = Density in passenger cars per mile per lane; LOS = Level of Service; † Volume exceeds capacity; speed and density not defined for over-capacity segment.

Shaded = Exceeds LOS standard

Level of Service (LOS) criteria are provided in the *Highway Capacity Manual*, and are based on density, expressed in terms of passenger cars per mile per lane (pc/mi/ln).

Source: *Traffic Study Upper Santa Ana River Wash, San Bernardino County, California*; prepared by LSA Associates, Inc.; August 31, 2007, Table RR (Baseline), Table SS (2008).

### C.5.2.2 Freeway Level of Service Analysis Procedure

Peak-hour volumes in ramp influence areas were analyzed using the methodology contained in HCM Chapter 25<sup>14</sup> (Ramps and Ramp Junctions), with calculations performed using HCS+ software. The freeway mainline volumes have been converted to PCE volumes by applying a truck percentage (4.65%) and using a truck PCE factor of 1.5, as specified in the *Highway Capacity Manual* (HCM). The truck percentage has been taken from 2004 Caltrans truck traffic volume data. The analysis of on-ramps examines the impacts of merging onto the freeway, while the analysis of off-ramps examines the impacts of diverging from the freeway. A free-flow speed (FFS) of 64 miles per hour has been used for the freeway mainline, consistent with the HCM recommendation for a 2-lane freeway in an urbanized area with 1.25-mile average interchange spacing. A ramp speed of 25 miles per hour has been used for the on-ramps and a ramp speed of 45 miles per hour has been used for the off-ramps. The speed of the ramps should be considered conservative since passenger vehicles, which make up the majority of ramp traffic, would likely enter and exit the freeway at higher speeds.

Level of service is calculated based on the density in passenger cars per mile per lane (pc/mi/ln), with LOS E being the lowest acceptable level of service. Any segment for which demand is forecast to exceed capacity is considered automatically to operate at LOS F, and density and speed functions do not hold for this condition due to unstable traffic flow. Table C.5-6 shows the level of service criteria for freeway ramp junctions.

**Table C.5-6 – Level of Service Criteria for Ramp Junctions**

Level of Service	Density (pc/mi/ln) for Merge and Diverge Areas
A	≤ 10
B	> 10 and ≤ 20
C	> 20 and ≤ 28
D	> 28 and ≤ 35
E	>35
F	Demand Exceeds Capacity

Source: Transportation Research Board, Ramp Junctions Level of Service Criteria HCM 2000, 2000.

**Freeway Level of Service Analysis, Baseline Conditions.** A level of service analysis was conducted to evaluate baseline (2004) peak hour traffic operations at the 5<sup>th</sup> Street ramps. The results of this analysis are summarized in previously referenced Table C.5-5. The level of service calculation sheets are contained in Appendix Q of the *Traffic Study*. As indicated in Table C.5-5, all freeway segments examined operate at LOS E or better under baseline (2004) conditions.

<sup>14</sup> Transportation Research Board, Ramp Junctions Level of Service Criteria HCM 2000, 2000.

**Freeway Level of Service Analysis, Year 2008 Background Conditions.** A level of service analysis was conducted to evaluate year 2008 background peak hour traffic operations on SR-210 (SR-30) at the 5<sup>th</sup> Street ramp influence areas. For this Project, ramp influence areas are defined as the segment extending from San Bernardino Avenue, through the 5<sup>th</sup> Street junction, and terminating at the Base Line exit on SR-210 (SR-30). Previously referenced Table C.5-5 summarizes the results of this analysis. The level of service calculation sheets are contained in Appendix Q of the *Traffic Study*. As indicated in Table C.5-5, the following freeway segments are projected to operate at LOS F under year 2008 background conditions:

- **SR-210 (SR-30) Northbound, south of 5<sup>th</sup> Street Off-Ramp (p.m. peak hour):** This segment is forecast to operate at LOS F during the p.m. peak period due to demand exceeding freeway capacity.
- **SR-210 (SR-30) Southbound, south of 5<sup>th</sup> Street On-Ramp (a.m. peak hour):** This segment is forecast to operate at LOS F during the a.m. peak period due to demand exceeding freeway capacity.

**Freeway Level of Service Analysis, Year 2030 Background Conditions.** A level of service analysis was conducted to evaluate year 2030 peak hour traffic operations on SR-210 (SR-30) at the 5<sup>th</sup> Street ramp influence area under background conditions. The results of this analysis indicate that both directions of the freeway will operate at LOS F during both peak periods in the vicinity of the ramps under year 2030 Background without Project conditions. The level of service calculation sheets are contained in Appendix Q of the *Traffic Study*. No summary data have been shown because speed and density relations do not apply to LOS F conditions, and therefore no quantitative comparison can be made.

## C.6 CULTURAL RESOURCES

### C.6.1 HISTORIC CONTEXT

#### C.6.1.1 Prehistoric Context

The local prehistoric cultural setting has been organized into many chronological frameworks by various authors, although there is no definitive sequence for the region. The difficulties in establishing cultural chronologies for western San Bernardino County are a function of its enormous size and the small amount of archaeological excavations conducted there. Moreover, throughout prehistory many groups have occupied the area and their territories often overlap spatially and chronologically resulting in mixed artifact deposits. Due to dry climate and capricious geological processes, these artifacts rarely become integrated in-situ. Lacking a milieu hospitable to the preservation of cultural midden, local chronologies have relied upon temporally diagnostic artifacts, such as projectile points, or upon the presence/absence of other temporal indicators, such as groundstone. Such methods are instructive, but can be limited by prehistoric occupants' concurrent use of different artifact styles, or by artifact reuse or re-sharpening, as well as researchers' mistaken diagnosis, and other factors. Recognizing the

shortcomings of comparative temporal indicators, the local chronology contained in the CRA is based on publications by authors who have drawn upon this method to produce a commonly cited and relatively comprehensive chronology.

### **C.6.1.2 Ethnography**

The project site vicinity is situated at an ethnographic nexus peripherally occupied by the Gabrielino and Serrano. Each group consisted of semi-nomadic hunter-gatherers who spoke a variation of the Takic language subfamily. Individual ethnographic summaries are provided below.

#### **Gabrielino**

The Gabrielino probably first encountered Europeans when Spanish explorers reached California's southern coast during the 15th and 16th centuries. The first documented encounter, however, occurred in 1769 when Gaspar de Portola's expedition crossed Gabrielino territory. Other brief encounters took place over the years. The Gabrielino name has been attributed by association with the Spanish mission of San Gabriel, and refers to a subset of people sharing speech and customs with other Cupan speakers (such as the Juaneño/Luiseño/Ajachemem) from the greater Takic branch of the Uto-Aztecan language family. Gabrielino villages occupied the watersheds of various rivers (locally including the Santa Ana) and intermittent streams. Chiefs were usually descended through the male line and often administered several villages. Gabrielino society was somewhat stratified and is thought to have contained three hierarchically ordered social classes which dictated ownership rights and social status and obligations. Plants utilized for food were heavily relied upon and included acorn-producing oaks, as well as seed-producing grasses and sage. Animal protein was commonly derived from rabbits and deer in inland regions, while coastal populations supplemented their diets with fish, shellfish, and marine mammals. Dog, coyote, bear, tree squirrel, pigeon, dove, mud hen, eagle, buzzard, raven, lizards, frogs, and turtles were specifically not utilized as a food source.

#### **Serrano**

The generic term "Serrano" has been applied to four groups, each with distinct territories: the Kitanemuk, Tataviam, Vanyume, and Serrano. Only one group, in the San Bernardino Mountains and West-Central Mojave Desert, ethnically claims the term Serrano. The Vanyume, an obscure Takic population, was found along the Mojave River at the time of Spanish contact. The Kitanemuk lived to the north and west, while the Tataviam lived to the west. All may have used the western San Bernardino County area seasonally. Serrano villages consisted of small collections of willow-framed domed structures situated near reliable water sources. A lineage leader administered laws and ceremonies from a large ceremonial house centrally located in most villages. Local Serrano relied heavily on acorns and piñon nuts for subsistence, although roots, bulbs, shoots, and seeds supplemented these. When available, game animals commonly included deer, mountain sheep, antelope, rabbits, small rodents, and various birds—particularly quail.

### **C.6.1.3 History**

Historic-era California is generally divided into three periods: the Spanish or Mission Period (1769 to 1821), the Mexican or Rancho Period (1821 to 1848), and the American Period (1848 to present).

#### **Spanish Period**

The first European to pass through the area is thought to be a Spaniard called Father Francisco Garces. Having become familiar with the area, Garces acted as a guide to Juan Bautista de Anza, who had been commissioned to lead a group across the desert from a Spanish outpost in Arizona to set up quarters at the Mission San Gabriel in 1771 near what today is Pasadena. Garces was followed by Alta California Governor Pedro Fages, who briefly explored the region in 1772. Searching for San Diego Presidio deserters, Fages had traveled through Riverside to San Bernardino, crossed over the mountains into the Mojave Desert, and then journeyed westward to the San Joaquin Valley.

#### **Mexican Period**

In 1821, Mexico overthrew Spanish rule and the missions began to decline. By 1833, the Mexican government passed the Secularization Act, and the missions, reorganized as parish churches, lost their vast land holdings, and released their neophytes.

#### **American Period**

The American Period, 1848–Present, began with the Treaty of Guadalupe Hidalgo. In 1850, California was accepted into the Union of the United States primarily due to the population increase created by the Gold Rush of 1849. The cattle industry reached its greatest prosperity during the first years of the American Period. Mexican Period land grants had created large pastoral estates in California, and demand for beef during the Gold Rush led to a cattle boom that lasted from 1849–1855. However, beginning about 1855, the demand for beef began to decline due to imports of sheep from New Mexico and cattle from the Mississippi and Missouri Valleys. When the beef market collapsed, many California ranchers lost their ranches through foreclosure. A series of disastrous floods in 1861–1862, followed by a significant drought further diminished the economic impact of local ranching. This decline combined with ubiquitous agricultural and real estate developments of the late 19th century, set the stage for diversified economic pursuits that have continued to proliferate to this day.

## **C.7 NOISE**

### **C.7.1 CHARACTERISTICS OF SOUND AND VIBRATION**

#### **C.7.1.1 Noise Scales and Definitions**

Sound is described in terms of the loudness (amplitude) of the sound and frequency (pitch) of the sound. The standard unit of measurement of the loudness of sound is the decibel (dB). Since the human ear is not equally sensitive to sound at all frequencies, a special frequency-dependent rating scale has been devised to relate noise to human sensitivity. The A-weighted decibel scale (dBA) performs this

compensation by discriminating against frequencies in a manner approximating the sensitivity of the human ear.

Decibels are based on the logarithmic scale. The logarithmic scale compresses the wide range in sound pressure levels to a more usable range of numbers in a manner similar to the Richter scale used to measure earthquakes. In terms of human response to noise, a sound 10 dBA higher than another is judged to be twice as loud, and 20 dBA higher four times as loud, and so forth. Everyday sounds normally range from 30 dBA (very quiet) to 100 dBA (very loud). Examples of various sound levels in different environments are illustrated on Figure 3.10-1, *Sound Levels and Human Response*.

Many methods have been developed for evaluating community noise to account for, among other things:

- The variation of noise levels over time;
- The influence of periodic individual loud events; and
- The community response to changes in the community noise environment.

Numerous methods have been developed to measure sound over a period of time; refer to Table C.7-1, *Noise Descriptors*.

**Table C.7-1: Noise Descriptors**

Term	Definition
Decibel (dB)	The unit for measuring the volume of sound equal to 10 times the logarithm (base 10) of the ratio of the pressure of a measured sound to a reference pressure (20 micropascals).
A-Weighted Decibel (dBA)	A sound measurement scale that adjusts the pressure of individual frequencies according to human sensitivities. The scale accounts for the fact that the region of highest sensitivity for the human ear is between 2,000 and 4,000 cycles per second (hertz).
Equivalent Sound Level ( $L_{eq}$ )	The sound level containing the same total energy as a time varying signal over a given time period. The $L_{eq}$ is the value that expresses the time averaged total energy of a fluctuating sound level.
Maximum Sound Level ( $L_{max}$ )	The highest individual sound level (dBA) occurring over a given time period.
Minimum Sound Level ( $L_{min}$ )	The lowest individual sound level (dBA) occurring over a given time period.
Community Noise Equivalent Level (CNEL)	A rating of community noise exposure to all sources of sound that differentiates between daytime, evening, and nighttime noise exposure. These adjustments are +5 dBA for the evening, 7:00 PM to 10:00 PM, and +10 dBA for the night, 10:00 PM to 7:00 AM.
Day/Night Average ( $L_{dn}$ )	The $L_{dn}$ is a measure of the 24-hour average noise level at a given location. It was adopted by the U.S. Environmental Protection Agency (EPA) for developing criteria for the evaluation of community noise exposure. It is based on a measure of the average noise level over a given time period called the $L_{eq}$ . The $L_{dn}$ is calculated by averaging the $L_{eq}$ 's for each hour of the day at a given location after penalizing the "sleeping hours" (defined as 10:00 PM to 7:00 AM) by 10 dBA to account for the increased sensitivity of people to noises that occur at night.
Exceedance Level ( $L_n$ )	The A-weighted noise levels that are exceeded 1%, 10%, 50%, and 90% ( $L_{01}$ , $L_{10}$ , $L_{50}$ , $L_{90}$ , respectively) of the time during the measurement period.

Source: Cyril M. Harris, Handbook of Noise Control, dated 1979.

**Health Effects of Noise**

Human response to sound is highly individualized. Annoyance is the most common issue regarding community noise. However, many factors influence people's response to noise. The factors can include the character of the noise, the variability of the sound level, the presence of tones or impulses, and the time of day of the occurrence. Additionally, non-acoustical factors, such as the person's opinion of the noise source, the ability to adapt to the noise, the attitude towards the source and those associated with it, and the predictability of the noise, all influence people's response. As such, response to noise varies widely from one person to another and with any particular noise, individual responses will range from "not annoyed" to "highly annoyed."

The effects of noise are often only transitory, but adverse effects can be cumulative with prolonged or repeated exposure. The effects of noise on the community can be organized into six broad categories:

- Noise-Induced Hearing Loss;
- Interference with Communication;
- Effects of Noise on Sleep;
- Effects on Performance and Behavior;
- Extra-Auditory Health Effects; and
- Annoyance.

According to the United States Public Health Service, nearly ten million of the estimated 21 million Americans with hearing impairments owe their losses to noise exposure. Noise can mask important sounds and disrupt communication between individuals in a variety of settings. This process can cause anything from a slight irritation to a serious safety hazard, depending on the circumstance. Noise can disrupt face-to-face communication and telephone communication, and the enjoyment of music and television in the home. It can also disrupt effective communication between teachers and pupils in schools and can cause fatigue and vocal strain in those who need to communicate in spite of the noise.

Interference with communication has proved to be one of the most important components of noise-related annoyance. Noise-induced sleep interference is one of the critical components of community annoyance. Sound level, frequency distribution, duration, repetition, and variability can make it difficult to fall asleep and may cause momentary shifts in the natural sleep pattern, or level of sleep. It can produce short-term adverse effects on mood changes and job performance, with the possibility of more serious effects on health if it continues over long periods. Noise can cause adverse effects on task performance and behavior at work, and non-occupational and social settings. These effects are the subject of some controversy, since the presence and degree of effects depends on a variety of intervening variables. Most research in this area has focused mainly on occupational settings, where noise levels must be sufficiently high and the task sufficiently complex for effects on performance to occur.

Annoyance can be viewed as the expression of negative feelings resulting from interference with activities, as well as the disruption of one's peace of mind and the enjoyment of one's environment. Field evaluations of community annoyance are useful for predicting the consequences of planned actions involving highways, airports, road traffic, railroads, or other noise sources. The consequences of noise-induced annoyance are privately held dissatisfaction, publicly expressed complaints to authorities, and potential adverse health effects, as discussed above. In a study conducted by the United States Department of Transportation, the effects of annoyance to the community were quantified. In areas where noise levels were consistently above 60 dBA CNEL, approximately nine percent of the community studies was highly annoyed. When levels exceed 65 dBA CNEL, that percentage rose to 15 percent. Although evidence for the various effects of noise have differing levels of certainty, it is clear that noise can affect human health. Most of the effects are, to a varying degree, stress related.

### **Ground-Borne Vibration**

Vibration is an oscillatory motion through a solid medium in which the motion's amplitude can be described in terms of displacement, velocity, or acceleration. The peak particle velocity (PPV) or the root mean square (RMS) velocity is usually used to describe vibration amplitudes. PPV is defined as the maximum instantaneous peak or vibration signal, while RMS is defined as the square root of the average of the squared amplitude of the signal. PPV is typically used for evaluating potential building damage, whereas RMS is typically more suitable for evaluating human response. Typically, ground-borne vibration, generated by man-made activities, attenuates rapidly with distance from the source of vibration. Man-made vibration issues are therefore usually confined to short distances (i.e., 500 feet or less) from the source.

Both construction and operation of development projects can generate ground-borne vibration. In general, demolition of structures preceding construction generates the highest vibrations. Construction equipment such as vibratory compactors or rollers, pile drivers, and pavement breakers can generate perceptible vibration during construction activities. Heavy trucks can also generate ground-borne vibrations that vary depending on vehicle type, weight, and pavement conditions.

## **C.7.2 CITY NOISE STANDARDS**

### **C.7.2.1 City of Highland Noise Standards**

The City of Highland's General Plan Noise Element establishes appropriate interior and exterior noise standards for different types of land uses. The City of Highland exterior noise standards for residential land uses are 55 dBA CNEL from 10:00 pm – 7:00 am and 60 dBA CNEL from 7:00 am – 10:00 pm.

The City of Highland Municipal Code limits construction activities to Monday through Saturday between 7:00 am and 7:00 pm with no construction activities performed during city or federal observed holidays.

### C.7.2.2 City of Redlands Noise Standards

The City of Redlands' General Plan Noise Element establishes exterior and interior noise standards for the evaluation of compatibility between land uses in the City. The City specifies outdoor and indoor noise limits for residential uses, places of worship, educational facilities, hospitals, hotels/motels, and commercial and other land uses. The City of Redlands has an exterior noise standard of 60 dBA CNEL for residential land uses.

The City of Redlands' Municipal Code limits the hours of construction between the hours of 7:00 am and 6:00 pm from Monday through Saturday. No construction is permitted on Sundays. The ordinance is also designated to protect sensitive areas from intruding noise across property lines. It limits noise at residential properties to 60 dBA from 7:00 am to 10:00 pm and 50dBA from 10:00 pm to 7:00 am. It is unlawful for any person to create noise at noise-sensitive land uses that causes the sound level to exceed the following:

- The noise standard for a cumulative period of more than 30 minutes in any hour;
- The noise standard plus 5 dBA for a cumulative period of more than 15 minutes in any hour;
- The noise standard plus 10 dBA for a cumulative period of more than 5 minutes in any hour; or
- The noise standard plus 15 dBA for a cumulative period of more than 1 minute in any hour.

### C.7.3 TYPICAL NOISE LEVELS FOR OFF ROAD EQUIPMENT

**Table C.7-2: Typical Off-Road Equipment and Other Construction Noise Levels**

Type of Equipment	Range of Maximum Sound Levels Measured (dBA at 50 feet)	Suggested Maximum Sound Levels for Analysis (dBA at 50 feet)
Pile drivers, 12,000 to 18,000 ft-lb./blow	81–96	93
Rock drills	83–99	96
Jackhammers	75–85	82
Pneumatic tools	78–88	85
Pumps	74–84	80
Dozers	77–90	85
Scrapers	83–91	87
Haul trucks	83–94	88
Cranes	79–86	82
Portable generators	71–87	80
Rollers	75–82	80
Tractors	77–82	80
Front-end loaders	77–90	86
Hydraulic backhoe	81–90	86
Hydraulic excavators	81–90	86
Graders	79–89	86
Air compressors	76–89	86
Concrete batch plants	80–85	83
Vibratory conveyors	70–80	77
Concrete vibrators	68–81	78
Trucks	81–87	86
Blasting	93–94	94

Source: Conservation District's 2008 Final EIR (SCH No. 2004051023) for the Upper Santa Ana River Wash Land Management and HCP.

#### C.7.4 BASELINE TRAFFIC NOISE LEVELS

The FHWA highway traffic noise prediction model (FHWA RD-77-108) was used to evaluate traffic-related noise conditions in the Plan Area vicinity. As previously noted, this model requires various parameters, including traffic volumes, vehicle mix, vehicle speed, and roadway geometry to compute typical equivalent noise levels during daytime, evening, and nighttime hours. Modeling parameters for the future 2030 ADT volumes, vehicle speed, and roadway geometry were obtained from the *Traffic Study* (LSA 2007). The following lists the parameters used for each roadway:

- **5<sup>th</sup> Street.** 5<sup>th</sup> Street was modeled as a four-lane roadway (two lanes in each direction) with vehicle speeds at 50 mph.
- **Alabama Street.** Alabama Street was modeled as a two- to four-lane roadway (varying from one to two lanes in each direction) with vehicle speeds at 45 mph.
- **Boulder Avenue.** Boulder Avenue was modeled a two-lane roadway (one lane in each direction) with vehicle speeds at 40 mph.
- **Truck Access Road at 5<sup>th</sup> Street.** A proposed truck access road connected to 5<sup>th</sup> Street east of Church Avenue was modeled as a two-lane roadway (one lane in each direction) with vehicle speeds at 40 mph.

The vehicle mix was assumed to be 97.42 percent automobiles, 1.84 percent medium trucks, and 0.74 percent heavy trucks. The resultant noise levels are weighted and summed over 24-hour periods to determine the CNEL values.

Table C.7-3 shows the 2008 baseline traffic noise levels. Table C.7-4 shows the 2008 with-project (mining expansion) noise levels. Table C.7-5 shows the 2030 baseline traffic noise levels. Table C.7-6 shows the 2030 with-project (mining expansion) noise levels. These noise levels represent the worst-case scenario, which assumes that no shielding is provided between the traffic and the location where the noise contours are drawn. The specific assumptions used in developing these noise levels and model printouts are provided in the Conservation District's November 2008 Final EIR, Appendix I – Noise Model Printouts.

Table C.7-3: 2008 Baseline Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 feet from Outermost Lane
<i>5<sup>th</sup> Street</i>					
West of Alabama Street	10,870	< 50*	97	203	66.9
Between Alabama Street and Church Avenue	21,665	73	150	320	69.9
Between Church Avenue and SR-210 westbound ramp	22,905	75	156	332	70.1
Between SR-210 westbound ramp and SR-210 eastbound ramp	23,620	77	159	339	70.3
Between SR-210 eastbound ramp and Boulder Avenue	22,965	75	156	333	70.1
East of Boulder Avenue	18,760	67	137	291	69.3
<i>Alabama Street</i>					
North of 5 <sup>th</sup> Street	9,330	< 50	75	154	65.1
Between 5 <sup>th</sup> Street and 3 <sup>rd</sup> Street	17,365	< 50	110	232	67.8
Between 3 <sup>rd</sup> Street and Robertson's Access	12,685	< 50	87	188	67.9
Between Robertson's Access and Cemex Access	11,870	< 50	84	180	67.6
South of Cemex Access	11,450	< 50	82	175	67.5
<i>Boulder Avenue</i>					
North of Greenspot Road	8,390	< 50	55	117	64.9
South of Greenspot Road	10,890	< 50	65	140	66.0
North of Cemex Access	16,840	< 50	87	187	67.9
South of Cemex Access	16,870	< 50	87	187	67.9

\* Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.

Source: Conservation District's November 2008 Final EIR (SCH No. 2004051023) for the Upper Santa Ana River Wash Land Management and Habitat Conservation Plan

Table C.7-4 – 2008 With-Project (Mining Expansion) Traffic Noise Levels

Roadway Segment	ADT	Center-line to 70 CNEL (feet)	Center-line to 65 CNEL (feet)	Center-line to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane	Increase from Baseline Conditions
<i>5<sup>th</sup> Street</i>						
West of Alabama Street	10,880	< 50*	97	203	66.9	0.0
Between Alabama Street and Church Avenue	13,565	56	111	235	67.9	-2.0
Between Church Avenue and Truck Access	22,435	74	154	328	70.0	-0.1
Between Truck Access and SR-210	23,140	76	157	334	70.2	0.1
Between SR-210 westbound ramp and SR-210 eastbound ramp	23,640	77	159	339	70.3	0.0
Between SR-210 and Boulder Avenue	22,805	75	155	331	70.1	0.0
East of Boulder Avenue	18,750	67	137	291	69.3	0.0
<i>Alabama Street</i>						
North of 5 <sup>th</sup> Street	9,330	< 50	75	154	65.1	0.0
Between 5 <sup>th</sup> Street and 3 <sup>rd</sup> Street	9,275	< 50	75	154	65.1	-2.7
Between 3 <sup>rd</sup> Street and Robertson's Access	12,195	< 50	85	183	67.7	-0.2
Between Robertson's Access and Cemex Access	11,920	< 50	84	180	67.6	0.0
South of Cemex Access	11,450	< 50	82	175	67.5	0.0
<i>Boulder Avenue</i>						
North of Greenspot Road	8,390	< 50	55	117	64.9	0.0
South of Greenspot Road	10,740	< 50	64	138	65.9	-0.1
North of Cemex Access	16,690	< 50	86	185	67.8	-0.1
South of Cemex Access	16,870	< 50	87	187	67.9	0.0
Truck Access Road at 5 <sup>th</sup> Street	800	< 50	70	150	66.4	N/A

\* Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.

Source: Conservation District's November 2008 Final EIR (SCH No. 2004051023) for the Upper Santa Ana River Wash Land Management and Habitat Conservation Plan

Table C.7-5: 2030 Baseline Traffic Noise Levels

Roadway Segment	ADT	Centerline to 70 CNEL (feet)	Centerline to 65 CNEL (feet)	Centerline to 60 CNEL (feet)	CNEL (dBA) 50 feet from Outermost Lane
<i>5th Street</i>					
West of Alabama Street	19,310	68	139	297	69.4
Between Alabama Street and Church Avenue	34,500	97	203	436	71.9
Between Church Avenue and SR-210 westbound ramp	35,095	98	206	441	72.0
Between SR- 210 westbound ramp and SR-30 eastbound ramp	31,710	92	193	412	71.5
Between SR- 210 eastbound ramp and Boulder Avenue	27,870	85	177	378	71.0
East of Boulder Avenue	16,520	62	126	267	68.7
<i>Alabama Street</i>					
North of 5 <sup>th</sup> Street	16,280	< 50*	105	222	67.5
Between 5 <sup>th</sup> Street and 3 <sup>rd</sup> Street	37,160	86	180	384	71.1
Between 3 <sup>rd</sup> Street and Robertson's Access	34,670	79	170	367	72.3
Between Robertson's Access and Cemex Access	33,840	78	168	361	72.2
South of Cemex Access	33,420	77	166	358	72.1
<i>Boulder Avenue</i>					
North of Greenspot Road	23,340	< 50	108	232	69.3
South of Greenspot Road	29,820	59	127	273	70.4
North of Cemex Access	36,690	68	146	313	71.3
South of Cemex Access	36,690	68	146	313	71.3

\* Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.

Source: Conservation District's November 2008 Final EIR (SCH No. 2004051023) for the Upper Santa Ana River Wash Land Management and Habitat Conservation Plan

**Table C.7-6 – 2030 With-Project (Mining Expansion) Traffic Noise Levels**

Roadway Segment	ADT	Center-line to 70 CNEL (feet)	Center-line to 65 CNEL (feet)	Center-line to 60 CNEL (feet)	CNEL (dBA) 50 Feet from Centerline of Outermost Lane	Increase from Baseline Conditions
<i>5th Street</i>						
West of Alabama Street	19,320	68	139	297	69.4	0.0
Between Alabama Street and Church Avenue	19,500	68	140	299	69.4	-2.5
Between Church Avenue and Truck Access	34,590	97	204	437	71.9	-0.1
Between Truck Access and SR-210	35,325	98	207	443	72.0	0.0
Between SR-210 westbound ramp and State Route 210 eastbound ramp	31,730	92	193	412	71.5	0.0
Between SR-210 and Boulder Avenue	27,710	85	176	377	71.0	0.0
East of Boulder Avenue	16,510	62	126	267	68.7	0.0
<i>Alabama Street</i>						
North of 5 <sup>th</sup> Street	16,280	< 50*	105	222	67.5	0.0
Between 5 <sup>th</sup> Street and 3 <sup>rd</sup> Street	22,170	63	128	273	68.8	-2.3
Between 3 <sup>rd</sup> Street and Robertson's Access	34,180	79	169	363	72.2	-0.1
Between Robertson's Access and Cemex Access	33,890	78	168	361	72.2	0.0
South of Cemex Access	33,420	77	166	358	72.1	0.0
<i>Boulder Avenue</i>						
North of Greenspot Road	23,340	< 50	108	232	69.3	0.0
South of Greenspot Road	29,670	59	126	272	70.3	-0.1
North of Cemex Access	36,510	68	145	312	71.2	-0.1
South of Cemex Access	36,690	68	146	313	71.3	0.0
Truck Access Road at 5 <sup>th</sup> Street	800	< 50	70	150	66.4	N/A

\* Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.

Source: Conservation District's November 2008 Final EIR (SCH No. 2004051023) for the Upper Santa Ana River Wash Land Management and Habitat Conservation Plan

## C.7.5 EXCAVATION

Excavation equipment would include excavators, haul trucks, and water trucks. Excavation equipment would remain the same as existing conditions. Table C.7-7 lists the types of equipment for the Robertson's and Cemex plants, the amount of equipment and number of vehicles, the range of maximum noise levels measured, and the suggested maximum sound levels at 50 feet.

**Table C.7-7: Existing Robertson's and Cemex Mining Equipment**

Equipment	Quantity	Range of Maximum Noise Levels Measured (dBA at 50 feet)	Suggested Maximum Noise Levels for each Piece of Equipment (dBA at 50 feet)
<i>Robertson's Mining Operations (Old Webster Quarry)</i>			
RH120 shovel (excavator) used 8 hours per day	1	81-90	86
16G blade (excavator) used 2.5 hours per day	1	81-90	86
Cat 777 haul truck used 8 hours per day	3	83-94	88
Water truck used 8 hours per day	1	81-87	86
<i>Robertson's Processing Operations</i>			
Cat 996F yard loader used 8 hours per day	1	77-90	86
Cat 988F loader used 24 hours per day	1	77-90	86
Cat 966F forklift used 1 hour per day	1	79-86	82
Manlift used 8 hours per day	1	79-86	82
Rock crushing plant used 8 hours per day	3	87-103	95
<i>Cemex's Mining Operations</i>			
Trackhoe	1	81-90	86
D10N dozer	1	77-90	85
992C loader	1	77-90	86
988F loader	1	77-90	86
777B haul truck	3	83-94	88
<i>Cemex's Processing Operations</i>			
996 loader	1	77-90	86
980G loader	1	77-90	86
Kawasaki loader	2	77-90	86
Skidsteer	1	77-90	86
Volvo Articulating truck	1	83-94	88
Cat Articulating truck	1	81-87	86
Water truck	2	81-87	86
Rock crushing plant (Type D-1)	1	87-103	95

Sources: Conservation District's 2008 Final EIR (SCH No. 2004051023) for the Upper Santa Ana River Wash Land Management and Habitat Conservation Plan

Previously referenced Table C.7-2 lists typical off-road equipment maximum noise levels recommended for noise impact assessments, based on a distance of 50 feet between the equipment and a noise receptor. The excavation phase tends to generate the highest noise levels because the noisiest equipment is excavating equipment. Typical operating cycles for these types of equipment may involve one or two minutes of full-power operation followed by three or four minutes at lower power settings.

On-site operations require the use of excavators, haul trucks, and water trucks. Based on the information in Tables C.7-2 and C.7-7, the maximum noise level generated by excavators on-site is assumed to be 86 dBA  $L_{max}$  at 50 feet from the excavator. Haul trucks would generate a maximum noise level of 88 dBA  $L_{max}$  at 50 feet, and water trucks would generate a maximum noise level of 86 dBA  $L_{max}$  at 50 feet from these vehicles. The excavation area at the East Basin (East Quarry South) is the closest to residences to the south side of the Wash Plan Area. Two excavators, three haul trucks, and one water truck are currently active in the East Quarry South mining area and would remain the same for the Proposed Project. Assuming that each piece of equipment operates at some distance from the other equipment, the worst-case combined noise levels during this phase of aggregate mining would be 95 dBA  $L_{max}$  at a distance of 50 feet from the active mining area.

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**NOTICE OF INTENT, NOTICE OF PREPARATION, COMMENT LETTERS**

[Federal Register Volume 80, Number 41 (Tuesday, March 3, 2015)]

[Notices]

[Pages 11463-11466]

From the Federal Register Online via the Government Printing Office [[www.gpo.gov](http://www.gpo.gov)]

[FR Doc No: 2015-04341]

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

Fish and Wildlife Service

[FWS-R8-ES-2015-N254; FXES11120000-156-FF08E00000]

Supplemental Draft Environmental Impact Statement for the  
Proposed South Coast Resource Management Plan Amendment; for the  
Proposed Upper Santa Ana River Habitat Conservation Plan and Land  
Exchange

AGENCY: Fish and Wildlife Service, Interior; Bureau of Land Management,  
Interior.

[[Page 11464]]

ACTION: Notice of intent and notice of public meeting; request for  
comments.

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SUMMARY: We, the U.S. Fish and Wildlife Service (Service) and Bureau of  
Land Management (BLM), intend to prepare a Supplemental Draft  
Environmental Impact Statement (SDEIS) under the National Environmental  
Policy Act (NEPA) of 1969, as amended, for the proposed Upper Santa Ana  
River Wash Habitat Conservation Plan (HCP), and a related land  
exchange. The SDEIS will be a joint Environmental Impact Statement/  
Environmental Impact Report (EIS/EIR), for which the Service, the BLM,  
and the San Bernardino Valley Water Conservation District (District)  
intend to gather information necessary for preparation. The proposed  
HCP has been drafted to meet the requirements of the Federal Endangered  
Species Act (ESA) of 1973, as amended, and the State of California's  
Endangered Species Act and Natural Communities Conservation Planning  
Act. The BLM, in compliance with the Federal Land Policy and Management  
Act, as amended, will consider this NEPA process and the resulting HCP  
documents in its analysis toward possible amendment of the BLM South  
Coast Resource Management Plan (SCRMP) to support the land exchange.

DATES: Please send written comments on or before May 4, 2015.

We will hold two public scoping meetings on March 18, 2015, from 2  
to 4 p.m. and 6:30 to 8:30 p.m. at the San Bernardino Valley Water  
Conservation District office located at 1630 West Redlands Avenue,  
Redlands, CA 92373. In addition to this notice, we will announce the  
public scoping meetings in local news media and on the Internet at the  
BLM Web site (<http://www.ca.blm.gov/palmsprings>) and the Service Web  
site (<http://www.fws.gov/carlsbad>) at least 15 days prior to the event.  
For more information, see Public Comments and Reasonable Accommodation  
in the SUPPLEMENTARY INFORMATION.

ADDRESSES: Comments or requests for more information specific to the  
proposed land exchange and amendment to the SCRMP should be sent via  
any one of the following methods:

U.S. Mail: Brandon Anderson, Santa Ana River Wash Project, Bureau  
of Land Management, 1201 Bird Center Drive, Palm Springs, CA 92262.

Email: [bganderson@blm.gov](mailto:bganderson@blm.gov). Subject line should include ``Scoping  
Comments for the Upper Santa Ana River Wash Project.''

Comments or requests for more information specific to the issuance  
of an incidental take permit and the HCP should be sent to the  
following:

U.S. Mail: Kennon Corey, Santa Ana River Wash Project, Palm Springs  
Fish and Wildlife Service Office, 777 E. Tahquitz Canyon Way, Suite  
208, Palm Springs, CA 92262.

FOR FURTHER INFORMATION CONTACT: For further information and/or to have  
your name added to our mailing list, contact Brandon Anderson, Santa  
Ana River Wash Project, Bureau of Land Management, Palm Springs South  
Coast Field Office, by telephone at 760-833-7117, or by email at

[bganderson@blm.gov](mailto:bganderson@blm.gov), or Kennon Corey, Santa Ana River Wash Project, by mail at Palm Springs Fish and Wildlife Office, 777 East Tahquitz Canyon Way, Suite 208, Palm Springs, CA 92262 or by email at [fw8cfwocomments@fws.gov](mailto:fw8cfwocomments@fws.gov).

SUPPLEMENTARY INFORMATION:

Background

In 1993, representatives of numerous agencies, including water, mining, flood control, wildlife, and municipal interests, formed a Wash Committee to address mining issues that were local to the upper Santa Ana River wash area. The role of the Committee was subsequently expanded, and it began meeting in 1997 to determine how this area might accommodate the ongoing and contemplated future activities of the participating entities. To achieve this goal, the Wash Committee worked with the California Department of Fish and Wildlife (CDFW) and the Service to develop a Habitat Conservation Plan (HCP), which would establish a structure to integrate ongoing operations and planned projects with biological resource conservation within the Plan area. The District prepared a draft HCP on behalf of the Wash Committee in November 2008 and subsequently revised it in January 2010. The District and the Wash Committee subsequently worked with the Service and CDFW to revise the HCP, which now provides additional conservation. The District and the Wash Committee have also been working with the BLM to facilitate a land exchange to accommodate the HCP conservation strategy.

The Supplemental Draft EIR/EIS (SDEIS) will provide an updated analysis to the 2009 Draft EIS issued by the BLM in April 2009 for the Proposed Santa Ana River Wash Land Use Plan Amendment and Land Exchange and the Final EIR issued by the District for the HCP. The SDEIS will consider the environmental effects associated with the proposed land exchange, the proposed amendment to the SCRMP, and the proposed HCP, as well as those of several alternatives.

The SDEIS will evaluate the direct, indirect, and cumulative impacts of several alternatives related to the proposed land exchange and to the proposed issuance of Endangered Species Act permits to permit applicants in San Bernardino County, California. The permit applicants intend to apply for a 30-year permit from the Service that would authorize the incidental take of species resulting from implementation or approval of covered activities, including aggregate mining, the construction of ground water recharge basins, road improvements, trail construction, and other kinds of projects.

Pursuant to 43 CFR 1610.2(c), notice is hereby given that the BLM is considering a proposal to amend the 1994 SCRMP and exchange lands with the District. Additionally, the Service is considering the issuance of an incidental take permit consistent with the Upper Santa Ana River Wash HCP. The SDEIS will describe and analyze alternatives to the proposed land use plan amendment, and HCP. The lands proposed for exchange in the 2009 Draft EIS have been revised to incorporate the activities and conservation strategy to be carried out consistent with the terms of the HCP and the refinement of exchange parcels to allow water conservation, mining, flood control, and other public actions within the study area while protecting and consolidating the natural resources, especially the threatened and endangered species in the area. This analysis will also review reasonably foreseeable activities currently undergoing initial feasibility review for an additional flood control activity, potentially resulting in a new Area of Critical Environmental Concern designation. Covered activities will also be reviewed for potential impacts to land designated as an Area of Critical Environmental Concern and Research Natural Area for protection of two plants federally listed as endangered, *Eriastrum densifolium* subsp. *sanctorum* (Santa Ana River woolly-star) and *Dodecahema leptoceras* (slender-horned spineflower); as well as the federally endangered San Bernardino kangaroo rat (*Dipodomys merriami parvus*); the federally threatened coastal California gnatcatcher (*Polioptila californica californica*); and the cactus wren (*Campylorhynchus brunneicapillus*). In order to respond to comments received on the 2009 Draft EIS, extensive biological fieldwork was conducted to identify the areas in which the species

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are found in both a quantitative and qualitative manner. The Supplemental EIS will address the Federal actions in approving and implementing the project, including the proposed land exchange between the BLM and the District, the proposed amendment to the SCRMP by the BLM to accommodate the land exchange and the overall Wash Plan, and the proposed issuance of an incidental take permit consistent with the HCP. The BLM and the Service will be co-lead Agencies for the Supplemental EIS. The District will be the Lead Agency for the Supplemental EIR,

under the California Environmental Quality Act.

The Service and BLM are publishing this notice to announce the initiation of a public scoping period, during which we invite other agencies (local, State, and Federal), Tribes, nongovernmental organizations, and the public to submit written comments providing suggestions and information on the scope of issues and alternatives to be addressed in the SDEIS. Concurrently with this notice, the District has publicly released a California Environmental Quality Act Notice of Preparation for its EIR via State and local media.

#### Project Area

The project area lies within San Bernardino County, California, primarily in the cities of Highland and Redlands, as well as within the unincorporated County area. The project area encompasses approximately 4,467 acres within the area bounded by Greenspot Road to the north and east, Alabama Street to the west, and the Santa Ana River Wash to the south.

#### Potential Applicants

The Upper Santa Ana River Wash Plan is being prepared through a collaboration of Federal, State, and local agencies as the basis for the BLM to amend the SCRMP and exchange lands for the HCP, for the HCP approval and potential issuance of incidental take permits for the implementation of the Upper Santa Ana River Wash Plan by the District, City of Highland, City of Redlands, San Bernardino County, San Bernardino Valley Municipal Water District, and others. The incidental take permits would be issued pursuant to section 10(a)(1)(B) of the ESA and section 2081 (CESA) of the California Fish and Game Code. Only the applicants listed in the applications and HCP could receive incidental take permits for the covered activities and the covered species.

#### Covered Activities

The HCP is intended to cover two types of activities in the Upper Santa Ana River Wash Plan project area:

- (1) Activities related to the operations and maintenance of existing facilities or land uses already in operation in the Wash, covering an area totaling 166.9 acres; and
- (2) Expansion or enhancement of facilities planned for the Wash area, totaling 634.1 acres.

It should be noted that activities related to all utilities belonging to Southern California Edison within the project footprint, and the EBX Foothill Pipeline, also located within the project footprint, are excluded from the covered activities described in the HCP.

All listed project activities can be subdivided into the following categories:

- (1) Flood Control--activities related to the operation and maintenance of existing flood control facilities;
- (2) Mining--activities that support continued aggregate mining activities in the Wash;
- (3) Trails--the development of trails and open space opportunities; activities that support the restoration and maintenance of habitat values in the Wash;
- (4) Transportation--activities related to the construction and maintenance of planned transportation facilities;
- (5) Water Conservation--activities related to water management for conservation purposes, as well as habitat restoration activities, and the continued operations and maintenance of certain miscellaneous activities present on the site such as citrus production; and
- (6) Wells--activities related to the recharge or extraction of potable water from groundwater basins as part of the regional water supply.

#### Covered Species

Covered Species are those species addressed in the proposed Upper Santa Ana River Wash Plan for which conservation actions will be implemented and for which the applicants will seek incidental take authorizations for a period of up to 30 years. Proposed Covered Species are expected to include threatened and endangered species listed under the ESA, species listed under CESA, and unlisted species of Federal and State conservation concern.

Under the ESA, there is no take of federally listed plant species, and authorization under an ESA section 10 permit is not required. Section 9 of ESA does, however, prohibit certain actions related to plants including the removal of federally listed plants from areas under Federal jurisdiction and the removal or destruction of endangered plants in knowing violation of State law. In addition, section 7(a)(2)

of the ESA prohibits Federal agencies from jeopardizing the continued existence of any listed plant or animal species, or destroying or adversely modifying the critical habitat of such species. The species that may be affected by the proposed actions include two plants federally listed as endangered, *Eriastrum densiflorum* subsp. *sanctorum* and *Dodecahema leptoceras*, the federally endangered San Bernardino kangaroo rat and federally threatened coastal California gnatcatcher, and the cactus wren (not currently listed under the ESA).

The species noted above will be evaluated for inclusion in the Upper Santa Ana River Wash Plan as proposed Covered Species. However, the list of Covered Species may change as the planning process progresses; species may be added or removed as more is learned about the nature of Covered Activities and their impact on native species within the Plan area.

#### Environmental Impact Statement

Before deciding whether to issue the requested Federal incidental take permit, the land exchange and the SCRMP, the Service and BLM will prepare a SDEIS, and a final EIS as part of the joint EIS/EIR, in order to analyze the environmental impacts associated with potential adoption and implementation of the proposed Upper Santa Ana River Wash Plan as a HCP, land exchange, and SCRMP amendment. In the EIS component of the joint EIS/EIR, the Service and BLM intend to consider the following alternatives:

(1) The proposed action, which includes the Service issuance of incidental take Permit consistent with the proposed Upper Santa Ana River Wash Plan HCP under section 10(a)(1)(B) of the ESA to the applicants, and BLM's approval of a land exchange and SCRMP amendment;

(2) No action (no Federal ESA permit issuance, no land exchange, and no SCRMP amendment); and

(3) A reasonable range of alternatives that address different scenarios of development and species conservation on both Federal and non-Federal land. The SDEIS will include a detailed analysis of the impacts of the proposed action and alternatives. The range of alternatives to be considered and analyzed will represent varying levels of conservation and impacts, and may include variations in the scope of

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Covered Activities; variations in the locations, amount, and type of conservation and land exchange; variations in permit duration; or a combination of these elements. The BLM may address other considerations in the SDEIS. In compliance with NEPA, the Service and BLM will be responsible for the scope and preparation of the EIS component of the joint EIS/EIR.

The SDEIS will identify and analyze potentially significant direct, indirect, and cumulative impacts of the Service's authorization of incidental take (permit issuance) and the implementation of the proposed Upper Santa Ana River Wash Plan on biological resources, land uses, utilities, air quality, water resources (including surface and groundwater supply and water quality), cultural resources, socioeconomic and environmental justice, outdoor recreation, visual resources, induced growth, climate change and greenhouse gases, and other environmental issues that could occur with implementation of the proposed action and alternatives. The Service and the BLM will use all practicable means, consistent with NEPA and other essential considerations of national policy, to avoid or minimize significant effects of their actions upon the quality of the human environment.

The CDFW has requested and agreed to be a State cooperating agency. The Service, BLM, and CDFW agree that establishing a cooperating agency relationship will create a more streamlined and coordinated approach in developing this joint EIS/EIR.

#### Reasonable Accommodation

The Service and BLM are committed to providing access to these scoping meetings for all participants. Please direct all requests for sign language interpreting services, closed captioning, or other accommodation needs to Kennon Corey at 760-322-2070 (telephone), [ken\\_corey@fws.gov](mailto:ken_corey@fws.gov) (email), or 800-877-8339 (TTY), as soon as possible. To allow sufficient time to process requests, please call no later than 1 week before the public meeting. Information regarding this proposed action is available in alternative formats upon request.

#### Public Comments

We invite other government agencies, Native American Tribes, the scientific community, industry, nongovernmental organizations, and all other interested parties to participate in this scoping process and

provide comments and information. Comments on issues and potential impacts, or suggestions for additional or different alternatives, may be submitted in writing at any public scoping meeting or through one of the methods listed in the ADDRESSES section of this notice.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment--including your personal identifying information--may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

#### Authority

We provide this notice under section 10 of the Act (16 U.S.C. 1531 et seq.) and by NEPA regulations (40 CFR 1501.7, 1506.6, and 1508.22).

Dated: February 23, 2015.

Alexandra Pitts,  
Deputy Regional Director, Pacific Southwest Region, U.S. Fish and Wildlife Service, Sacramento, California.

Dated: February 23, 2015.

Tom Pogacnik,  
Deputy State Director, Natural Resources, California State Office, Bureau of Land Management, Sacramento, California.

[FR Doc. 2015-04341 Filed 3-2-15; 8:45 am]

BILLING CODE 4310-55-P

## NOTICE OF PREPARATION

**To:** Agencies and Interested Parties

**From:** San Bernardino Valley Water Conservation District

**Date:** March 6, 2015

**Subject:** Announcement of:

- 1) **Notice of Preparation** of an Environmental Impact Statement/Environmental Impact Report for the Draft South Coast Resource Management Plan Amendment for a Proposed Land Exchange and the Upper Santa Ana River Habitat Conservation Plan
- 2) **Public Scoping Meeting** to be held on March 18, 2015 from 2 to 4 p.m. and 6:30 to 8:30 p.m. at the San Bernardino Valley Water Conservation District, located at 1630 West Redlands Boulevard, Suite A, Redlands, CA 92373; and
- 3) **NOP Scoping** Comments due by Friday May 1, 2015.

The Bureau of Land Management (BLM) and the U.S. Fish and Wildlife Service (Service) will be co-lead Agencies for the Supplemental EIS pursuant to the National Environmental Policy Act (NEPA) (42 United States Code [USC] Section 4321 et seq.). The San Bernardino Valley Water Conservation District (District) will be the Lead Agency for the Supplemental EIR, under the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC], Section 21000 et seq.; see also 14 California Code of Regulations [CCR] Sections 15220, 15222 [State CEQA Guidelines]). The BLM, the Service, and the District will prepare a joint Supplemental Environmental Impact Statement/Environmental Impact Report (SEIS/EIR) for the Land Exchange, SCRMP amendment and Habitat Conservation Plan (HCP) Project (Proposed Project for CEQA purposes) in San Bernardino County, California.

**PURPOSE OF THE NOTICE OF PREPARATION:** The purpose of a Notice of Preparation (NOP) is to notify responsible and trustee agencies, Federal agencies involved in approving or funding a project, and interested parties that an SEIS/EIR will be prepared. The NOP should provide sufficient information about the proposed project and its potential environmental impacts to allow recipients the opportunity to provide a meaningful response related to the scope and content of the SEIS/EIR, including the potentially significant and significant environmental issues, reasonable alternatives, and mitigation measures that the responsible or trustee agency will need to have explored in the SEIS/EIR (State CEQA Guidelines CCR Section 15082[a][1]).

The Project location and description of the proposed Project are presented below. An initial study has not been prepared because the SEIS/EIR will address all issue areas and it is already known that the proposed Project could have a significant effect on the environment. The SEIS/EIR will also include feasible mitigation measures and evaluate a reasonable range of alternatives to avoid or substantially reduce the proposed Project's significant adverse environmental impacts.

The purposes of this NOP are to:

1. Notify the appropriate parties that an SEIS/EIR will be prepared for the proposed Project;
2. Briefly describe the proposed Project and the anticipated content of the SEIS/EIR;
3. Announce the public scoping meeting to facilitate public input; and

4. Solicit input by from Federal, State, regional, and local agencies, and from interested organizations and individuals, regarding the content and scope of the SEIS/EIR, including the alternatives to be addressed and the potentially significant environmental impacts.

## **1.0 Project Background and Purpose and Need**

A proposed HCP has been drafted to meet the requirements of the Federal Endangered Species Act (ESA) of 1973, as amended, and the State of California's Endangered Species Act and Natural Communities Conservation Planning Act. The BLM, in compliance with the Federal Land Policy and Management Act, as amended, will consider this NEPA process and the resulting HCP documents in its analysis toward possible amendment of the BLM South Coast Resource Management Plan (SCRMP) to support the land exchange. The Proposed Project includes the following:

1. Exchange up to 400 acres of public lands located within the Santa Ana River Wash Area of Critical Environmental Concern (ACEC) for up to 380 acres of land owned by the District in San Bernardino County, California, and;
2. Amend the SCRMP for the Upper Santa Ana River portion that is affected by the land exchange area.
3. Authorize take and implementation of the HCP.

The land exchange and SCRMP Amendment are actions that would assist with implementation of the 2008 Upper Santa Ana River Wash Land Management and Habitat Conservation Plan (Wash Plan). The Wash Plan is a multi-jurisdictional land management strategy involving publicly and privately owned land within the Wash Plan area.

The proposed exchange and SCRMP Amendment would occur under the authority of the Federal Land Policy and Management Act (FLPMA) of 1976, as amended by the Federal Land Exchange Facilitation Act (FLEFA) of 1988, and 43 CFR 1610.

For purposes of the Environmental Impact Statement (EIS), BLM lands proposed for disposal through exchange (federal lands selected for acquisition by the District) are called "Selected Lands". Lands offered by the District to the BLM in exchange for the Selected Lands are called "Offered Lands".

Under the SCRMP, public lands in the Santa Ana River Wash ACEC are not available for exchange or mineral material mining and processing; therefore, the Proposed Action requires an amendment to the SCRMP. As a result of this land exchange, Offered Lands acquired by the BLM would be added to the Santa Ana River Wash ACEC, in order to protect and enhance habitat for federally listed species and for water conservation. Selected Lands would be allocated by the District for mining and mineral processing, habitat conservation, and water conservation in accordance with the Wash Plan. This EIS analyzes the proposed land exchange and SCRMP Amendment, and serves as the environmental document addressing the potential effects caused by the Proposed Action.

### **Purpose**

A primary purpose of the exchange is for the BLM to dispose of isolated lands which have been previously degraded by mining activities within the Santa Ana River Wash ACEC, and in exchange, to acquire District lands with high habitat value adjacent to existing ACEC parcels. The exchange will allow the BLM to consolidate fragmented parcels with high-quality habitat, resulting in improved management

of the ACEC. Lands acquired by the BLM through the proposed exchange would be added to the Santa Ana River Wash ACEC. These lands would also become part of the planned multi-jurisdictional, multi-species Habitat Conservation Area (HCA) described in the Wash Plan. A Policy Action Committee (PAC) was established consisting of elected officials from the County, Cities of Highland and Redlands, the District, and the Field Manager from BLM. A Technical Advisory Committee (TAC) was formed with representatives of the PAC agencies and other water, mining, flood control, and wildlife interests. The District chaired and provided staff support for the Committees.

The proposed designations for land use cross both land ownership (three public agencies and two private entities) land use designations and jurisdictions (City of Redlands, City of Highland, and San Bernardino County). The TAC determined that planned mining expansion would be best addressed by consolidating future mining activity into one area adjacent to existing mining operations within the western half of the Plan Area. This focuses extraction activities on lands currently in or near mining disturbance lands with the least long-term wildlife habitat value. In addition, the TAC determined that portions of the BLM land designated as ACEC were previously disturbed or fragmented by adjacent mining activities, and thus would be better suited for mining expansion. Some of the most intact, viable wildlife habitat areas are contained within lands leased for future mining and currently used for water conservation. The TAC concluded that some of these lands were best suited for joint use as water and habitat conservation rather than mining.

The HCP is part of the permit application submitted by the District to the Service on behalf of the parties implementing the Wash Plan. USFWS is being asked to authorize incidental take of four federally listed species: Santa Ana River woollystar (*Eriastrum densifolium ssp. sanctorum*, *Woollystar*), Slender-horned spineflower (*Dodecahema leptoceras*, *Spineflower*), California gnatcatcher (*Polioptila californica*, *Gnatcatcher*), Coastal cactus wren (*Campylorhynchus brunneicapillus*, *Cactus wren*), and San Bernardino kangaroo rat (*Dipodomys merriami parvus*, *SBKR*).

The land exchange would result in a change of ownership and uses of the identified lands. BLM lands received as a result of the exchange would be designated as part of the existing Santa Ana River Wash ACEC and would also become part of the proposed multi-jurisdictional multi-species HCA which is identified in the Wash Plan. A parcel of BLM land currently in the ACEC would be transferred to the District and a portion of that land will be made available for the expansion of mining operations through lease by the District to mining companies.

### **Need**

Past mining and urban encroachment (i.e. roads, utilities and flood control facilities) have degraded suitable habitat within some of the existing Santa Ana River Wash ACEC. The portions of the ACEC that have experienced some level of disturbance in the past, possess aggregate reserves that is suitable for future mining. A need exists to reconfigure the ownership of lands that are best suited for preserving unique habitat and to separate these lands from areas that are more suitable for mining. The land exchange would meet this need. BLM would dispose of disturbed, degraded, and unmanageable land, and acquire high quality, manageable habitat. The exchange of land would allow mining uses to occur on degraded habitat, and would allow the BLM to preserve and consolidate sensitive habitat areas for the improvement of the ACEC.

## 2.0 Project Description

### Project Location

The Selected and Offered Lands are located in the Wash Plan Area which is located in San Bernardino County, California (refer to Figure 1, *Regional Context and Plan Area Boundary*). The Wash Plan Area contains both public and private lands supporting a variety of functions. The principal landowners in the area are the District, the San Bernardino County Flood Control District, the BLM, the City of Highlands, the City of Redlands, and Robertson's Mining Company. The Wash Plan Area in which the parcels proposed for exchange are located generally begins at the mouth of the Santa Ana River Canyon at Greenspot Road and extends westward for approximately six miles to Alabama Street. Greenspot Road forms the northern and eastern boundary of the Wash Plan Area and the south bluffs of the Santa Ana River Wash generally form the southern boundary.

The Wash Plan Area is located on an alluvial plain that provides excellent geological conditions for groundwater recharge. The geological conditions also provide excellent aggregate resources for construction materials such as gravel and sand.

### Project Study Area

The study area for this environmental analysis includes areas that may be affected directly, indirectly or cumulatively by implementing the Project. The study area has been broadly defined to ensure evaluation of the potential effects within all areas that would be affected by, and benefit from, implementation of the Project. The scope of the study area varies depending on the impact topic discussed.

### Project Description

The Proposed Action consists of core exchange parcels minimally necessary to implement the Wash Plan and equalization parcels to equalize the monetary values of exchange lands, if necessary. Through the exchange, the BLM would dispose of fragmented, degraded, and unmanaged lands, and acquire and consolidate high quality manageable habitat.

The BLM would dispose of Selected Lands to the District and would acquire Offered Lands from the District. This exchange would allow the future expansion of mining activities on BLM Selected Lands which, in their current state, are partially disturbed by mining haul roads and are located adjacent to existing mining operations. The District would adopt a conservation easement or other similar land management tool on certain acquired Selected Lands identified in the Wash Plan for habitat conservation. District Offered Lands transferred to BLM ownership would be designated as part of the Santa Ana River Wash ACEC, providing protection of quality habitat for endangered species, and allowing water spreading operations in non-sensitive habitat areas (see Figure 2, *Plan Area Subcomponents*).

The BLM would convey ownership of approximately 315 acres of partially disturbed and fragmented BLM lands to the District. In return, the BLM would acquire approximately 320 acres of higher quality habitat, which would create a contiguous habitat linkage between existing BLM parcels located south and north of the Offered Lands in Section 12. If necessary, the 60 acres of District equalization parcels and the 85 acres of BLM equalization parcels may be used to equalize the values of the core exchange parcels.

**Table 1: Alternatives Acreage Matrix**

Component	Alternative A	Alternative B
	No Action/Existing Conditions (acres) <sup>1</sup>	Proposed Action Future Land Uses (acres)
Water Recharge and Conservation	320	60
Undeveloped Natural Habitat	602	0
Habitat Conservation	339	461
Aggregate Mining and Processing	61	259

*Source: Wash Plan EIR 2008.*

Notes: Please refer to Table 3.7, Existing Conditions and Table 3.9, Future Land Use for these acreages under the No Action and Proposed Action Alternatives.

1. Per Wash Plan EIR land use breakdown
2. District Land in Santa Ana River channel.
3. Habitat Conservation includes land in BLM ACEC, or conservation easement on for habitat protection.

### Consideration of Project Alternatives

Eight Alternatives were evaluated for the SEIS/SEIR. Six were eliminated with specific rational that is located at the end of this chapter. Two alternatives have been carried forward for detailed analyzed in the EIS. Alternative A, the No Action Alternative would allow the continuation of current, existing management on the Selected and Offered Lands. CEQ regulations require a no-action/"current management" alternative to be considered in every document prepared in satisfaction of NEPA. Alternative B, the Proposed Action, would allow the exchange of lands minimally necessary to implement the Wash Plan, as well as additional lands that may be exchanged, if necessary to equalize values between the BLM and District land exchange.

The CEQ NEPA Regulations (40 C.F.R. 1502.14) state that an EIS must consider a reasonable range of alternatives that could accomplish some or all of the objectives established for the Proposed Action. "Reasonable" alternatives are those that could be carried out based on technical, economic, environmental, and other factors. Alternatives that do not meet some or all of the objectives or do not satisfy the Lead Agency's "reasonableness" criteria need not be evaluated in the Draft EIS. Alternatives to the Proposed Action were developed utilizing an interdisciplinary team that included the District, BLM staff and cooperating agencies.

The phrase "range of alternatives" also refers to the alternatives discussed in environmental documents. It includes all reasonable alternatives, which must be rigorously explored and objectively evaluated, as well as those other alternatives, which are eliminated from detailed study with a brief discussion of the reasons for eliminating them. Section 1502.14. A decision maker must not consider alternatives beyond the range of alternatives discussed in the relevant environmental documents. Moreover, a decision maker must, in fact, consider all the alternatives discussed in an EIS. Section 1505.1(e).

### 3.0 Probable Environmental Impacts

The SEIS/EIR will describe the direct and indirect potentially significant environmental impacts of the proposed Project. The SEIS/EIR will also evaluate the cumulative impacts of the Project when considered in conjunction with other related past, present, and reasonably foreseeable future projects. The probable environmental impacts of the proposed Project are as follows (for each potentially significant

impact, the SEIS/EIR will identify Project Design Features, existing regulations, mitigation measures and/or Project alternatives that could avoid, reduce or offset potential impacts):

- **Aesthetics:** Temporary construction-related impacts and long-term operational changes in scenic views or visual character of the Project area may occur. The SEIS/EIR will address construction-related and operational impacts of site improvements, including light/glare effects at construction sites and security lighting.
- **Air Quality:** Temporary and short-term increases in pollutant emissions and objectionable odors associated with construction activities, and long-term increases in pollutant emissions during project operation (including stationary and mobile-source emissions) may occur. Development of the proposed Project could result in pollutant emissions from short-term construction activities. The SEIS/EIR will quantify potential air quality impacts and identify appropriate mitigation measures to reduce exposure of sensitive receptors to below substantial pollutant concentrations. In addition, a localized analysis will be performed in accordance with SCAQMD Localized Significance Thresholds (LST) methodology for construction and operations (stationary sources) for carbon monoxide (CO), nitrous oxides (NO<sub>x</sub>), particulate matter less than 10 microns in aerodynamic diameter (PM<sub>10</sub>), and particulate matter less than 2.5 microns in aerodynamic diameter (PM<sub>2.5</sub>).
- **Biological Resources:** The Santa Ana River Wash ACEC encompasses 760 acres of BLM lands north of the City of Redlands, within the floodplains of the Santa Ana River and Plunge Creek. The Santa Ana River Wash ACEC provides special management for the conservation and recovery of the slender-horned spineflower (*Dodecahema leptoceras*) and Santa Ana River woolly-star (*Eriastrum densifolium* ssp. *canctorum*). The ACEC is managed according to decisions stated in the SCRMP, which define the ACEC as a right-of-way avoidance area, unavailable for mineral sales, closed to motorized vehicle use, and unavailable for livestock grazing. These management prescriptions generally limit the amount and extent of surface-disturbing activities permitted within the ACEC in order to protect and conserve habitat for which the area was designated.

Approximately 339 acres of BLM Selected Lands are located within the Santa Ana River Wash ACEC and set aside for habitat conservation. BLM Selected Lands within the Santa Ana River Wash ACEC are primarily located within Section 10. Much of the Selected Lands are located on a portion of the ACEC that has been disturbed by mining haul roads and unauthorized mining activities.

Approximately 60 acres of District Offered Lands are suitable for habitat conservation but are not formally managed by the District as such.

While the purpose of the HCP is to provide conservation regulations for special status species, other components of the proposed Project may impact biological resources. This will be further analyzed in the SEIS/EIR.

- **Cultural Resources:** Project construction could impact portions of historic properties which are adjacent to the existing roadways. In addition, potentially significant archaeological and/or paleontological resources could be inadvertently unearthed or discovered during construction. The District, will initiate Section 106 consultation with the State Historic Preservation Officer as part of the federal consultation process. As such, the proposed Project's potential impacts on archaeological, paleontological, and historic resources will be analyzed in the SEIS/EIR.

- **Geology and Mineral Resources:** Multiple geological conditions exist within the Project area that warrant thorough geological and soils analysis. The potential for liquefaction and landslide is considered “high” in the Project area. Additionally, slope failure is a possibility in the Project area.

In general, the Project Area is not within an area of high mineral resources other than that of aggregate resources. There is a very low potential for oil and gas based on the geologic setting of the area; however, high-quality sand, gravel, and aggregate resources are present in the alluvial deposits throughout the Project Area and the Santa Ana River Wash. The entirety of the Wash Plan Area, specifically the core exchange parcels and associated equalization parcels, has been classified as MRZ-2, which indicates the likelihood of significant mineral deposits. There are currently three active mining operations within the general area of the Selected and Offered Lands: Match; Cemex; and Robertson's. No permitted and authorized mining activity is currently being pursued in the Project Area. This will be further analyzed in the SEIS/EIR.

- **Greenhouse Gas Emissions:** Temporary construction activities associated with the proposed Project could result in emissions of greenhouse gasses including CO<sub>2</sub>, N<sub>2</sub>O, and CH<sub>4</sub> emissions. The SEIS/EIR will quantify potential greenhouse gas emissions from construction and operational activities, evaluate potential impacts, and identify appropriate mitigation measures, where necessary, to avoid and/or minimize pollutant emissions.
- **Hazards and Hazardous Materials:** Potential spills of, and exposure to, hazardous materials during construction may occur with Project implementation, due to the use of various products that could contain materials classified as hazardous (including solvents, adhesives, cements, paints, cleaning agents, and degreasers), as well as fuels such as gasoline and diesel used in heavy equipment and other construction vehicles. Therefore, additional analysis of the anticipated impacts relative to hazardous waste and materials will be provided in the SEIS/EIR. The Project’s potential to impair implementation of an adopted emergency response plan or emergency evacuation plan will also be evaluated in the SEIS/EIR.
- **Hydrology and Water Quality:** Long-term hydrology and water quality impacts may result with Project implementation, as discussed below:
  - *Hydrology:* The Santa Ana River enters the Project Area from the northeast and continues along the southern boundary of the Project Area, flowing southwest to Prado Basin. Upstream tributary flows into this reach of the Santa Ana River include Plunge Creek to the north and City Creek to the northwest.

Plunge Creek enters the Wash Plan Area along the northern boundary, and City Creek skims the northwest boundary of the Wash Plan Area. Mill Creek joins the Santa Ana River near the southeast corner of the Wash Plan Area. The Seven Oaks Dam, upstream of the Project Area, provides flooding mitigation from the main-stem Santa Ana River and the mountain-based tributaries. The extensive levee system within the vicinity of the Project Area has been designed to mitigate flooding and redirect flows, including 100-year rain event flows from Mill Creek.

Groundwater underlying the Wash Plan Area is part of the Bunker Hill II sub-basin of the Upper Santa Ana Valley Groundwater Basin. The Bunker Hill Basin covers 89,600 acres (120 square miles), has an estimated storage capacity of 5,976,000 acre-feet,

and has a current anticipated storage of 5,890,300 acre-feet. The Bunker Hill Basin is identified as a groundwater recharge zone, and is bounded on the north by the bedrock of the San Bernardino Mountains (north of the San Andreas Fault), on the southeast by the Crafton fault, and on the west by the San Jacinto Fault. These geologic faults act as barriers to groundwater movement.

- **Water Quality:** The Project Area lies within the Bunker Hill Basin which is known for its high-quality water because there are relatively few sources of contamination discharged to the Santa Ana River from upstream sources. Sewage generated from nearby cities converges to other urbanized areas before converging with the Santa Ana River. Furthermore, the Bunker Hill percolation basins rely on rainfall and stream flow from the Santa Ana River for recharge. The groundwater also provides a central water supply for communities; consequently, protecting this source of water is an important part of providing safe drinking water to the public.

There are no long-term data on the quality of storm water runoff within the Project Area. In the absence of site-specific data, expected storm water quality can be discussed qualitatively by relating pollutants to specific land use. The Project Area contains a direct road for the hauling of mineral resources. Pollutants expected include sediment, pathogens, pesticides, and salts. The amount of runoff depends upon rainfall intensity.

- **Land Use and Planning:** The Project Area consists of the lands proposed for exchange by the District and the BLM within the City of Highland and the City of Redlands, within the County of San Bernardino, California. Approximately 80 acres of Selected Land and approximately 320 acres of Offered Land are located within the City of Highland. Approximately 220 acres of Selected Land and approximately 60 acres of Offered Land are located within the City of Redlands.

The BLM Palm Springs Field Office administers both surface and subsurface estate on the Selected Lands in accordance with the SCRMP which is currently undergoing revision. The SCRMP provides a framework to maximize resource values and the multiple uses of BLM lands through a rational, consistently applied set of procedures. The Draft SCRMP revision was published 2011 and recognized the ongoing development of the Santa Ana Wash HCP as well as the proposed land exchange plan amendment. While most sensitive habitats are to be retained for management in collaboration with local jurisdictions, state and federal agencies, and public/private interest groups, disposals of such habitats can occur only if broader conservation goals can be achieved. Further analysis will be conducted in the SEIS/EIR.

- **Noise:** Noise associated with Project construction would occur over the short term. Construction noise for the proposed Project would be generated by construction equipment, including trucks, backhoes, excavators, and other associated equipment, and may impact nearby sensitive receptors (such as schools and residences). The SEIS/EIR would include an evaluation of potential noise impacts, focusing on short-term construction noise (including truck hauling) and groundborne vibration, and long-term operations related to noise, and would specifically address impacts associated with the Project on noise-sensitive land uses both within the Project site and along existing offsite roadways where traffic would be generated.

- **Recreation:** Construction and implementation of the proposed Project may impact recreational facilities on and near the Project area. This will be further analyzed in the SEIS/EIR.
- **Socioeconomics (Including Population, Employment and Housing):** Temporary and permanent increase in local/regional employment, increased need for housing or potential displacement of housing or persons, and inducement of substantial population growth associated with project implementation will be evaluated in the SEIS/EIR.
- **Transportation/Traffic:** The Project is not considered a trip-generating project; however, temporary construction-related traffic impacts relative to levels of service standards and inadequate emergency access may occur. Therefore, further analysis will be conducted in the SEIS/EIR.
- **Environmental Justice:** Due to the presence of minority and low-income populations in the Project area (according to the U.S. Census Bureau 2010 Census), disproportionately high and adverse effects on minority or low-income populations may occur with Project implementation, the analysis of which is required by NEPA. The SEIS/EIR will conduct a demographic analysis of these populations both within proximity to the proposed Project and living in other areas that would be serviced by the Project, provide graphical representations of their locations, and evaluate and provide mitigation for any potential disproportionately high and adverse impacts to minority and low-income populations.
- **Growth Inducement:** Potential growth-inducing impacts may results from project construction, including substantial new temporary employment opportunities.

These issue areas will be discussed further in the SEIS/EIR, and mitigation measures will be recommended wherever reasonable and feasible to reduce potentially significant impacts.

## 4.0 Scoping Meeting

A public scoping meeting will be held on **March 18, 2015** at two different times for the convenience of interested parties - one from 2 to 4 PM and one from 6 to 8 PM (it is only necessary to attend one of the scoping meetings, as they will have the same information and purpose).

### Scoping Meeting Information

Wednesday, March 18, 2015  
2-4 PM and 6-8 PM

### San Bernardino Valley Water Conservation District

1630 West Redlands Boulevard, Suite A  
Redlands, CA 92373  
Phone: (909) 793-2503  
<http://www.sbvwd.dst.ca.us/>

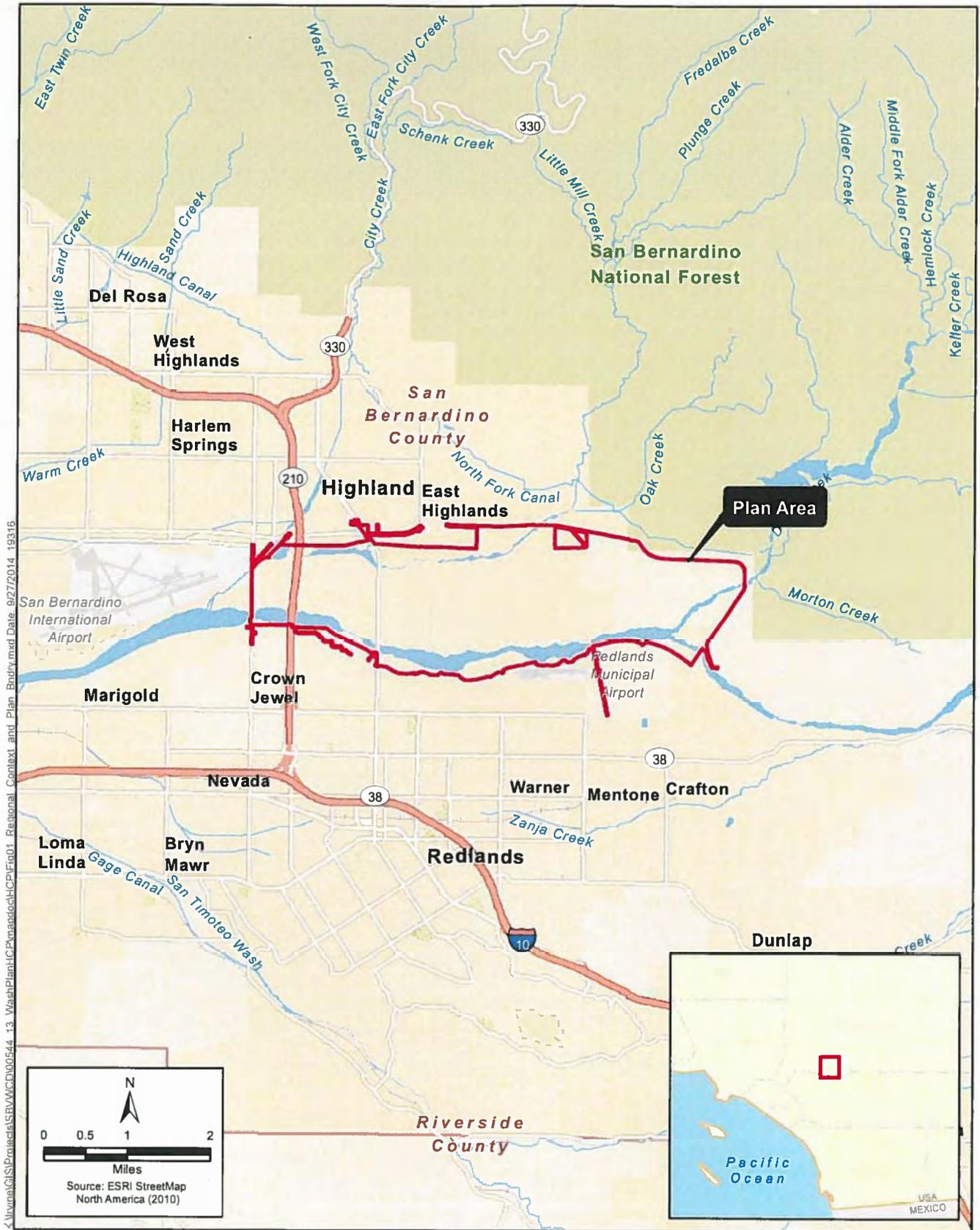
The scoping meeting will include a brief presentation regarding the proposed Project, followed by public comments. Attendees will be provided an informational packet, will have the opportunity to ask questions, and will be provided with a comment card to submit to the District prior to the close of the public review period.

## 5.0 Comments

This NOP is being circulated for a 60-day public comment period, beginning on Friday March 6, 2015, and ending on Friday May 1, 2015. Written or oral comments on the proposed content and scope of the SEIS/EIR can be provided at the public scoping meeting, or written comments may be provided directly to the District. Comments must be ***received no later than 5:00 p.m. on Friday May 1, 2015***. Agencies that will need to use the SEIS/EIR when considering permits or other approvals for the proposed Project should provide the name of a contact person, as well as any specific requirements or recommended mitigation measures or alternatives necessary to satisfy the agency's respective permit/approval process. Comments provided by e-mail should include the name and address of the sender. Please send all written and/or e-mail comments to one of the following:

Jeff Beehler  
Resources Manager  
1630 West Redlands Blvd., Suite A  
Redlands, California 92373  
[jbeehler@sbywcd.org](mailto:jbeehler@sbywcd.org)

All comments received during the public comment period will be considered and addressed in the SEIS/EIR, which is anticipated to be available for public review in mid-2015.

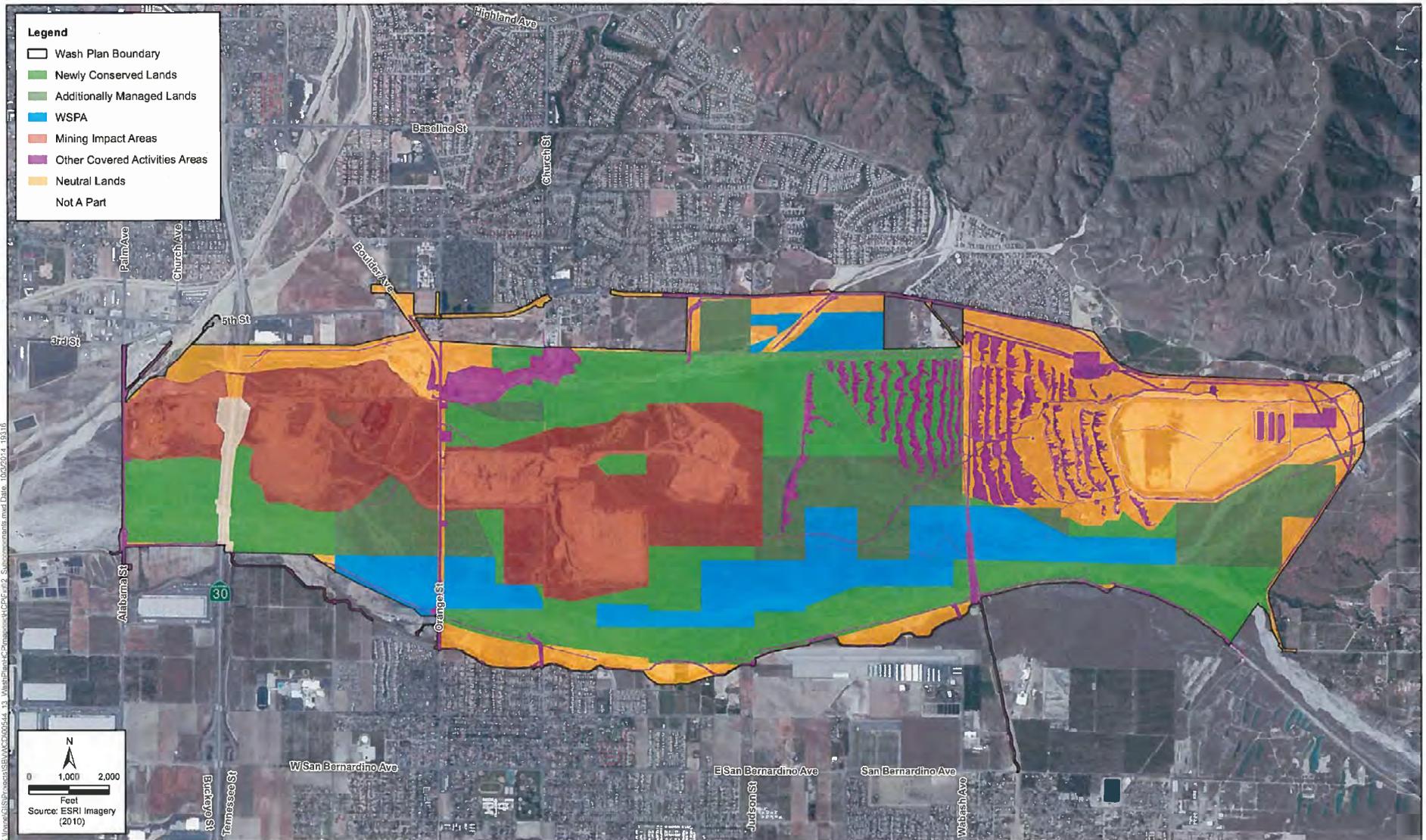


C:\Users\jcs\Documents\Projects\SB\WV\CD\00544\_13\_WashPlan\HCP\map\doch\CP\Fin01\_Regional\_Context\_and\_Plan\_Bdry.mxd Date: 9/27/2014 1:33:15



**Figure 1**  
**Regional Context and Plan Area Boundary**  
**Wash Plan HCP**

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**Figure 2**  
**Plan Area Subcomponents**  
**Wash Plan HCP**



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## Upper Santa Ana River Wash Plan Supplemental EIS/EIR

**SCH Number:** 2015031022

**Document Type:** NOP - Notice of Preparation

**Project Lead Agency:** San Bernardino Valley Water Conservation District

### Project Description

Note: Reference SCH# 2004051023 The Proposed Project includes the following: 1. Exchange up to 400 acres of public lands located within the Santa Ana River Wash Area of Critical Environmental Concern (ACEC) for up to 380 acres of land owned by the District in San Bernardino County, CA, and; 2. Amend the SCRMP for the Upper Santa Ana River portion that is affected by the land exchange area. 3. Authorize take and implementation of the HCP.

### Contact Information

**Primary Contact:**

Jeff Beehler  
San Bernardino Valley Water Conservation District  
714/793-2503  
1630 West Redlands Blvd  
Redlands, CA 92373

### Project Location

County: San Bernardino  
City: Redlands, Highland  
Region:  
Cross Streets: Alabama Street, 5th Street  
Latitude/Longitude: 34° 5' 44" / 117° 9' 50" [Map](#)  
Parcel No: multiple  
Township: 1S  
Range: 3W  
Section: 11  
Base: SBB&M  
Other Location Info:

### Proximity To

Highways: Hwy 210  
Airports: Redlands Municipal Airport  
Railways:  
Waterways: Seven oak Dam, Santa Ana River  
Schools: Citrus Valley HS, Beattie  
Land Use: Open Space, Mining, Recreational Facilities

### Development Type

Recreational, Mining, Other (Habitat Conservation)

### Local Action

Other Action (HCP and land Ex)

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Upper Santa Ana River Wash Plan Supplemental EIS/EIR

Lead Agency: San Bernardino Valley Water Conservation District Contact Person: Jeff Beehler
Mailing Address: 1630 West Redlands Blvd. Phone: 909-793-2503
City: Redlands Zip: 92373 County: San Bernardino

Project Location: County: San Bernardino City/Nearest Community: Redlands, Highland
Cross Streets: Alabama Street, 5th Street Zip Code: 92373
Longitude/Latitude (degrees, minutes and seconds): 34 ° 5 ' 44 " N / 117 ° 9 ' 50 " W Total Acres:
Assessor's Parcel No.: multiple Section: 11 Twp.: 1 South Range: 3 West Base: SB
Within 2 Miles: State Hwy #: 210 Waterways: Seven Oaks Dam, Santa Ana River
Airports: Redlands Municipal Airport, SF Railways: N/A Schools: Citrus Valley HS, Beattie

Document Type:

CEQA: [X] NOP [ ] Draft EIR NEPA: [ ] NOI Other: [ ] Joint Document
[ ] Early Cons [X] Supplement/Subsequent EIR [ ] EA [ ] Final Document
[ ] Neg Dec (Prior SCH No.) 2004051023 [ ] Draft EIS [ ] Other:
[ ] Mit Neg Dec Other:

Local Action Type:

[ ] General Plan Update [ ] Specific Plan [ ] Rezone [ ] Annexation
[ ] General Plan Amendment [ ] Master Plan [ ] Prezone [ ] Redevelopment
[ ] General Plan Element [ ] Planned Unit Development [ ] Use Permit [ ] Coastal Permit
[ ] Community Plan [ ] Site Plan [ ] Land Division (Subdivision, etc.) [X] Other: HCP and land Ex

Development Type:

[ ] Residential: Units Acres
[ ] Office: Sq.ft. Acres Employees
[ ] Commercial: Sq.ft. Acres Employees
[ ] Industrial: Sq.ft. Acres Employees
[ ] Educational:
[X] Recreational:
[ ] Water Facilities: Type MGD
[ ] Transportation: Type
[X] Mining: Mineral
[ ] Power: Type MW
[ ] Waste Treatment: Type MGD
[ ] Hazardous Waste: Type
[X] Other: Habitat Conservation

Project Issues Discussed in Document:

[X] Aesthetic/Visual [ ] Fiscal [X] Recreation/Parks [X] Vegetation
[ ] Agricultural Land [X] Flood Plain/Flooding [ ] Schools/Universities [X] Water Quality
[X] Air Quality [ ] Forest Land/Fire Hazard [ ] Septic Systems [ ] Water Supply/Groundwater
[X] Archeological/Historical [X] Geologic/Seismic [ ] Sewer Capacity [X] Wetland/Riparian
[X] Biological Resources [X] Minerals [X] Soil Erosion/Compaction/Grading [X] Growth Inducement
[ ] Coastal Zone [X] Noise [ ] Solid Waste [X] Land Use
[X] Drainage/Absorption [ ] Population/Housing Balance [X] Toxic/Hazardous [X] Cumulative Effects
[ ] Economic/Jobs [X] Public Services/Facilities [X] Traffic/Circulation [ ] Other:

Present Land Use/Zoning/General Plan Designation:

Open Space, Mining, Recreational Facilities

Project Description: (please use a separate page if necessary)

The Proposed Project includes the following:
1. Exchange up to 400 acres of public lands located within the Santa Ana River Wash Area of Critical Environmental Concern (ACEC) for up to 380 acres of land owned by the District in San Bernardino County, California, and;
2. Amend the SCRMP for the Upper Santa Ana River portion that is affected by the land exchange area.
3. Authorize take and implementation of the HCP.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

## Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X". If you have already sent your document to the agency please denote that with an "S".

- |   |  |
|---|--|
| <u>S</u> <input type="checkbox"/> Air Resources Board                 | <u>S</u> <input type="checkbox"/> Office of Historic Preservation            |
| <input type="checkbox"/> Boating & Waterways, Department of           | <input type="checkbox"/> Office of Public School Construction                |
| <input type="checkbox"/> California Emergency Management Agency       | <input type="checkbox"/> Parks & Recreation, Department of                   |
| <input type="checkbox"/> California Highway Patrol                    | <input type="checkbox"/> Pesticide Regulation, Department of                 |
| <u>S</u> <input type="checkbox"/> Caltrans District #8                | <input type="checkbox"/> Public Utilities Commission                         |
| <input type="checkbox"/> Caltrans Division of Aeronautics             | <u>S</u> <input type="checkbox"/> Regional WQCB #8                           |
| <input type="checkbox"/> Caltrans Planning                            | <input type="checkbox"/> Resources Agency                                    |
| <input type="checkbox"/> Central Valley Flood Protection Board        | <input type="checkbox"/> Resources Recycling and Recovery, Department of     |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy           | <input type="checkbox"/> S.F. Bay Conservation & Development Comm.           |
| <input type="checkbox"/> Coastal Commission                           | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board                         | <input type="checkbox"/> San Joaquin River Conservancy                       |
| <u>S</u> <input type="checkbox"/> Conservation, Department of         | <input type="checkbox"/> Santa Monica Mtns. Conservancy                      |
| <input type="checkbox"/> Corrections, Department of                   | <input type="checkbox"/> State Lands Commission                              |
| <input type="checkbox"/> Delta Protection Commission                  | <input type="checkbox"/> SWRCB: Clean Water Grants                           |
| <input type="checkbox"/> Education, Department of                     | <input type="checkbox"/> SWRCB: Water Quality                                |
| <input type="checkbox"/> Energy Commission                            | <input type="checkbox"/> SWRCB: Water Rights                                 |
| <u>S</u> <input type="checkbox"/> Fish & Game Region #6               | <input type="checkbox"/> Tahoe Regional Planning Agency                      |
| <input type="checkbox"/> Food & Agriculture, Department of            | <input type="checkbox"/> Toxic Substances Control, Department of             |
| <input type="checkbox"/> Forestry and Fire Protection, Department of  | <input type="checkbox"/> Water Resources, Department of                      |
| <input type="checkbox"/> General Services, Department of              | <input type="checkbox"/> Other: _____  |
| <input type="checkbox"/> Health Services, Department of               | <input type="checkbox"/> Other: _____  |
| <input type="checkbox"/> Housing & Community Development              |  |
| <u>S</u> <input type="checkbox"/> Native American Heritage Commission |  |

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**Local Public Review Period (to be filled in by lead agency)**

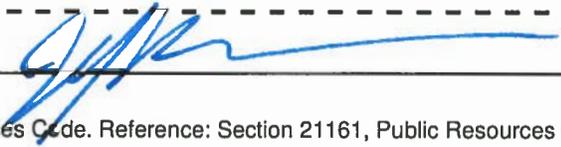
Starting Date March 6, 2015 Ending Date May 1, 2015

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**Lead Agency (Complete if applicable):**

Consulting Firm: <u>RVA &amp; Associates, Inc.</u>	Applicant: <u>San Bernardino Valley Water Conservation District</u>
Address: <u>3602 Inland Empire Boulevard</u>	Address: <u>1630 W. Redlands Blvd.</u>
City/State/Zip: <u>Ontario, CA 91764</u>	City/State/Zip: <u>Redlands, CA 92373</u>
Contact: <u>Ruth Villalobos</u>	Phone: <u>909-793-2503</u>
Phone: <u>909-685-5942</u>	

-----

Signature of Lead Agency Representative:  Date: 3-4-15

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

## Project Issues

Aesthetic/Visual, Air Quality, Archaeologic-Historic, Biological Resources, Drainage/Absorption, Flood Plain/Flooding, Geologic/Seismic, Minerals, Noise, Public Services, Recreation/Parks, Soil Erosion/Compaction/Grading, Toxic/Hazardous, Traffic/Circulation, Vegetation, Water Quality, Wetland/Riparian, Growth Inducing, Landuse, Cumulative Effects

---

## Reviewing Agencies (Agencies in **Bold Type** submitted comment letters to the State Clearinghouse)

Resources Agency; Department of Conservation; Cal Fire; Department of Parks and Recreation; **Department of Water Resources; Department of Fish and Wildlife, Region 6**; Office of Emergency Services, California; Native American Heritage Commission; Public Utilities Commission; State Lands Commission; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 8; Air Resources Board; Regional Water Quality Control Board, Region 8

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**Date Received:** 3/5/2015   **Start of Review:** 3/5/2015   **End of Review:** 4/3/2015

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THE METROPOLITAN WATER DISTRICT  
OF SOUTHERN CALIFORNIA

Office of the General Manager

April 29, 2015

Brandon Anderson  
Santa Ana River Wash Project  
Bureau of Land Management  
1201 Bird Center Drive  
Palm Springs, CA 92262

Dear Mr. Anderson

Scoping Comments for the Supplemental Draft Environmental Impact Statement  
for the Proposed South Coast Resource Management Plan Amendment and  
Proposed Upper Santa Ana River Habitat Conservation Plan and Land Exchange

The Metropolitan Water District of Southern California (Metropolitan) reviewed the Notice of Intent (NOI) for the Supplemental Draft Environmental Impact Statement (SDEIS) for the Proposed South Coast Resource Management Plan Amendment and Proposed Upper Santa Ana River Habitat Conservation Plan and Land Exchange. Additionally, Metropolitan staff attended a scoping meeting on March 18, 2015 at the San Bernardino Valley Water Conservation District Office in Redlands, California.

The U.S. Fish and Wildlife Service (Service) and Bureau of Land Management (BLM), intend to prepare an SDEIS under the National Environmental Policy Act (NEPA) of 1969, as amended, for the proposed Upper Santa Ana River Wash Habitat Conservation Plan (HCP), and a related land exchange. The SDEIS will be a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR), for which the Service, the BLM, and the San Bernardino Valley Water Conservation District (District) intend to gather information necessary for preparation. The proposed HCP has been drafted to meet the requirements of the Federal Endangered Species Act (ESA) of 1973, as amended, and the State of California's Endangered Species Act and Natural Communities Conservation Planning Act. The BLM, in compliance with the Federal Land Policy and Management Act, as amended, will consider this NEPA process and the resulting HCP documents in its analysis toward possible amendment of the BLM South Coast Resource Management Plan (SCRMP) to support the land exchange.

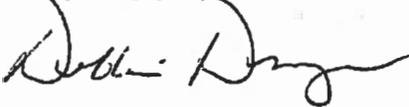
Metropolitan owns and operates a number of facilities, rights-of-way and property holdings within the area of the proposed land exchange and HCP area (see attached map). These rights-of-way and facilities are operated and maintained by Metropolitan for the purpose of water supply and any proposed use for this property should be consistent with this use and must be

Brandon Anderson  
Page 2  
April 29, 2015

approved by Metropolitan in writing. Any proposed land use classifications and restrictions shall not include Metropolitan's facilities or rights-of-way, nor restrict Metropolitan's access to said facilities and rights-of-way. Enclosed is a Compact Disc (CD) containing shape files of Metropolitan's pipelines and rights-of-way in the plan area. In order to avoid potential conflicts with Metropolitan's right-of-way, we require that any design plans for any construction project or other activity in the area of Metropolitan's pipelines, canals, or facilities be submitted for our review and written approval. More detailed prints of drawings of Metropolitan's pipelines and rights-of-way may be obtained by calling Metropolitan's Substructures Information Line at (213) 217-6564.

We appreciate the opportunity to provide input to your planning process and look forward to working with you in the future. If we can be of further assistance, please contact Mr. Sean Carlson at (213) 217-6276.

Very truly yours,



Debbie Drezner  
Principal, Environmental Planning Team

SAC/sac

(J:\Environmental Planning Team\COMPLETED FOLDERS\March 2015\Job No. 20150315EXT)

Enclosure: Compact Disc containing shapefiles



**SIGNATURE / SURNAMING CIRCULATION**

**ORIGINATOR**

ID No. Full Name Group Location/Office MetNet No.  
08416 CARLSON, SEAN A ENGINEERING SERVICES GROUP US.03.217.CA 76276  
 Section Unit Team  
FACILITY DEVELOPMENT SECTION ENGINEERING SYSTEMS PLANNING ENVIRONMENTAL PLANNING TEAM

**DOCUMENT ROUTING RECORD**

Document Title (Enter the title of the document being routed for signature.)  
comment letter- NOI for a Supplemental EIS for Land Exchange and HCP

DATE ROUTED	ROUTE TO	DATE SIGNED	COMMENTS
1	4/22/15 Sean Carlson <i>SC</i>	4/22/15	
2	4/22/15 Kieran Callanan	4/28/15	Ok per voice mail no comments
3	7/28/15 Cathy Stites	4/28/15	Via e-mail no comments
4	Debbie Drezner		
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Enter all of the internal and external names that were sent a Cc: of the routed document.

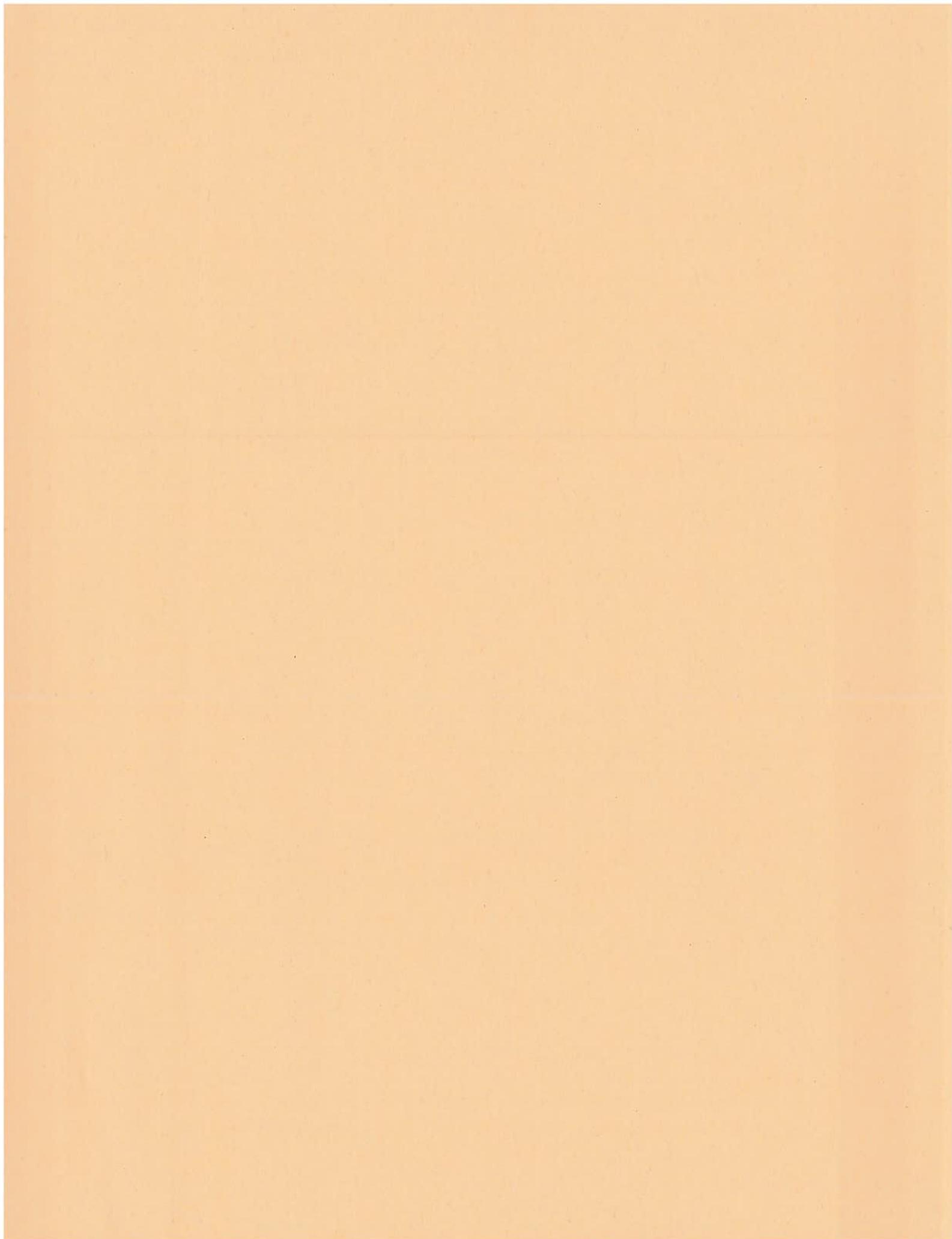
Enter all of the internal and external names that were sent a Bcc: of the routed document.

**COMMENTS**

**CONTACT**

CARLSON, SEAN A 4/28/2015 76276  
 When Signed, Call Date MetNet

NOTE: If contact name is different than originator, override the name in the field for 'When Signed, Call' and enter the desired name.



**DEPARTMENT OF WATER RESOURCES**

1416 NINTH STREET, P.O. BOX 942836  
SACRAMENTO, CA 94236-0001  
(916) 653-5791



April 1, 2015



Mr. Jeff Beehler  
San Bernardino Valley Water Conservation District  
1630 West Redlands Boulevard  
Redlands, California 92373

Notice of Preparation, Supplemental Draft Environmental Impact Report, Upper Santa Ana River Wash Plan, City of Redlands, California Aqueduct, Southern Field Division, SCH 2015031022

Dear Mr. Beehler:

Thank you for the opportunity to review and comment on the Notice of Preparation for the Upper Santa Ana River Wash Plan near the City of Redlands, Supplemental Draft Environmental Impact Report (EIR) in Los Angeles County. The Wash Plan is a multi-jurisdictional land management strategy involving public and private lands, which need to be reconfigured to preserve the habitat areas within the Wash Plan. In the proposal, San Bernardino Valley Water Conservation District (District) will offer exchange lands with favorable habitat to the Bureau of Land Management (BLM) in exchange for lands favorable for mining and water conservation within the Upper Santa Ana River Wash Plan. The proposed new habitat conservation lands will be adjacent to the new Mentone Pipeline, which is part of Department of Water Resources (DWR) right of way (ROW). Any exchange lands in the vicinity of the DWR's ROW that will be used as habitat, shall not impede DWR's ability to perform existing and future operation and maintenance on the Mentone Pipeline.

Please provide DWR with a copy of any subsequent environmental documentation when it becomes available for public review. Any future correspondence relating to this project should be sent to:

Leroy Ellinghouse, Chief  
SWP Encroachments Section  
Division of Operations and Maintenance  
Department of Water Resources  
1416 Ninth Street, Room 641-1  
Sacramento, California 95814

In addition, please continue to keep DWR informed of any future actions with respect to your project.

Mr. Jeff Beehler  
April 1, 2015  
Page 2

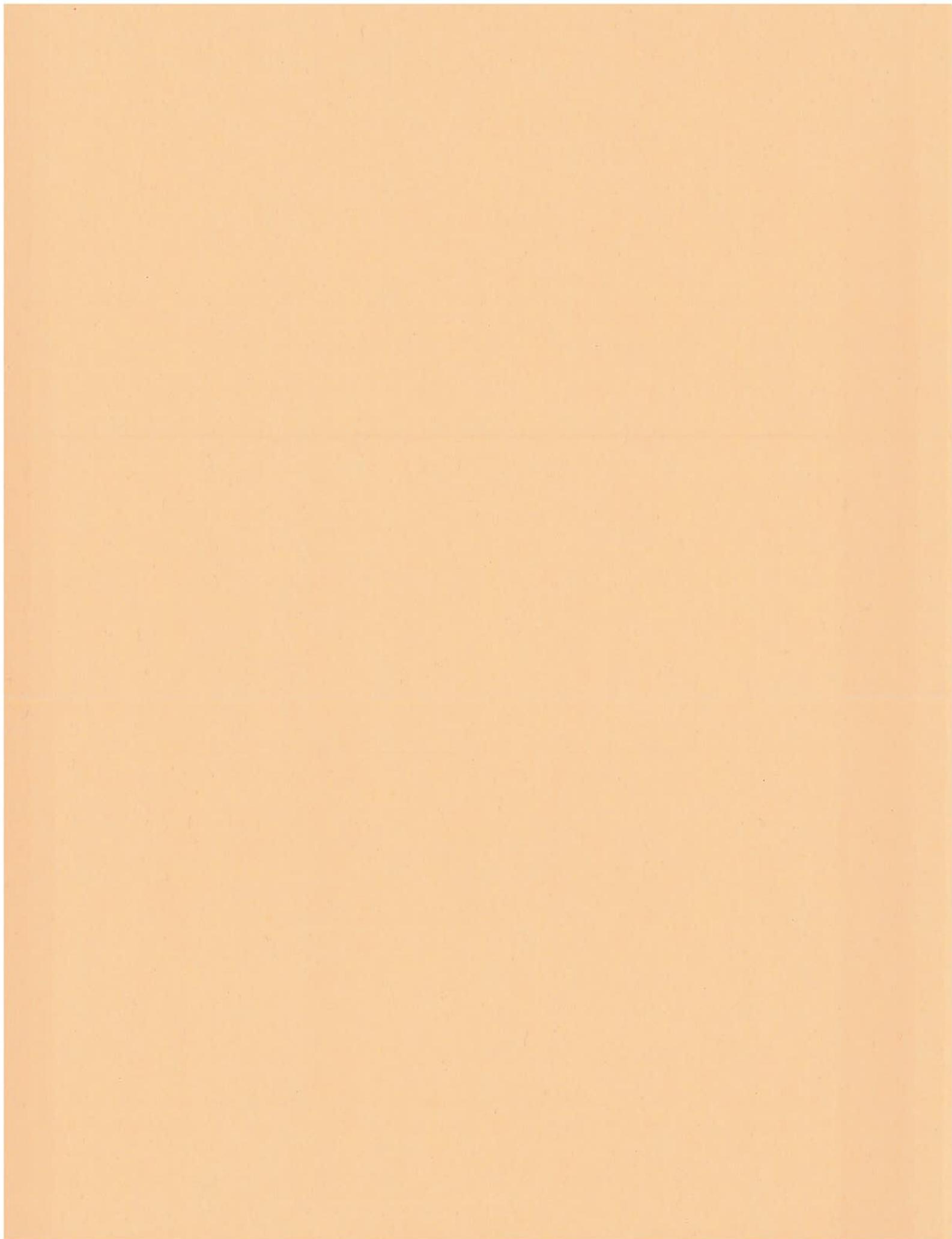
If you have any questions, please contact Leroy Ellinghouse, Chief of DWR's SWP Encroachments Section, at (916) 653-7168.

Sincerely,



David M. Samson, Chief  
State Water Project Operations Support Office  
Division of Operations and Maintenance

cc: State Clearinghouse  
Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, California 95814



STATE OF CALIFORNIAEdmund G. Brown, Jr., Governor**NATIVE AMERICAN HERITAGE COMMISSION**

1550 Harbor Blvd., ROOM 100  
West SACRAMENTO, CA 95661  
(916) 373-3710  
Fax (916) 373-6471



March 23, 2015

Jeff Beehler  
San Bernardino Valley Water Conservation District  
1630 West Redlands Blvd., Suite A  
Redlands, CA 92373

Sent by Fax: (909) 793-0188  
Number of Pages: 2

RE: Upper Santa Ana River Wash Plan, San Bernardino County.

A record search of the sacred land file has failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the sacred lands file does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Enclosed is a list of Native Americans individuals/organizations who may have knowledge of cultural resources in the project area. The Commission makes no recommendation or preference of a single individual, or group over another. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated, if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe or group. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact me at (916) 373-3712.

Sincerely,

A handwritten signature in cursive script that reads "Katy Sanchez".

Katy Sanchez  
Associate Government Program Analyst

**Native American Contact List  
San Bernardino County  
March 19, 2015**

San Manuel Band of Mission Indians  
Lynn Valbuena, Chairwoman  
26569 Community Center Serrano  
Highland , CA 92346  
(909) 864-8933

(909) 864-3370 Fax

Morongo Band of Mission Indians  
Robert Martin, Chairperson  
12700 Pumarra Road Cahuilla  
Banning , CA 92220 Serrano  
(951) 849-8807  
(951) 755-5200  
(951) 922-8146 Fax

San Fernando Band of Mission Indians  
John Valenzuela, Chairperson  
P.O. Box 221838 Fernandefio  
Newhall , CA 91322 Tataviam  
tsen2u@hotmail.com Serrano  
(661) 753-9833 Office Vanyume  
(760) 885-0955 Cell Kitanemuk  
(760) 949-1604 Fax

Serrano Nation of Mission Indians  
Goldie Walker, Chairwoman  
P.O. Box 343 Serrano  
Patton , CA 92369  
(909) 528-9027  
(909) 528-9032

Morongo Band of Mission Indians  
Denisa Torres, Cultural Resources Manager  
12700 Pumarra Road Cahuilla  
Banning , CA 92220 Serrano  
dtorres@morongo-nsn.gov  
(951) 572-6004 Fax

Ernest H. Siva  
Morongo Band of Mission Indians Tribal Elder  
9570 Mias Canyon Road Serrano  
Banning , CA 92220 Cahuilla  
siva@dishmail.net  
(951) 849-4676

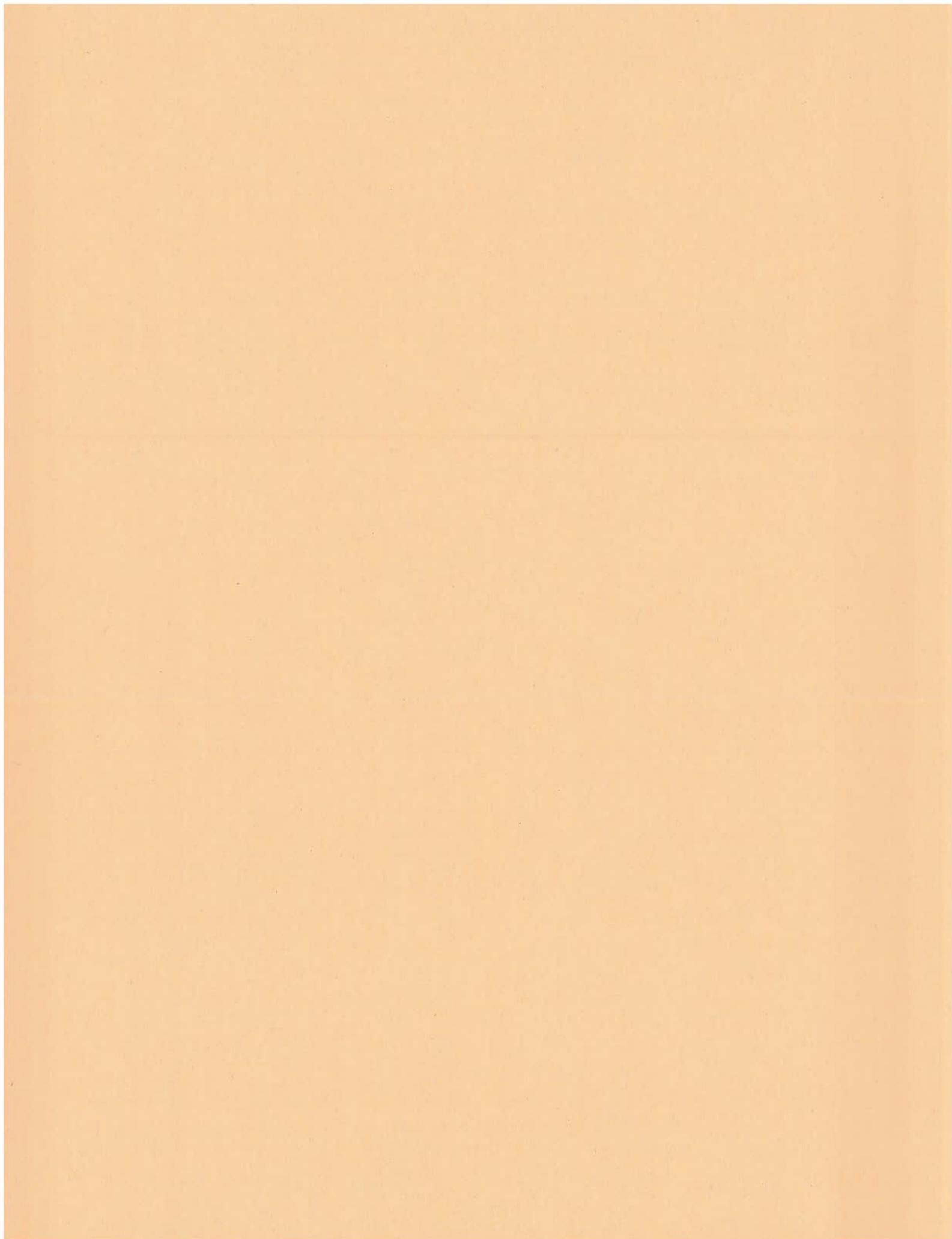
San Manuel Band of Mission Indians  
Daniel McCarthy, M.S., Director-CRM Dept.  
26569 Community Center Drive Serrano  
Highland , CA 92346  
dmccarthy@sanmanuel-nsn.gov  
(909) 864-8933 Ext 3248

(909) 862-5152 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting locative Americans with regard to cultural resources for the proposed Upper Santa Ana River Wash Plan, San Bernardino County.





## Department of Public Works

- Environmental & Construction • Flood Control
- Operations • Solid Waste Management
- Surveyor • Transportation

Gerry Newcombe  
Director

April 28, 2015

File: 10(ENV)-4.01

Jeff Beehler  
Resources Manager  
San Bernardino Valley Water Conservation District  
1630 West Redlands Blvd., Suite A  
Redlands, CA. 92373  
[jbeehler@sbywcd.org](mailto:jbeehler@sbywcd.org)

**RE: CEQA – NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE SOUTH COAST RESOURCE MANAGEMENT PLAN AMENDMENT FOR A PROPOSED LAND EXCHANGE AND THE UPPER SANTA ANA RIVER HABITAT CONSERVATION PLAN FOR THE SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT**

Mr. Beehler:

Thank you for giving the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. **We received this request on March 09, 2015, and pursuant to our review, we have no comments.**

Sincerely,

A handwritten signature in blue ink, appearing to read "Nidham Aram Alrayes".

**NIDHAM ARAM ALRAYES, MSCE, PE, QSD/P**  
Public Works Engineer III  
Environmental Management

NAA:PE:nh/2015-04-28-02.docx

### BOARD OF SUPERVISORS

ROBERT A. LOVINGOOD  
Vice Chairman, First District

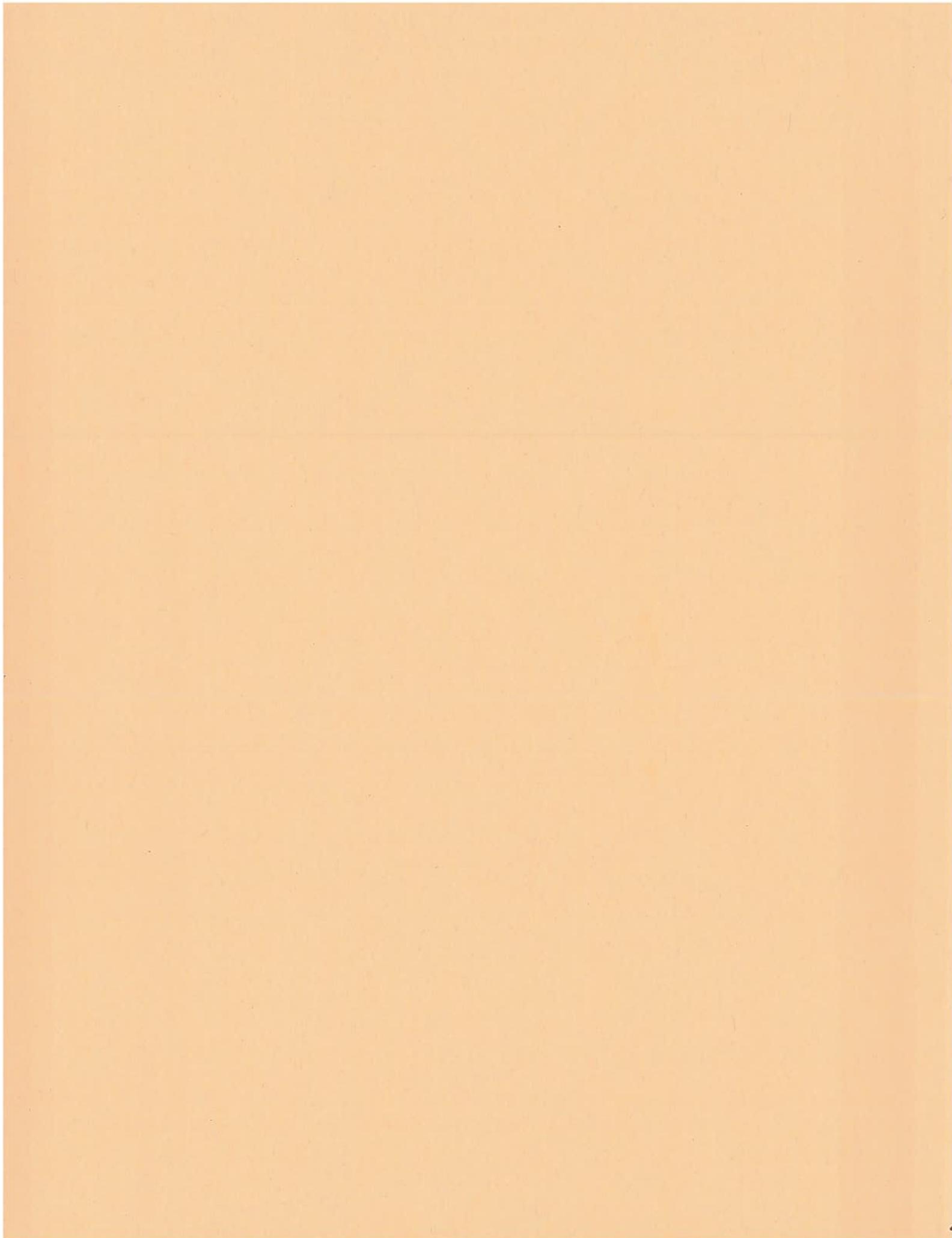
JANICE RUTHERFORD  
Second District

JAMES RAMOS  
Chairman, Third District

CURT HAGMAN  
Fourth District

JOSIE GONZALES  
Fifth District

GREGORY C. DEVEREAUX  
Chief Executive Officer





State of California - Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Inland Deserts Region  
3602 Inland Empire Blvd., Suite C-220  
Ontario, CA 91764  
(909) 484-0459  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

*EDMUND G. BROWN, Jr., Governor*  
*CHARLTON H. BONHAM, Director*



April 2, 2015

Mr. Jeff Beehler  
San Bernardino Valley Water Conservation District  
1630 West Redlands Blvd.  
Redlands, CA 92373

Subject: Notice of Preparation of a Supplemental Draft Environmental Impact Report  
Upper Santa Ana River Wash Plan Project  
State Clearinghouse No. 2015031022

Dear Mr. Beehler:

The Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Notice of Preparation (NOP) of a Supplemental Draft Environmental Impact Report (DEIR) for the Upper Santa Ana River Wash Plan Project (project) [State Clearinghouse No. 2015031022]. Pursuant to The Guidelines for the Implementation of CEQA (Cal. Code Regs., tit. 14, § 15000 *et seq.*; hereafter CEQA Guidelines), the Department has reviewed the NOP and offers comments and recommendations on those activities involved in the project that are within the Department's area of expertise and germane to its statutory responsibilities, and/or which are required to be approved by the Department (CEQA Guidelines, §§ 15086, 15096 & 15204).

### **CEQA ROLE**

The Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species (i.e., biological resources). The Department is a Trustee Agency with responsibility under CEQA for commenting on projects that could affect biological resources. As a Trustee Agency, the Department is responsible for providing, as available, biological expertise to review and comment upon environmental documents and impacts arising from project activities (CEQA Guidelines, § 15386; Fish & G. Code, § 1802).

The Department will also act as a Responsible Agency based on its discretionary authority regarding project activities that impact streams and lakes (Fish & G. Code, §§ 1600 – 1616), in this case the Santa Ana River and Mill Creek, or result in the "take" of any species listed as candidate, threatened, or endangered pursuant to the California Endangered Species Act (CESA; Fish & G. Code, § 2050 *et seq.*), in this case the

project identifies potential impacts to Santa Ana River Woollystar (*Eriastrum densifolium* ssp. *sanctorum*) and Slender-horned Spineflower (*Dodecahema leptoceras*).

## PROJECT DESCRIPTION

The proposed project includes:

1. The exchange of up to 400 acres of public lands located within the Santa Ana River Wash Area for up to 380 acres of land owned and operated by the San Bernardino Valley Water Conservation District (District);
2. An amendment to the Bureau of Land Management's South Coast Resource Management Plan (SCRMP) for the Upper Santa Ana River portion that is affected by the land exchange area; and,
3. The authorization of take and implementation of the Upper Santa Ana River Wash Habitat Conservation Plan.

## COMMENTS AND RECOMMENDATIONS

The Department offers the comments and recommendations presented below to assist the San Bernardino Valley Water Conservation District in adequately identifying and/or mitigating the project's significant, or potentially significant, impacts on biological resources. These comments and recommendations are based on the requirement for the Department (who will be acting as both as responsible and trustee agency for this project) to provide specific detail about the scope and content of the environmental information related to the Department's area of statutory responsibility that must be included in the DEIR (CEQA Guidelines § 15082(b)).

Overall the Department recommends that the DEIR include the following:

1. The DEIR should include a project description, including reasonably foreseeable future phases of the proposed project, that contains sufficient information to evaluate and review the project's environmental impact (CEQA Guidelines, §§ 15063, 15124 & 15378).
2. The DEIR should include a description of the environmental setting that contains sufficient information to understand the project's, and its alternative's (if applicable), significant impacts on the environment (CEQA Guidelines, §§ 15063, 15125 & 15360).
3. The DEIR should include identification of environmental impacts of the proposed project (CEQA Guidelines, §§ 15063, 15065, 15126, 15126.2, 15126.6 & 15358); and
4. The DEIR should include a description of feasible mitigation measures to avoid potentially significant impacts, and/or mitigate significant impacts, of the proposed project on the environment (CEQA Guidelines, §§ 15021, 15063, 15071, 15126.2, 15126.4 & 15370).

The Department also recommends that the DEIR specifically address the following:

### Biological Resources and Impacts

The DEIR should contain sufficient, specific, and current biological information on the existing habitat and species at the project site; measures to minimize and avoid sensitive biological resources; and mitigation measures to offset the loss of native flora and fauna and State waters. The CEQA document should not defer impact analysis and mitigation measures to future regulatory discretionary actions, such as a Lake or Streambed Alteration Agreement.

To provide a complete assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, sensitive, regionally and locally unique species, and sensitive habitats, the DEIR should include the following information:

- (a) Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines § 15125[c]);
- (b) A thorough, recent, floristic-based assessment of special status plants and natural communities, following the Department's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (see <http://www.dfg.ca.gov/habcon/plant/>);
- (c) Floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at the project site and within the neighboring vicinity. *The Manual of California Vegetation*, second edition, should also be used to inform this mapping and assessment (Sawyer et al. 2008). Adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions;
- (d) A complete, recent, assessment of the biological resources associated with each habitat type on site and within adjacent areas that could also be affected by the project. The Department's California Natural Diversity Data Base (CNDDDB) in Sacramento should be contacted to obtain current information on any previously reported sensitive species and habitat. The Department recommends that CNDDDB Field Survey Forms be completed and submitted to CNDDDB to document survey results. Online forms can be obtained and submitted at [http://www.dfg.ca.gov/biogeodata/cnddb/submitting\\_data\\_to\\_cnddb.asp](http://www.dfg.ca.gov/biogeodata/cnddb/submitting_data_to_cnddb.asp)

Please note that the Department's CNDDDB is not exhaustive in terms of the data it houses, nor is it an absence database. The Department recommends that it be used

as a starting point in gathering information about the *potential presence* of species within the general area of the project site.

- (e) A complete, *recent* assessment of rare, threatened, and endangered, and other sensitive species on site and within the area of potential effect, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish and Game Code § 3511). Species to be addressed should include all those which meet the CEQA definition (see CEQA Guidelines § 15380). Seasonal variations in use of the project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service; and,
- (f) A recent, wildlife and rare plant survey. The Department generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed project may warrant periodic updated surveys for certain sensitive taxa, particularly if the project is proposed to occur over a protracted time frame, or in phases.

#### California Endangered Species Act (CESA)

The Department is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to the CESA. The Department recommends that a CESA ITP be obtained if the project has the potential to result in "take" (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of State-listed CESA species, either through construction or over the life of the project. CESA ITPs are issued to conserve, protect, enhance, and restore State-listed CESA species and their habitats. The Department encourages early consultation, as significant modification to the proposed project and mitigation measures may be necessary to obtain a CESA ITP. Revisions to the California Fish and Game Code, effective January 1998, require that the Department issue a separate CEQA document for the issuance of a CESA ITP unless the Project CEQA document addresses all Project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a CESA permit.

#### Fully Protected Species

Several of the species having the potential to occur within or adjacent to the project area, including, but not limited to: American peregrine falcon (*Falco peregrinus anatum*), bald eagle (*Haliaeetus leucocephalus*), White-tailed kite (*Elanus leucurus*) and golden eagle (*Aquila chrysaetos*), are fully protected species under the Fish and Game Code.

Fully protected species may not be taken or possessed at any time. Project activities described in the DEIR should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the project area.

The Department also recommends that the DEIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. The Department recommends that the Lead Agency include in the analysis how appropriate avoidance, minimization and mitigation measures will reduce indirect impacts to fully protected species.

#### Nesting Birds and Migratory Bird Treaty Act

Please note that it is the project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory non-game native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*). In addition, sections 3503, 3503.5, and 3513 of the Fish and Game Code (FGC) also afford protective measures as follows: Section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by FGC or any regulation made pursuant thereto; Section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by FGC or any regulation adopted pursuant thereto; and Section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

The Department recommends that the DEIR include the results of avian surveys, as well as specific avoidance and minimization measures to ensure that impacts to nesting birds do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: project phasing and timing, monitoring of project-related noise (where applicable), sound walls, and buffers, where appropriate. The DEIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the project site. If pre-construction surveys are proposed in the DEIR, the Department recommends that they be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner.

#### Wildlife Movement and Connectivity

The project area supports significant biological resources and contains habitat connections and supports movement across the broader landscape, sustaining both transitory and permanent wildlife populations. Onsite features, which contribute to habitat connectivity, should be evaluated and maintained. Aspects of the project could create physical barriers to wildlife movement from direct or indirect project-related

activities. Indirect impacts from lighting, noise, dust, and increased human activity may displace wildlife in the general area. A discussion of both direct and indirect impacts to wildlife movement and connectivity should be included in the DEIR.

#### Biological Direct, Indirect, and Cumulative Impacts

To provide a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, the following should be addressed in the DEIR:

- 1) A discussion of potential adverse impacts from lighting, noise, human activity, exotic species, and drainage. The latter subject should address project-related changes on drainage patterns and downstream of the project site; the volume, velocity, and frequency of existing and post-project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-project fate of runoff from the project site. Mitigation measures proposed to alleviate such impacts should be included;
- 2) A discussion regarding indirect project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (e.g., preserve lands associated with a NCCP). Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated in the DEIR;
- 3) The impacts of zoning of areas for development projects or other uses nearby or adjacent to natural areas, which may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the environmental document; and,
- 4) A cumulative effects analysis, as described under CEQA Guidelines § 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

#### Avoidance, Minimization, and Mitigation for Sensitive Plants

The DEIR should include measures to fully avoid and otherwise protect sensitive plant communities from project-related direct and indirect impacts. The Department considers these communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3 and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDDB and are included in *The Manual of California Vegetation* (Sawyer et al. 2008).

### Lake and Streambed Alteration Program

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream or use material from a streambed, the project applicant (or "entity") must provide written notification to the Department pursuant to Section 1602 of the Fish and Game Code. Based on this notification and other information, the Department then determines whether a Lake and Streambed Alteration (LSA) Agreement is required. The Department's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the DEIR should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with the Department is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to <http://www.dfg.ca.gov/habcon/1600/forms.html>.

Please note that the Department has observed that several biological consulting companies in the area are incorrectly referencing California Code of Regulations (CCR) Title 14, section 1.72 in reference to the Department's jurisdiction under section 1600 *et seq.* of the Fish and Game Code. Please note that CCR Title 14, section 1.72 *does not* pertain to the Department's jurisdiction as embodied in California Fish and Game Code (FGC) section 1600 *et seq.*, and *is not* the definition of a stream used by the Department. The section 1.72 definition was developed to address a specific sport fish issue that came before the Fish and Game Commission, and although the definition does speak to periodic and intermittent flow, section 1.72 is limited to fish-bearing or aquatic life-bearing streams.

Rather than limiting Department jurisdiction to fish-bearing streams alone, FGC Chapter 6, Fish and Wildlife Protection and Conservation, Section 1600 *et seq.* was enacted to provide for the conservation of fish and wildlife resources associated with stream ecosystems. The FGC further defines fish and wildlife to include: all wild animals, birds, plants, fish, amphibians, invertebrates, reptiles, and related ecological communities, including the habitat upon which they depend for continued viability (FGC Division 5, Chapter 1, section 45, and Division 2, Chapter 1, section 711.2(a), respectively). Fish means wild fish, mollusks, crustaceans, invertebrates, or amphibians, including any part, spawn or ova thereof (FGC, Division 5, Chapter 1, section 45).

For the purposes of implementing sections 1601 and 1603 of the FGC, California Code of Regulations Title 14, section 720 requires submission to the Department of "...general plans sufficient to indicate the nature of a project for construction by or on behalf of any person, government agency, state or local, and any public utility, of any project which will divert, obstruct or change the natural flow or bed of any river, stream or lake designated by the Department, or will use material from the streambeds designated by the Department, all rivers, streams, lakes, and streambeds in the State of

California, including all rivers, streams and streambeds which may have intermittent flows of water, are hereby designated for such purpose."

Division 2, Chapter 5, Article 6, Section 1600 *et seq.* of the California Fish and Game Code does not limit jurisdiction to areas defined by specific flow events, seasonal changes in water flow, or presence or absence of specific vegetation types or communities. By long practice, the Department defines a stream 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 in practice by the Department as circa 1800 to the present." Thus, a channel is not defined by a specific flow event, nor by the path of surface water as this path might vary seasonally. Rather, it is the Department's practice to define the channel based on the topography or elevations of land that confine the water to a definite course when the waters of a creek rise to their highest point.

The Department's website has information regarding dryland streams in "A review of Stream Processes and Forms in Dryland Watersheds," available at this location: <http://www.dfg.ca.gov/habcon/1600/1600resources.html>.

Additional information can also be found in "Methods to Describe and Delineate Episodic Stream Processes on Arid Landscapes for Permitting Utility-Scale Solar Power Plants, With the MESA Field Guide - Final Project Report" (Mesa Report) available here: <http://www.energy.ca.gov/2014publications/CEC-500-2014-013/index.html> Please review page 9 of the Mesa Report. Please also refer to page E-14, which includes the definition of a stream used by the Department's Lake and Streambed Alteration Program.

The following information will be required for the processing of a Notification of Lake or Streambed Alteration and the Department recommends incorporating this information into the CEQA document to avoid subsequent documentation and project delays. Please note that failure to include this analysis in the project's environmental document could preclude the Department from relying on the Lead Agency's analysis to issue an LSA Agreement without the Department first conducting its own, separate Lead Agency subsequent or supplemental analysis for the project:

- 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
- 2) Discussion of avoidance and minimization measures to reduce project impacts; and,
- 3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance. Please refer to section 15370 of the CEQA Guidelines for the definition of mitigation.

### Compensatory Mitigation

The DEIR should include mitigation measures for adverse project-related impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.

### Revegetation/Restoration Plan

Plans for restoration and re-vegetation should be prepared by persons with expertise in southern California ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

The Department recommends that local onsite propagules from the project area and nearby vicinity be collected and used for restoration purposes. Onsite seed collection should be initiated in the near future in order to accumulate sufficient propagule material for subsequent use in future years. Onsite vegetation mapping at the alliance and/or association level should be used to develop appropriate restoration goals and local plant palettes. Reference areas should be identified to help guide restoration efforts. Specific restoration plans should be developed for various project components as appropriate.

Restoration objectives should include protecting special habitat elements or re-creating them in areas affected by the project; examples could include retention of woody material, logs, snags, rocks, and brush piles for a more detailed discussion of special habitat elements).

### Cumulative Impacts

Cumulative effects analysis should be developed as described under CEQA Guidelines Section 15130. Please include all potential direct and indirect project related impacts to riparian areas, wetlands, vernal pools, alluvial fan habitats, wildlife corridors or wildlife

movement areas, aquatic habitats, sensitive species and other sensitive habitats, open lands, open space, and adjacent natural habitats in the cumulative effects analysis.

#### Alternatives Analysis

The CEQA document should analyze a range of fully considered and evaluated alternatives to the Project (CEQA Guidelines Section 15126.6). The analysis should include a range of alternatives which avoid or otherwise minimize impacts to sensitive biological resources. The CEQA document should include an evaluation of specific alternative locations with lower resource sensitivity where appropriate.

#### **Further Coordination**

The Department appreciates the opportunity to comment on the NOP of a Supplemental DEIR for the Upper Santa Ana River Wash Plan Project (SCH No. 2015031022). If you should have any questions pertaining to the comments provided in this letter, please contact Joanna Gibson at (909) 987-7449 or at [Joanna.gibson@wildlife.ca.gov](mailto:Joanna.gibson@wildlife.ca.gov).

Sincerely,

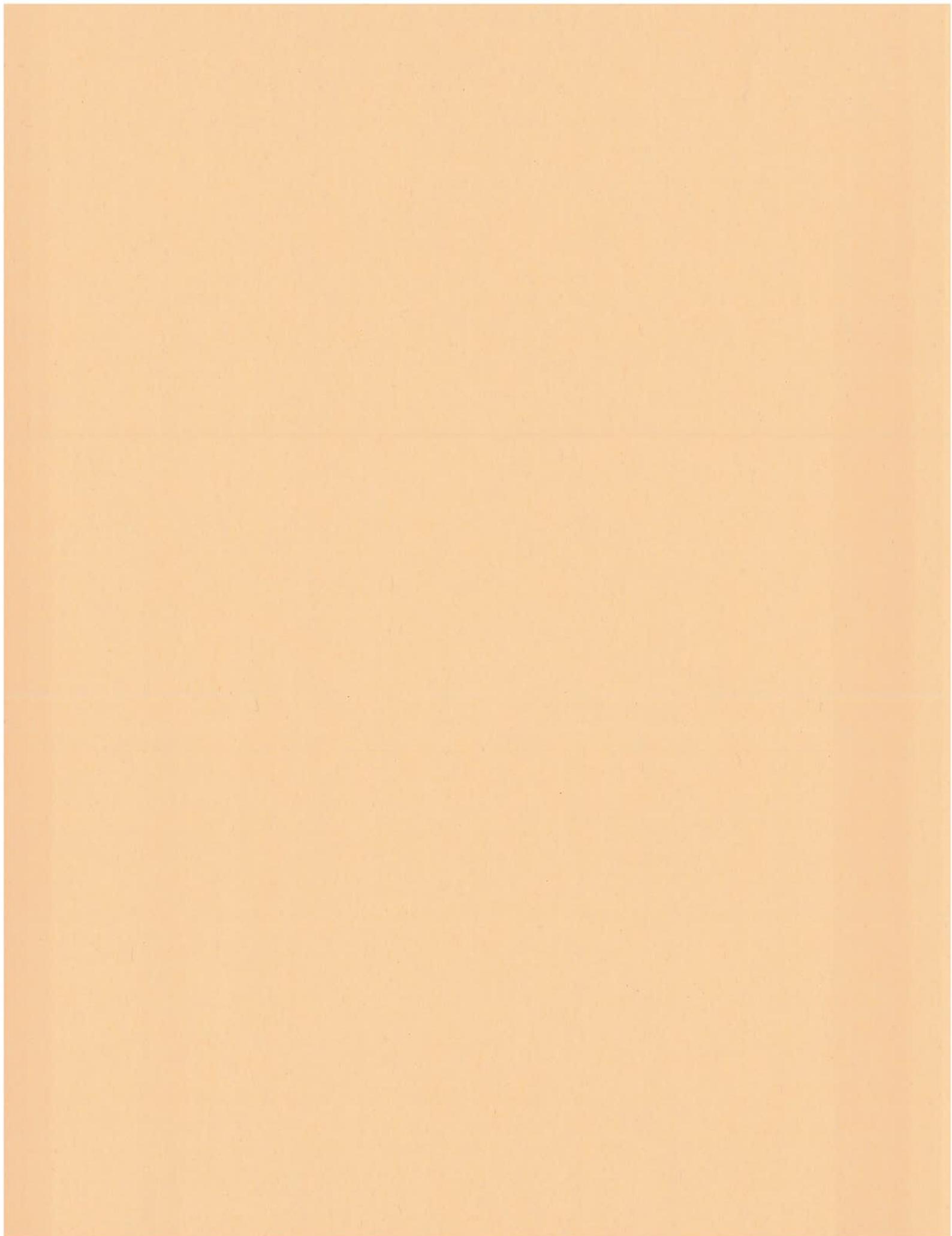
(Fu) 

Leslie MacNair  
Acting Regional Manager

cc: State Clearinghouse, Sacramento

#### Literature Cited

Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2008. A manual of California Vegetation, 2<sup>nd</sup> ed. California Native Plant Society Press, Sacramento, California.



Response to:

FWS-R8-2015-N254; FXES11120000-156-FF08E00000

Supplemental Draft EIS Santa Ana Wash.

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#### 1. Covered species.

The Santa Ana wash is a complex and peculiar community. The assemblage of plants from different communities is uncommon and includes several interesting species notably the old junipers that must be able to withstand the flood. The area in the EIS and indeed that area of the whole wash is small, only 450 acres. The most robust conclusion of conservation biology is that the chance of extinction is inversely related to population size and small areas support small populations. The end of floods due to the Seven Oaks Dam has altered the ecology of the area and puts some species such as the woolly star in direct jeopardy. It will take intensive management to maintain the biodiversity.

An HCP provides an opportunity to look to the future in biological planning and provide protection not just for currently threatened species but for species whose ranges and populations are likely to be reduced in the future. The large scale MSHCP in Western Riverside has 146 covered species the great majority of which are not now listed as Threatened or Endangered. Development will continue in Southern California and it is obvious that plants and animals will be reduced. 'No surprises' makes the situation worse. Even if species such as the burrowing owl continues to decline precipitously, there will be no way to recognize this and include it in the HCP. I advocate a generous approach to covered species.

Dudek in the document 'Existing Biological Conditions for the Upper Santa Ana HCP (Feb 200) identified 12 uncommon species. Most of these species were rare in the wash but were known to occur there. I will not argue the list species by species but would suggest that all of these species be covered. I would add the black-tailed jack rabbit, a species included in the Western Riverside MSHCP and known to be declining widely.

I would make a case for two species in particular namely the burrowing owl and the Los Angeles pocket mouse. Both are recognized as species of concern by both California Department of Fish and Wildlife and FWS. In other words their decline has been noted and it is not unreasonable to think that if these decline at the same rate in the future that both species will end up Threatened or Endangered. The pocket mouse has a wide range but almost the entire range is suitable for human development. The burrowing owl has been in decline for a long time. It is covered in the Western Riverside MSHCP and

surveys done as part of the MSHC revealed a tiny population outside Lake Skinner (MS HCP Monitoring Program). Like the pocket mouse the owl's habitat bring it into direct conflict with both farming and urban development.

In summary it seems very shortsighted not to take the HCP as a chance to 'cover' not only species currently Threatened and Endangered but others whose populations are likely to decline within the life of the plan. Currently the cactus wren is the only non TES species covered

#### Land Exchange

The endangered species act makes the take of plants on private land much easier than on federal land. I would be happier if the land around the current gravel pits were in federal hands. There will be accommodations to the miners in the HCP but looking down the road there will be continual pressure to expand the mines. (I have good photographic evidence that the mines have enlarged over the last 30 years and this creep has eliminated woolly stars)

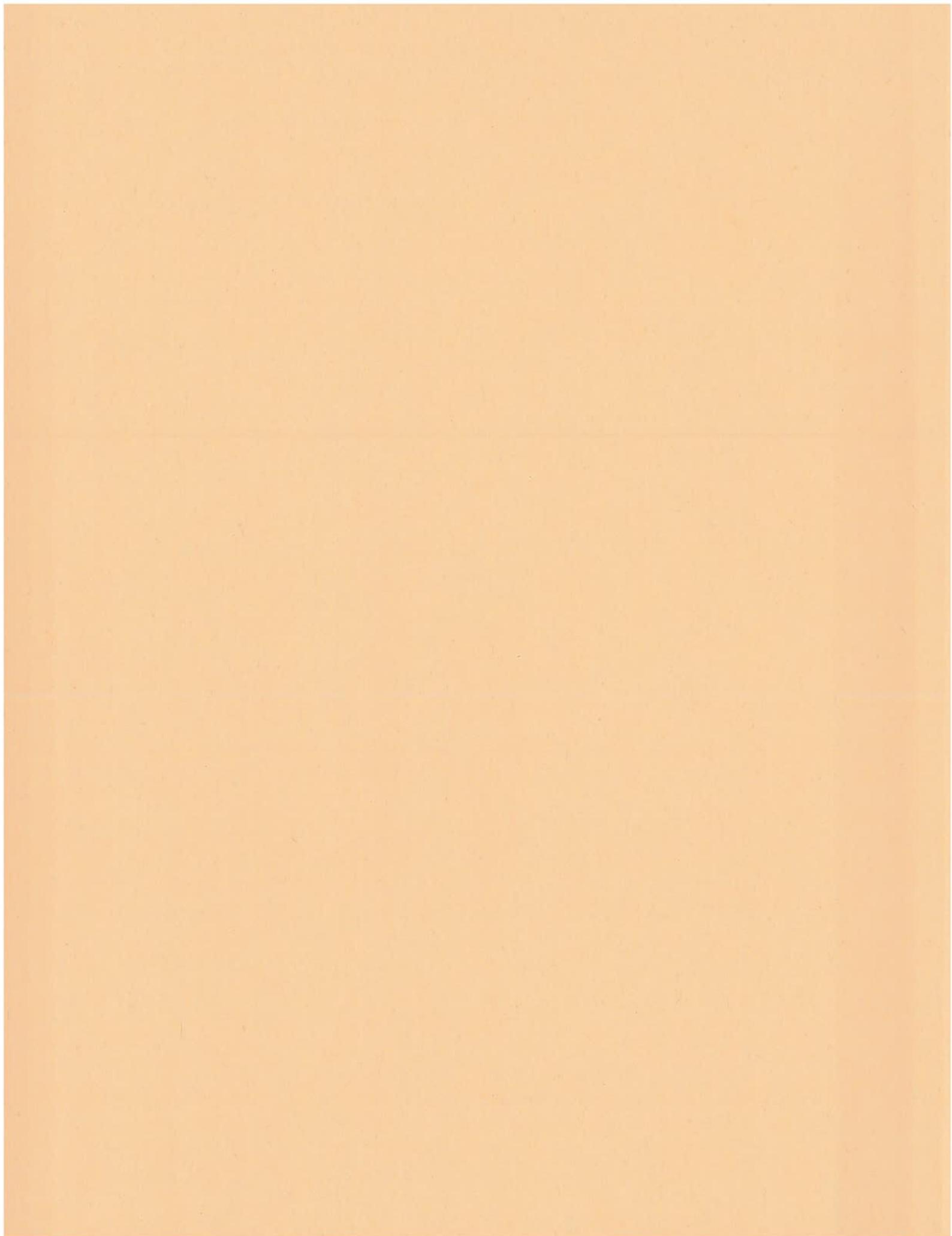
I believe that some limited exchanges between the water district and BLM could achieve the goal of consolidation stated by BLM. In particular there some bits of BLM land such as that on the dam tailings that are of very low conservation value. It would be good to connect the two BLM parcels.

This solution would avoid the odd arrangement in which BLM owns the trap shoot.

#### Mitigation

I welcome the suggestion that FWS provides intensive management in exchange for the take of covered species. As stated above, the wash is a diverse, but small and hence imperiled piece of land. It will take skill and energy to maintain the biodiversity (and perhaps also provide an educational component).

However I think that there is a strong argument that take should be mitigated by securing an equal or greater area of habitat. There are good populations of woolly stars further down the wash (e.g by Pepper Ave) that are in private hands and should be secured.





*protecting and restoring natural ecosystems and imperiled species through  
science, education, policy, and environmental law  
submitted via Electronic Mail and USPS*

5/4/2015

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**RE: Scoping Comments for the Upper Santa Ana River Wash Project. (80 FR 11463)**

Dear Mssrs. Anderson, Corey, and Beehler

Please accept the following scoping comments on the Notice of Intent to Prepare a Supplemental Draft Environmental Impact Statement and Report for the Proposed South Coast Resource Management Plan Amendment; for the Proposed Upper Santa Ana River Habitat Conservation Plan and Land Exchange (SDEIS/R) (80FR11463) on behalf of the Center for Biological Diversity (the "Center").

The Center is a non-profit environmental organization dedicated to the protection of native species and their habitats in the Western Hemisphere through science, policy, and environmental law. The Center has over 825,000 members and on-line activists throughout California and the western United States, including members within the project vicinity. The Center has been involved in Santa Ana River issues for years, including numerous scoping and comment letters on previous iterations of the Wash Plan and BLM land exchange including our most recent comments on the Draft Environmental Impact Report (DEIR) for the Upper Santa Ana River Wash Land Management and Habitat Conservation Plan SCH No. 2004051023 dated May 23, 2008, and comments on Draft South Coast Resource Management Plan Amendment And Draft Environmental Impact Statement (EIS) for the Santa Ana River Wash Land Exchange DOI-BLM-CA-D060-2009-0005-EIS - OPEC Control No. DES 09-12, BLM/CA/ES-2009-022+8300 dated October 22, 2009. We incorporate those comments herein.

***Biological Resources***

Complete surveys and documentation of all locations for any rare, sensitive, threatened and endangered species, not just covered species, need to be accurately evaluated and used as a  
Arizona • California • Nevada • New Mexico • Alaska • Oregon • Washington • Illinois • Minnesota • Vermont • Washington, DC

basis for impact analysis. The SDEIS/R then needs to be designed to avoid and minimize impacts to these declining species.

Other rare species with potential to occur on the project site and tracked by state and federal resource agencies include:

<b>Common Name</b>	<b>Scientific Name</b>	<b>Fed/State/CA</b>
marsh sandwort	<i>Arenaria paludicola</i>	FE/CE/1B.1
Nevin's barberry	<i>Berberis nevinii</i>	FE/CE/1B.1
Plummer's mariposa-lily	<i>Calochortus plummerae</i>	--/4.2
smooth tarplant	<i>Centromadia pungens ssp. laevis</i>	None
salt marsh bird's-beak	<i>Chloropyron maritimum ssp. maritimum</i>	FE/CE/1B.2
Parry's spineflower	<i>Chorizanthe parryi var. parryi</i>	S/--/1B.1
white-bracted spineflower	<i>Chorizanthe xanti var. leucotheca</i>	S/--/1B.2
Peruvian dodder	<i>Cuscuta obtusiflora var. glandulosa</i>	--/2B.2
slender-horned spineflower	<i>Dodecahema leptoceras</i>	FE/CE/1B.1
Santa Ana River woollystar	<i>Eriastrum densifolium ssp. sanctorum</i>	FE/CE/1B.1
California satintail	<i>Imperata brevifolia</i>	--/2B.2
Robinson's pepper-grass	<i>Lepidium virginicum var. robinsonii</i>	--/4.3
Parish's bush-mallow	<i>Malacothamnus parishii</i>	--/1A
Hall's monardella	<i>Monardella macrantha ssp. hallii</i>	--/1B.3
Parish's gooseberry	<i>Ribes divaricatum var. parishii</i>	--/1A
Parish's checkerbloom	<i>Sidalcea hickmanii ssp. parishii</i>	S/--/1B.2
southern jewelflower	<i>Streptanthus campestris</i>	S/--/1B.3
Busck's gallmoth	<i>Carolella busckana</i>	
Santa Ana speckled dace	<i>Rhinichthys osculus ssp. 3</i>	--/SSC/--
Santa Ana sucker	<i>Catostoma santaanae</i>	FT/SSC/--
southern mountain yellow-legged frog	<i>Rana muscosa</i>	FE/SSC/--
silvery legless lizard	<i>Anniella pulchra pulchra</i>	--/SSC/--
orangethroat whiptail	<i>Aspidoscelis hyperythra</i>	--/SSC/--
California mountain kingsnake (San Bernardino population)	<i>Lampropeltis zonata (parvirubra)</i>	S/SSC/--
coast horned lizard	<i>Phrynosoma blainvillii</i>	S/SSC/--
two-striped garter snake	<i>Thamnophis hammondii</i>	S/SSC/--
Cooper's hawk	<i>Accipiter cooperii</i>	--/WL/--
southern California rufous-crowned sparrow	<i>Aimophila ruficeps canescens</i>	--/WL/--
burrowing owl	<i>Athene cunicularia</i>	S/SSC/--
Swainson's hawk	<i>Buteo swainsoni</i>	S/CT/--
western yellow-billed cuckoo	<i>Coccyzus americanus occidentalis</i>	FT/SE/--
white-tailed kite	<i>Elanus leucurus</i>	S/FP/--
southwestern willow flycatcher	<i>Empidonax traillii extimus</i>	FE/CE/--
California horned lark	<i>Eremophila alpestris actia</i>	--/WL/--
yellow-breasted chat	<i>Icteria virens</i>	--/SSC/--
loggerhead shrike	<i>Lanius ludovicianus</i>	--/SSC/--
coastal California gnatcatcher	<i>Polioptila californica californica</i>	FT/SSC/--
yellow warbler	<i>Setophaga petechia</i>	--/SSC/--
least Bell's vireo	<i>Vireo bellii pusillus</i>	FE/CE/--
pallid bat	<i>Antrozous pallidus</i>	S/SSC/--
northwestern San Diego pocket mouse	<i>Chaetodipus fallax fallax</i>	--/SSC/--

San Bernardino kangaroo rat	<i>Dipodomys merriami parvus</i>	FE/SSC/--
Stephens' kangaroo rat	<i>Dipodomys stephensi</i>	FE/SE/--
western mastiff bat	<i>Eumops perotis californicus</i>	S/SSC/--
western yellow bat	<i>Lasiurus xanthinus</i>	--/SSC/--
San Diego desert woodrat	<i>Neotoma lepida intermedia</i>	--/SSC/--
pocketed free-tailed bat	<i>Nyctinomops femorosaccus</i>	--/SSC/--
Los Angeles pocket mouse	<i>Perognathus longimembris brevinasus</i>	--/SSC/--
American badger	<i>Taxidea taxus</i>	--/SSC/--

**Federal Designation**

FE Federally listed as endangered.

FT Federally listed as threatened.

S – BLM Sensitive

**State Designation**

FP – Fully protected species

CE State listed as endangered. Species whose continued existence in California is jeopardized.

CT State listed as threatened. Species that although not presently threatened in California with extinction are likely to become endangered in the foreseeable future.

SSC “Species of Special Concern.” Species with declining populations in California.

**California Rare Plant Rank**

1A Plants presumed extinct in California

1B.1 Plants Rare, Threatened, or Endangered in California and Elsewhere and seriously threatened in CA.

1B.2 Plants Rare, Threatened, or Endangered in California and Elsewhere and fairly threatened in CA.

2B.1 Plant rare, threatened or endangered in California, but more common elsewhere, and seriously threatened in CA.

2B.2 Plant rare, threatened or endangered in California, but more common elsewhere, and fairly threatened in CA.

4.2 Watch List - moderately threatened in CA.

4.3 Watch List – not very threatened in CA

In addition, several rare plant communities are also known from the general project area including Southern Cottonwood Willow Riparian Forest, Southern Coast Live Oak Riparian Forest, Southern Riparian Forest, Southern Riparian Scrub, Southern Willow Scrub and Riversidean Alluvial Fan Sage Scrub. While all of these unique plant communities are important, numerous seral stages of the Riversidean Alluvial Fan Sage Scrub are dominant component of the Santa Ana River Wash and conservation and enhancement of this rare plant community needs to be a key component of this plan.

***Biological Surveys and Mapping***

In order to present a full picture of the biological impacts of the project, thorough, seasonally appropriate surveys must be performed for sensitive plant species and vegetation communities, and animal species under the direction and supervision of the resource agencies such as the US Fish and Wildlife Service and/or the California Department of Fish and Wildlife. Full disclosure of survey results to the public and other agencies without limitations must be implemented to assure full NEPA/CEQA compliance.

Surveys for the plants and plant communities should follow California Native Plant Society (CNPS)<sup>1</sup> and California Department of Fish and Wildlife's (CDFW) floristic survey guidelines<sup>2</sup> and should be documented as recommended by CNPS<sup>3</sup> and California Botanical Society policy guidelines. A full floral inventory of all species encountered needs to be documented and included in the EIS/R. Surveys for animals should include an evaluation of the California Wildlife Habitat Relationship System's (CWHR) Habitat Classification Scheme. All rare species (plants or animals) need to be documented with a California Natural Diversity Data Base form and submitted to the California Department of Fish and Wildlife using the CNDDDB Form<sup>4</sup> as per the State's instructions<sup>5</sup>.

In order for the public to properly evaluate the data, the vegetation maps must be at a large enough scale to be useful for evaluating the impacts. Vegetation/wetland habitat mapping should be at such a scale as to provide an accurate accounting of wetland and adjacent habitat types that will be directly or indirectly affected by the proposed activities, including downstream reaches of the Santa Ana River. A half-acre minimum mapping unit size is recommended, such as has been used for other development projects. Habitat classification should follow the CNPS' Manual of California Vegetation.

### ***Impact Analysis***

The SDEIS/R must evaluate all direct, indirect, and cumulative impacts to sensitive habitats, including impacts associated with unpermitted recreational activities, the introduction of non-native plants, water quality and quantity impacts and the loss and disruption of critical and essential habitat.

The SDEIS/R must identify and evaluate impacts to species and ecosystems from invasive, exotic species. For example, last year, the highly invasive red algae (*Compsopogon coeruleus*) was documented in the Santa Ana sucker occupied habitat in the Santa Ana River.<sup>6</sup> Additionally, mesic terrestrial exotic species such as giant reed (*Arundo donax*) is also present in the Santa Ana River and has invaded and displaced native vegetation upon which numerous species depend. While giant reed eradication has occurred on the Santa Ana River, it has not occurred in a comprehensive, well-planned top-of-the-watershed to downstream. Instead the haphazard giant reed abatement only results in on-going mitigation opportunities as the invasive re-establishes itself through downstream dispersal. Invasive species displace native vegetation, degrade functioning ecosystems, and provide little or no habitat for native animals. All of these factors for exotic plants are present in the project, and their effects must be evaluated in the EIS/R.

### ***Wildlife Movement***

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1 <http://www.cnps.org/cnps/rareplants/inventory/guidelines.php>

2 [http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/Protocols for Surveying and Evaluating Impacts.pdf](http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/Protocols%20for%20Surveying%20and%20Evaluating%20Impacts.pdf)

3 <http://www.cnps.org/cnps/archive/collecting.php>

4 [http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB\\_FieldSurveyForm.pdf](http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf)

5 [http://www.dfg.ca.gov/biogeodata/cnddb/submitting\\_data\\_to\\_cnddb.asp](http://www.dfg.ca.gov/biogeodata/cnddb/submitting_data_to_cnddb.asp)

6 <http://www.pe.com/articles/fish-693195-river-algae.html>

A thorough and independent evaluation of the project's impacts on wildlife movement is essential. The Santa Ana River corridor is one of the last, best, albeit tenuous, linkages for wildlife movement through the highly urbanized inland empire between larger conservation refugia. The EIS/R must evaluate all direct, indirect, and cumulative impacts to wildlife movement corridors from any changes in hydrology. The analysis should cover movement of mammals, as well as other taxonomic groups, including birds, reptiles, amphibians, invertebrates, and vegetation communities. The EIS/R should analyze whether wildlife movement would be further impeded by changes in hydrology.

### ***Mitigation and Restoration***

For affected sensitive habitat and vegetation types, the EIS/R should prioritize avoidance, followed by durable habitat replacement at a mitigation ratio calculated to ensure success, followed by durable onsite restoration and enhancement, followed by durable off-site mitigation. Identification and securing of mitigation areas, with establishment of effective long-term management, should occur prior to any change in hydrological regimes.

Specific, measurable, feasible, and enforceable mitigation measures for impacts from the project as well as associated with unpermitted recreational activities, the introduction of non-native plants, and the loss and disruption of essential habitat due to the proposed project are available and should be included in the SDEIS/R,.

Habitat enhancement, particularly for avian species should be incorporated into the project to enhance the corridor for habitat and nesting.

### ***Air Quality***

The SDEIS/R must consider the project's potential to impair attainment goals for the Air Basin, a basin that is already not in compliance with air quality standards. The SDEIS/R should consider specific mitigation measures to reduce air quality impacts associated with any reduction in surface flows, reduction in stabilizing vegetation and all earth moving during construction and maintenance, including a firm requirement for construction equipment to use low-sulfur diesel fuel and particulate traps.

### ***Greenhouse Gas Emissions***

The SDEIS/R must disclose the project's net contribution to greenhouse gas emissions from all sources, including future mining and incorporate feasible mitigation measures and alternatives to reduce this impact. For mobile sources, since consistency with the AQMP will not necessarily achieve the maximum feasible reduction in mobile source greenhouse emissions, the SDEIS/R should evaluate specific mitigation measures to reduce greenhouse emissions from mobile sources. Consistent with California law setting greenhouse gas emissions reduction goals, the SDEIS/R should consider measures and an alternative that achieve "carbon neutrality" (no net contribution of greenhouse gas emissions) for the project.

### ***Water Quality***

The SDEIS/R must provide detailed descriptions of the project's water quality impacts. In particular, the SDEIS/R must evaluate the water quality impacts associated with the any decreases in flows that may concentrate substances detrimental to the health/life of sensitive instream and downstream receptors. These impacts must be disclosed and analyzed in the SDEIS/R.

### ***Water Supply***

The SDEIS/R must identify all sources of water for the project which will be necessary to maintain ecological processes in the Wash. The SDEIS/R must also evaluate all environmental impacts associated with use of all identified water sources. The SDEIS/R should disclose the legal status of any water rights asserted as a basis for the project's water supply, and indicate any further administrative or legal proceedings that are necessary to perfect such rights.

### ***Cumulative Impacts***

The SDEIS/R must disclose the impacts from all proposed adjacent projects. It is impossible to fully understand the impacts of the project, particularly its regional impacts on the rare species, wildlife movement, etc. without full disclosure of all other approved, proposed, and planned projects.

As required by NEPA/CEQA, the SDEIS/R must include a list of past, present, and probable future projects producing related or cumulative impacts, together with a summary of the expected environmental impacts from those projects and a reasonable analysis of the cumulative impacts of the relevant projects. (Also see below regarding concerns about this proposal and the Upper Santa Ana River HCP).

### ***Alternatives***

The SDEIS/R should consider a range of alternatives including ones that reduce or avoid the project's environmental impacts, including an alternative that would allow for more natural function of the wash through timely water releases from Seven Oaks Dam.

### ***Environmental Baseline***

The baseline for environmental analysis should not simply be set based on the existing environmental conditions because the environment itself is changing. Instead, the SDEIS/R analysis should be based on a dynamic baseline that accounts for global warming (this may particularly affect water supply and demand and wildlife movement patterns).

## *Other Key Issues*

Other issues that the HCP/SDEIS needs to incorporate and be analyzed under CEQA and NEPA include:

### **1) Craft the Wash Plan to address the unique Santa Ana Wash landscape**

Recognition and incorporation of essential hydrological functions – Many of the covered species are dependent upon specific hydrological regimes that no longer occur naturally in the Wash because of previous hydromodification. Careful evaluation of past hydrological regimes, sediment flow, inundation durations etc., needs to be used as a basis for proposing and implementing requisite regimes that will mimic the actions of historic hydrology. This issue is essential to maintaining the Santa Ana Wash system and the covered species that call the wash home.

### **2) Direct conservation activities towards the highest resource value lands**

Mitigate inside biological conservation areas – Land acquisition mitigation should occur within areas of the highest biological sensitivity. Mitigation in lower sensitivity areas is a missed opportunity to establish a consolidated and viable preserve system.

### **3) Maximize protection of the rarest resources**

Avoid impacts to the rarest resources – The Wash Plan should avoid all narrow endemic species, sensitive plant species, critical population locations, and all wetlands to the maximum extent practicable. This approach - the “avoidance standard” – should also be clearly articulated in the Wash Plan and all related implementing regulations and agreements.

Ensure in-kind mitigation – All impacts to biological resources should be mitigated through conservation on-site or elsewhere of the same kinds of resources, as conditions of the Wash Plan and all related implementing regulations and agreements.

Articulate narrow exemptions to the avoidance standard – Any exemptions to the avoidance standard should be narrowly drafted to articulate those limited circumstances when impacts to the rarest resources will proceed despite the avoidance standard, as part of the Wash Plan and all related implementing regulations and agreements. Impacts to resources protected by the avoidance standard should only be allowed as necessary for linear essential public health and safety projects and for biologically superior alternatives, all according to specifically defined criteria in the biological mitigation ordinances.

Protect critical landscape connections – Critical landscape connections and ecological linkages both on and off-site should be identified and their viability ensured. These goals should be clearly articulated in the Wash Plan and all related implementing regulations and agreements.

### **4) Ensure conservation of covered resources commensurate with take**

Establish Wash Plan implementation benchmarks – The Wash Plan should include benchmarks for tracking program progress and ensuring that conservation will occur commensurate with take of covered species and habitat. Benchmarks should be included as conditions of coverage

in the Wash Plan and all related implementing regulations and agreements. Take authorization should be provided in increments only after completion of conservation activities identified in the previous benchmark.

Benchmarks are particularly important for conservation of specific amounts of land for each narrow endemic species, sensitive plant species, critical population locations, each covered habitat type, and provision of assured funding.

**5) Ensure availability of necessary conservation funding**

Establish assured funding sources – Adequate assured funding sources should be established to cover all costs over the entire duration of the Wash Plan. An adequate assured funding source should be established for increments of permitted take. Assured funding sources should be included as conditions of coverage in all related implementing regulations and agreements. Funding sources should provide adequate contingency funding for changed and unforeseen circumstances.

The Implementing Agencies should establish a policy at the time of approval of the Wash Plan to provide yearly budgets necessary to carry out conservation obligations. Future state and federal allocations should only be considered assured funding sources if the County/Cities will accept responsibility for any shortfalls. State or federal allocations and grants should not be considered assured funding sources, though once obtained may offset County/Cities obligations.

Provide contingency funding and management – Contingency funding and management addressing potential harm to Santa Ana River Wash resources or changed circumstances should be included in the Wash Plan and implementing agreement. These should include future water diversions from upstream of the proposed plan area, fire, fire fighting activities, unmitigated projects by other agencies, and changed circumstances including climate change impacts.

**6) Base conservation activities on the best available scientific information**

Biological goals and objectives – Specific biological conservation goals and objectives should be provided for all Wash Plan natural communities and covered species.

Establish ecological criteria for resource surveys – Sound ecological criteria triggering species surveys should be clearly articulated in the Wash Plan and all related implementing regulations and agreements. Surveys should be carried out for covered species prior to any impacts in all suitable habitats as reflected by soils, vegetation, location and others.

**7) Manage for viability of covered species and maintenance of preserve lands**

Ensure adequate funding for conservation management – An open space management plan funding analysis should be conducted as part of the Wash Plan, similar to that conducted by the Center for Natural Lands Management on behalf of the City of Carlsbad for the Carlsbad Habitat Management Plan. Assured funding should be provided consistent with any funding

analysis conclusions as part of the Wash Plan and all related implementing regulations and agreements.

Ensure conservation management for all future preserve land – Conservation management should be provided for all lands counted towards total preservation obligations as part of the Wash Plan and all related implementing regulations and agreements. Development projects should not be approved, and mitigation lands should not be considered conserved absent all of the following conservation management measures:

Preparation of an area-specific plan for permanent conservation management

Provision of assured funding from the funding sources

Identification and retainer of a conservation manager

Provision of agreements authorizing access for conservation management and enforcement, and/or provision of proof of management and enforcement consistent with Wash Plan's goals and objectives.

Provide up-front conservation management for existing preserve land – Area-specific management directives, assured funding, a conservation manager, and access (presented in greater detail above) should be provided for all existing preserved land credited towards total preservation obligations at the time of approval of the Wash Plan. Open space easements and existing preserves should not be credited toward preservation obligations absent these elements.

#### **8) Articulate sophisticated conservation assurances**

Clearly articulate conservation assurances – Language addressing conservation measures in the Wash Plan and all related implementing regulations and agreements should be clear, non-discretionary, and at least as sophisticated as any development assurances provided to the Plan participants and beneficiaries.

#### **9) Provide for independent review and transparent decision making**

Provide for periodic, independent review of Wash Plan – The Plan participants should provide three levels of review and reporting on Wash Plan documents and implementation, including a) Pre-approval independent scientific, legal, and financial review; b) Annual implementation review and staff report; and c) Periodic, independent implementation review and report, at least once every three years.

Provide all important documents for public comment – Public review and comment should be provided for all important Wash Plan documents prior to approval, including the implementing agreement, management directives for lands considered preserved at the time of plan approval, the biological opinion, and Section 10 Findings.

#### **10) Other HCP's along the Santa Ana River**

Currently the Upper Santa Ana River HCP is also being pursued. While it is our understanding that the Wash Plan will deal with the terrestrial impacts, and the Upper Santa Ana River will deal with water impacts, in the Santa Ana River Wash, these impacts go hand-in-hand. Our preference is a SINGLE HCP that would encompass a holistic strategy for the Santa Ana River Wash and the rare species and habitat that it encompasses. If indeed the two HCPs move forward it is essential that they are closely coordinated.

*Conclusion*

We look forward to continuing to advocate for strong conservation in the Santa Ana River Wash area on behalf of all of the rare species that reside there. Please add us to the distribution list for the SDEIS/R and all related notices associated with the project.

Sincerely,



Ilene Anderson  
Senior Scientist  
Center for Biological Diversity

**AB 52**



U. S. Fish and Wildlife Service  
Carlsbad Fish and Wildlife Office  
2177 Salk Avenue, Suite 250  
Carlsbad, California 92008  
760-431-9440  
FAX 760-431-9624



Bureau of Land Management  
Palm Springs South Coast Field Office  
1201 Bird Center Drive  
Palm Springs, CA 92262  
760-833-7100  
760-833-7199

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In Reply Refer To:  
FWS/BLM-SB-08B0318-15CPA0239

Robert Martin, Chairman  
Morongo Band of Mission Indians  
12700 Pumarra Rd.  
Banning, California 92220

MAY 13 2015

Dear Chairman Martin:

The Bureau of Land Management (BLM) and U.S. Fish and Wildlife Service (Service) as Co-Lead Federal Agencies; and the San Bernardino Valley Water Conservation District (District), as the lead agency under California Environmental Quality Act (CEQA); hereafter collectively referred to as the Agencies, wish to invite your participation in a multi-agency effort regarding the development of the proposed Upper Santa Ana Wash Habitat Conservation Plan (HCP). This cooperative effort would also involve a proposed amendment to the BLM South Coast Resource Management Plan by considering a land exchange between BLM and the District for the purposes of supporting the conservation goals of the HCP. The Agencies published a Notice of Intent in the Federal Register (80 FR 1143) on March 3, 2015, to prepare a draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) on their joint proposed action to approve the HCP and land exchange.

Under various Federal laws, regulations, and policies, the BLM and the Service are responsible for analyzing the impacts of Federal actions that may affect public or private lands. In evaluating proposed Federal projects or planning efforts, the BLM and the Service must comply with the requirements of the National Environmental Policy Act (NEPA), which requires that Federal agencies proposing actions under their jurisdiction consider the environmental impacts associated with development, including project construction, operations, and maintenance. The joint Federal action we are evaluating is the proposed issuance of an incidental take permit for federally listed species in conjunction with approval of the HCP, and the proposed land exchange. The HCP intends to cover land uses in the Upper Santa Ana River Wash, including water conservation, mining, flood control, and wildlife habitat. Issuance of incidental take permits and the land exchange are both considered Federal undertakings as defined by the National Historic Preservation Act (NHPA). As undertakings, these actions will be analyzed concurrently for their potential to affect historic properties, as required by Section 106 of the NHPA. The Agencies will utilize the public commenting process under NEPA to partially meet our public involvement and tribal consultation responsibilities under the NHPA.

Under CEQA, the District (as the responsible trustee agency) is required to assess whether a project will have a substantial adverse change in the significance of a historical resource, and if so, to mitigate that effect. In addition to research and fieldwork conducted by cultural resource professionals, early consultation with Native American tribes in the region is typically practiced to aid in avoiding unanticipated discoveries once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historical resources in the project area. Contact information and access to limited Native

American cultural resource information is available through the California Native American Heritage Commission.

Specific to Section 106 of the National Historic Preservation Act, the implementing regulations at 36 CFR 800 requires the BLM and the Service to consult with tribes that attach religious or cultural significance to historic properties which may be affected by an undertaking. We request your assistance in identifying any issues or concerns your tribe may have about the proposed action (approving the HCP, issuing an Incidental Take Permit, and implementing the land exchange), including identifying places of religious and cultural significance that might be affected. The regulations at 36 CFR 800.2(c)(2)(ii)(C) also state that Federal agency consultation with a tribe must recognize the government-to-government relationship and require the agency to consult with representatives designated or identified by the tribal government. To facilitate government-to-government consultation on the proposed action for the purposes of Section 106 and to meet the requirements of the regulations, the BLM requests that the Morongo Band of Mission Indians Tribal Government identify those tribal representatives who have been designated to consult with BLM on the proposed land exchange. The Service requests that the Tribal Government also designate those tribal representatives to consult with the Service on the proposed HCP and permit. The BLM and the Service would like to jointly consult with the Morongo Band of Mission Indians on their joint proposed action, and request your concurrence with this approach.

We would also like to take this opportunity to offer Cooperating Agency Status to the Morongo Band of Mission Indians under NEPA. If you are interested in being a Cooperating Agency for this joint proposed action, please let us know, and we can discuss it further at your convenience.

#### Background Information

In 1993, representatives of water, mining, flood control, wildlife, and municipalities formed the Wash Committee to address local mining issues in the Upper Santa Ana River Wash. Subsequently, the role of the Committee was expanded to address all the land use functions in the Wash. The Committee initially met on an as-needed basis with other stakeholders in the Wash area. In 1997, the Wash Committee began meeting on a regular basis to determine how to accommodate all of the important functions within the Wash. A Policy Action Committee was established, consisting of elected officials from San Bernardino County, the Cities of Highland and Redlands, the District, and the BLM Field Manager. A Technical Advisory Committee was formed with representatives of the Policy Action Committee agencies and other water, mining, flood control, and wildlife interests. In 2009, the BLM and the District released a Draft Environmental Impact Statement (EIS) and Draft Environmental Impact Report (EIR) respectively. Based on public and agency comments, the BLM and the District decided that more detail was needed on specific species and habitats, as well as potential covered activities, within the land exchange area. To that end, the Agencies (including the Service) have agreed to combine the NEPA and CEQA processes for the proposed land exchange and to include the proposed HCP and incidental take permit in a Supplemental Draft EIS/EIR.

The 2009 Draft EIS/EIR identified 18 historic cultural resource sites, consisting of 15 refuse

scatters and 3 water conveyance (flood control) systems. No prehistoric cultural resources were discovered. Evaluation of these resources through archival research and field investigations has concluded that none of the 18 cultural resources meet the National Register of Historic Places criteria for eligibility; some of those resources lack integrity, and therefore were recommended as not eligible for that reason.

We are writing to you at this early stage of public review to notify you about the proposed HCP, permit, and land exchange. We are seeking your views and comments, particularly with regard to any issues that may affect resources that are important to your tribe. The BLM will update the Tribe on the proposed action throughout the review process, unless the Tribe has no further interest in consulting on it. If you wish to obtain the original cultural reports that were the basis for the 2009 NEPA and CEQA documents, please let us know how you would like us to transmit them to you.

If you would like to schedule a government-to-government consultation meeting with the Agencies, please send us the contact information for your designated representative. Please contact us if you have any questions or concerns about the proposed HCP and land exchange. Additionally, a detailed description of the HCP and land exchange proposal can be found on the District's website at <http://www.sbvwd.dst.ca.us/our-projects/wash-plan.html>.

We look forward to hearing from you regarding your interest in the proposed HCP and land exchange, our invitation to initiate a government-to-government consultation, and Cooperating Agency Status for the EIS/EIR. If you have additional questions or if we can provide any clarification, please do not hesitate to contact us at the telephone numbers and email addresses listed below.

For the BLM: George Kline, Archaeologist, telephone 760 833-7135; email [gkline@blm.gov](mailto:gkline@blm.gov).

For the Service: Geary Hund, Fish and Wildlife Biologist, telephone 760-322-2070, extension 209; email [geary\\_hund@fws.gov](mailto:geary_hund@fws.gov).

For the District: Jeff Beehler, Land Resources Manager, telephone 909-793-2503; email [jbeehler@sbvwd.org](mailto:jbeehler@sbvwd.org).

Sincerely,



G. Mendel Stewart  
Field Supervisor  
U.S. Fish and Wildlife Service



John R. Kalish  
Field Manager  
Bureau of Land Management



U. S. Fish and Wildlife Service  
Carlsbad Fish and Wildlife Office  
2177 Salk Avenue, Suite 250  
Carlsbad, California 92008  
760-431-9440  
FAX 760-431-9624



Bureau of Land Management  
Palm Springs South Coast Field Office  
1201 Bird Center Drive  
Palm Springs, CA 92262  
760-833-7100  
760-833-7199

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In Reply Refer To:  
FWS/BLM-SB-08B0318-15CPA0239

Goldie Walker, Chairwoman  
Serrano Nation of Mission Indians  
P.O. Box 343  
Patton, California 92369

MAY 13 2015

Dear Chairwoman Walker:

The Bureau of Land Management (BLM) and U.S. Fish and Wildlife Service (Service) as Co-Lead Federal Agencies; and the San Bernardino Valley Water Conservation District (District), as the lead agency under California Environmental Quality Act (CEQA); hereafter collectively referred to as the Agencies, wish to invite your participation in a multi-agency effort regarding the development of the proposed Upper Santa Ana Wash Habitat Conservation Plan (HCP). This cooperative effort would also involve a proposed amendment to the BLM South Coast Resource Management Plan by considering a land exchange between BLM and the District for the purposes of supporting the conservation goals of the HCP. The Agencies published a Notice of Intent in the Federal Register (80 FR 1143) on March 3, 2015, to prepare a draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) on their joint proposed action to approve the HCP and land exchange.

Under various Federal laws, regulations, and policies, the BLM and the Service are responsible for analyzing the impacts of Federal actions that may affect public or private lands. In evaluating proposed Federal projects or planning efforts, the BLM and the Service must comply with the requirements of the National Environmental Policy Act (NEPA), which requires that Federal agencies proposing actions under their jurisdiction consider the environmental impacts associated with development, including project construction, operations, and maintenance. The joint Federal action we are evaluating is the proposed issuance of an incidental take permit for federally listed species in conjunction with approval of the HCP, and the proposed land exchange. The HCP intends to cover land uses in the Upper Santa Ana River Wash, including water conservation, mining, flood control, and wildlife habitat. Issuance of incidental take permits and the land exchange are both considered Federal undertakings as defined by the National Historic Preservation Act (NHPA). As undertakings, these actions will be analyzed concurrently for their potential to affect historic properties, as required by Section 106 of the NHPA. The Agencies will utilize the public commenting process under NEPA to partially meet our public involvement and tribal consultation responsibilities under the NHPA.

Under CEQA, the District (as the responsible trustee agency) is required to assess whether a project will have a substantial adverse change in the significance of a historical resource, and if so, to mitigate that effect. In addition to research and fieldwork conducted by cultural resource professionals, early consultation with Native American tribes in the region is typically practiced to aid in avoiding unanticipated discoveries once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historical resources in the project area. Contact information and access to limited Native

American cultural resource information is available through the California Native American Heritage Commission.

Specific to Section 106 of the National Historic Preservation Act, the implementing regulations at 36 CFR 800 requires the BLM and the Service to consult with tribes that attach religious or cultural significance to historic properties which may be affected by an undertaking. We request your assistance in identifying any issues or concerns your tribe may have about the proposed action (approving the HCP, issuing an Incidental Take Permit, and implementing the land exchange), including identifying places of religious and cultural significance that might be affected. The regulations at 36 CFR 800.2(c)(2)(ii)(C) also state that Federal agency consultation with a tribe must recognize the government-to-government relationship and require the agency to consult with representatives designated or identified by the tribal government. To facilitate government-to-government consultation on the proposed action for the purposes of Section 106 and to meet the requirements of the regulations, the BLM requests that the Serrano Nation of Mission Indians Tribal Government identify those tribal representatives who have been designated to consult with BLM on the proposed land exchange. The Service requests that the Tribal Government also designate those tribal representatives to consult with the Service on the proposed HCP and permit. The BLM and the Service would like to jointly consult with the Serrano Nation of Mission Indians on their joint proposed action, and request your concurrence with this approach.

We would also like to take this opportunity to offer Cooperating Agency Status to the Serrano Nation of Mission Indians under NEPA. If you are interested in being a Cooperating Agency for this joint proposed action, please let us know, and we can discuss it further at your convenience.

### Background Information

In 1993, representatives of water, mining, flood control, wildlife, and municipalities formed the Wash Committee to address local mining issues in the Upper Santa Ana River Wash. Subsequently, the role of the Committee was expanded to address all the land use functions in the Wash. The Committee initially met on an as-needed basis with other stakeholders in the Wash area. In 1997, the Wash Committee began meeting on a regular basis to determine how to accommodate all of the important functions within the Wash. A Policy Action Committee was established, consisting of elected officials from San Bernardino County, the Cities of Highland and Redlands, the District, and the BLM Field Manager. A Technical Advisory Committee was formed with representatives of the Policy Action Committee agencies and other water, mining, flood control, and wildlife interests. In 2009, the BLM and the District released a Draft Environmental Impact Statement (EIS) and Draft Environmental Impact Report (EIR) respectively. Based on public and agency comments, the BLM and the District decided that more detail was needed on specific species and habitats, as well as potential covered activities, within the land exchange area. To that end, the Agencies (including the Service) have agreed to combine the NEPA and CEQA processes for the proposed land exchange and to include the proposed HCP and incidental take permit in a Supplemental Draft EIS/EIR.

The 2009 Draft EIS/EIR identified 18 historic cultural resource sites, consisting of 15 refuse

scatters and 3 water conveyance (flood control) systems. No prehistoric cultural resources were discovered. Evaluation of these resources through archival research and field investigations has concluded that none of the 18 cultural resources meet the National Register of Historic Places criteria for eligibility; some of those resources lack integrity, and therefore were recommended as not eligible for that reason.

We are writing to you at this early stage of public review to notify you about the proposed HCP, permit, and land exchange. We are seeking your views and comments, particularly with regard to any issues that may affect resources that are important to your tribe. The BLM will update the Tribe on the proposed action throughout the review process, unless the Tribe has no further interest in consulting on it. If you wish to obtain the original cultural reports that were the basis for the 2009 NEPA and CEQA documents, please let us know how you would like us to transmit them to you.

If you would like to schedule a government-to-government consultation meeting with the Agencies, please send us the contact information for your designated representative. Please contact us if you have any questions or concerns about the proposed HCP and land exchange. Additionally, a detailed description of the HCP and land exchange proposal can be found on the District's website at <http://www.sbvwdc.dst.ca.us/our-projects/wash-plan.html>.

We look forward to hearing from you regarding your interest in the proposed HCP and land exchange, our invitation to initiate a government-to-government consultation, and Cooperating Agency Status for the EIS/EIR. If you have additional questions or if we can provide any clarification, please do not hesitate to contact us at the telephone numbers and email addresses listed below.

For the BLM: George Kline, Archaeologist, telephone 760 833-7135; email [gkline@blm.gov](mailto:gkline@blm.gov).

For the Service: Geary Hund, Fish and Wildlife Biologist, telephone 760-322-2070, extension 209; email [geary\\_hund@fws.gov](mailto:geary_hund@fws.gov).

For the District: Jeff Beehler, Land Resources Manager, telephone 909-793-2503; email [jbeehler@sbvwdc.org](mailto:jbeehler@sbvwdc.org).

Sincerely,



G. Mendel Stewart  
Field Supervisor  
U.S. Fish and Wildlife Service



John R. Kalish  
Field Manager  
Bureau of Land Management



U. S. Fish and Wildlife Service  
Carlsbad Fish and Wildlife Office  
2177 Salk Avenue, Suite 250  
Carlsbad, California 92008  
760-431-9440  
FAX 760-431-9624



Bureau of Land Management  
Palm Springs South Coast Field Office  
1201 Bird Center Drive  
Palm Springs, CA 92262  
760-833-7100  
760-833-7199

---

In Reply Refer To:  
FWS/BLM-SB-08B0318-15CPA0239

Lynn Valbuena, Chairperson  
San Manuel Band of Serrano Mission Indians  
26569 Community Center Drive  
Highland, California 92346

MAY 13 2015

---

Dear Chairperson Valbuena:

The Bureau of Land Management (BLM) and U.S. Fish and Wildlife Service (Service) as Co-Lead Federal Agencies; and the San Bernardino Valley Water Conservation District (District), as the lead agency under California Environmental Quality Act (CEQA); hereafter collectively referred to as the Agencies, wish to invite your participation in a multi-agency effort regarding the development of the proposed Upper Santa Ana Wash Habitat Conservation Plan (HCP). This cooperative effort would also involve a proposed amendment to the BLM South Coast Resource Management Plan by considering a land exchange between BLM and the District for the purposes of supporting the conservation goals of the HCP. The Agencies published a Notice of Intent in the Federal Register (80 FR 1143) on March 3, 2015, to prepare a draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) on their joint proposed action to approve the HCP and land exchange.

Under various Federal laws, regulations, and policies, the BLM and the Service are responsible for analyzing the impacts of Federal actions that may affect public or private lands. In evaluating proposed Federal projects or planning efforts, the BLM and the Service must comply with the requirements of the National Environmental Policy Act (NEPA), which requires that Federal agencies proposing actions under their jurisdiction consider the environmental impacts associated with development, including project construction, operations, and maintenance. The joint Federal action we are evaluating is the proposed issuance of an incidental take permit for federally listed species in conjunction with approval of the HCP, and the proposed land exchange. The HCP intends to cover land uses in the Upper Santa Ana River Wash, including water conservation, mining, flood control, and wildlife habitat. Issuance of incidental take permits and the land exchange are both considered Federal undertakings as defined by the National Historic Preservation Act (NHPA). As undertakings, these actions will be analyzed concurrently for their potential to affect historic properties, as required by Section 106 of the NHPA. The Agencies will utilize the public commenting process under NEPA to partially meet our public involvement and tribal consultation responsibilities under the NHPA.

Under CEQA, the District (as the responsible trustee agency) is required to assess whether a project will have a substantial adverse change in the significance of a historical resource, and if so, to mitigate that effect. In addition to research and fieldwork conducted by cultural resource professionals, early consultation with Native American tribes in the region is typically practiced to aid in avoiding unanticipated discoveries once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historical resources in the project area. Contact information and access to limited Native

American cultural resource information is available through the California Native American Heritage Commission.

Specific to Section 106 of the National Historic Preservation Act, the implementing regulations at 36 CFR 800 requires the BLM and the Service to consult with tribes that attach religious or cultural significance to historic properties which may be affected by an undertaking. We request your assistance in identifying any issues or concerns your tribe may have about the proposed action (approving the HCP, issuing an Incidental Take Permit, and implementing the land exchange), including identifying places of religious and cultural significance that might be affected. The regulations at 36 CFR 800.2(c)(2)(ii)(C) also state that Federal agency consultation with a tribe must recognize the government-to-government relationship and require the agency to consult with representatives designated or identified by the tribal government. To facilitate government-to-government consultation on the proposed action for the purposes of Section 106 and to meet the requirements of the regulations, the BLM requests that the San Manuel Band of Serrano Mission Indians Tribal Government identify those tribal representatives who have been designated to consult with BLM on the proposed land exchange. The Service requests that the Tribal Government also designate those tribal representatives to consult with the Service on the proposed HCP and permit. The BLM and the Service would like to jointly consult with the San Manuel Band of Serrano Mission Indians on their joint proposed action, and request your concurrence with this approach.

We would also like to take this opportunity to offer Cooperating Agency Status to the San Manuel Band of Serrano Mission Indians under NEPA. If you are interested in being a Cooperating Agency for this joint proposed action, please let us know, and we can discuss it further at your convenience.

### Background Information

In 1993, representatives of water, mining, flood control, wildlife, and municipalities formed the Wash Committee to address local mining issues in the Upper Santa Ana River Wash. Subsequently, the role of the Committee was expanded to address all the land use functions in the Wash. The Committee initially met on an as-needed basis with other stakeholders in the Wash area. In 1997, the Wash Committee began meeting on a regular basis to determine how to accommodate all of the important functions within the Wash. A Policy Action Committee was established, consisting of elected officials from San Bernardino County, the Cities of Highland and Redlands, the District, and the BLM Field Manager. A Technical Advisory Committee was formed with representatives of the Policy Action Committee agencies and other water, mining, flood control, and wildlife interests. In 2009, the BLM and the District released a Draft Environmental Impact Statement (EIS) and Draft Environmental Impact Report (EIR) respectively. Based on public and agency comments, the BLM and the District decided that more detail was needed on specific species and habitats, as well as potential covered activities, within the land exchange area. To that end, the Agencies (including the Service) have agreed to combine the NEPA and CEQA processes for the proposed land exchange and to include the proposed HCP and incidental take permit in a Supplemental Draft EIS/EIR.

The 2009 Draft EIS/EIR identified 18 historic cultural resource sites, consisting of 15 refuse scatters and 3 water conveyance (flood control) systems. No prehistoric cultural resources were discovered. Evaluation of these resources through archival research and field investigations has concluded that none of the 18 cultural resources meet the National Register of Historic Places criteria for eligibility; some of those resources lack integrity, and therefore were recommended as not eligible for that reason.

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For the District: Jeff Beehler, Land Resources Manager, telephone 909-793-2503; email [jbeehler@sbvwd.org](mailto:jbeehler@sbvwd.org).

Sincerely,



G. Mendel Stewart  
Field Supervisor  
U.S. Fish and Wildlife Service



John R. Kalish  
Field Manager  
Bureau of Land Management

cc: Daniel McCarthy, M.S., Director – CRM Department



U. S. Fish and Wildlife Service  
Carlsbad Fish and Wildlife Office  
2177 Salk Avenue, Suite 250  
Carlsbad, California 92008  
760-431-9440  
FAX 760-431-9624



Bureau of Land Management  
Palm Springs South Coast Field Office  
1201 Bird Center Drive  
Palm Springs, CA 92262  
760-833-7100  
760-833-7199

In Reply Refer To:  
FWS/BLM-SB-08B0318-15CPA0239

John Valenzuela, Chairperson  
San Fernando Band of Mission Indians  
P.O. Box 221838  
Newhall, California 91322

MAY 13 2015

Dear Chairperson Valenzuela:

The Bureau of Land Management (BLM) and U.S. Fish and Wildlife Service (Service) as Co-Lead Federal Agencies; and the San Bernardino Valley Water Conservation District (District), as the lead agency under California Environmental Quality Act (CEQA); hereafter collectively referred to as the Agencies, wish to invite your participation in a multi-agency effort regarding the development of the proposed Upper Santa Ana Wash Habitat Conservation Plan (HCP). This cooperative effort would also involve a proposed amendment to the BLM South Coast Resource Management Plan by considering a land exchange between BLM and the District for the purposes of supporting the conservation goals of the HCP. The Agencies published a Notice of Intent in the Federal Register (80 FR 1143) on March 3, 2015, to prepare a draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) on their joint proposed action to approve the HCP and land exchange.

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We would also like to take this opportunity to offer Cooperating Agency Status to the San Fernando Band of Mission Indians under NEPA. If you are interested in being a Cooperating Agency for this joint proposed action, please let us know, and we can discuss it further at your convenience.

#### Background Information

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For the District: Jeff Beehler, Land Resources Manager, telephone 909-793-2503; email [jbeehler@sbvwd.org](mailto:jbeehler@sbvwd.org).

Sincerely,



G. Mendel Stewart  
Field Supervisor  
U.S. Fish and Wildlife Service



John R. Kalish  
Field Manager  
Bureau of Land Management



# SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT

Established 1932

1630 West Redlands Boulevard, Suite A  
Redlands, CA 92373-8032  
(909) 793-2503  
Fax: (909) 793-0188

Email: [info@sbvwcd.org](mailto:info@sbvwcd.org)  
[www.sbvwcd.org](http://www.sbvwcd.org)

October 6, 2017

Mr. Joseph Ontiveros  
Director of Cultural Resources  
Soboba Band of Luiseño Indians  
P.O. Box 487  
San Jacinto, CA 92581

Subject: Habitat Conservation Plan for the Upper Santa Ana River Wash

Dear Mr. Ontiveros:

The San Bernardino Valley Water Conservation District (SBVWCD) is responding to your request for formal notification of the SBVWCD's "CEQA projects" pursuant to AB52, Public Resources Code section 21080.3.1, subsection (b), which stated that the SBVWCD is located within the Tribes' ancestral territory.

Although initiation of this project predates the statutory requirement for consultation under AB52, this letter is to notify you that the SBVWCD is proposing to implement a project that would exchange land with the Bureau of Land Management (BLM), amend the BLM South Coast Resource Management Plan and implement a Habitat Conservation Plan for the Upper Santa Ana River Wash. A Project Description and Project Map are provided in Attachment 1. The Cultural Resources Report prepared for the Project is provided in Attachment 2. The SBVWCD is charged with operating and maintaining its existing facilities in the Santa Ana River and Mill Creek for groundwater recharge, as it has since approximately the 1920s.

Federal Partners in the implementation of this project are the BLM and the United States Fish and Wildlife Service (FWS). Both the BLM and the FWS have tribal consultation requirements under the National Environmental Policy Act (NEPA) and these will be undertaken by the Federal Agencies.

The Soboba Band of Luiseño Indians has 30 days to request formal consultation regarding the Project in writing under Public Resources Code 21080.3.1, subsections (b) and (d). Such request should be directed to:

Jeff Beehler  
San Bernardino Valley Water Conservation District  
1630 West Redlands Blvd., Suite A  
Redlands, California 92373  
Phone: 909.793.2503  
Email: [JBeehler@sbvwcd.org](mailto:JBeehler@sbvwcd.org)

If we do not receive notification within the 30-day period, we will assume that Soboba Band of Luiseño Indians has no tribal cultural resource concerns for the Project and we will proceed with the public review of a Supplemental Environmental Impact Statement in accordance with California Environmental Quality Act procedures.

BOARD  
OF  
DIRECTORS

Division 1:  
Richard Cornelle  
Division 2:  
David E. Raley

Division 3:  
T. Milford Harrison  
Division 4:  
John Longville

Division 5:  
Melody McDonald

GENERAL  
MANAGER

Daniel B. Cozad

Please do not hesitate to contact me with any questions or concerns regarding the above.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Beehler", with a long horizontal flourish extending to the right.

Jeff Beehler

Attachments:

Attachment 1 - Project Description and Project Map

Attachment 2 – Cultural Resources Report



# SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT

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October 6, 2017

Mr. Robert Martin  
Tribal Chairman  
The Morongo Band of Mission Indians  
12700 Pumarra Road  
Banning, CA 92220

Subject: Habitat Conservation Plan for the Upper Santa Ana River Wash

Dear Mr. Martin:

The San Bernardino Valley Water Conservation District (SBVWCD) is responding to your request for formal notification of the SBVWCD's "CEQA projects" pursuant to AB52, Public Resources Code section 21080.3.1, subsection (b), which stated that the SBVWCD is located within the Tribes' ancestral territory.

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Federal Partners in the implementation of this project are the BLM and the United States Fish and Wildlife Service (FWS). Both the BLM and the FWS have tribal consultation requirements under the National Environmental Policy Act (NEPA) and these will be undertaken by the Federal Agencies.

The Morongo Band of Mission Indians has 30 days to request formal consultation regarding the Project in writing under Public Resources Code 21080.3.1, subsections (b) and (d). Such request should be directed to:

Jeff Beehler  
San Bernardino Valley Water Conservation District  
1630 West Redlands Blvd., Suite A  
Redlands, California 92373  
Phone: 909.793.2503  
Email: [JBeehler@sbvwcd.org](mailto:JBeehler@sbvwcd.org)

If we do not receive notification within the 30-day period, we will assume that Morongo Band of Mission Indians has no tribal cultural resource concerns for the Project and we will proceed with the public review of a Supplemental Environmental Impact Statement in accordance with California Environmental Quality Act procedures.

BOARD  
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Jeff Beehler

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cc: Raymond Huaute, Cultural Resource Specialist, Morongo Band of Mission Indians



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October 6, 2017

Mr. Raymond Huaute  
Cultural Resource Specialist  
The Morongo Band of Mission Indians  
12700 Pumarra Road  
Banning, CA 92220

Subject: Habitat Conservation Plan for the Upper Santa Ana River Wash

Dear Mr. Huaute:

The San Bernardino Valley Water Conservation District (SBVWCD) is responding to your request for formal notification of the SBVWCD's "CEQA projects" pursuant to AB52, Public Resources Code section 21080.3.1, subsection (b), which stated that the SBVWCD is located within the Tribes' ancestral territory.

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cc: Robert Martin, Tribal Chairman, Morongo Band of Mission Indians



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October 6, 2017

Ms. Lee Clauss  
Director, CRM  
San Manuel Band of Mission Indians  
26569 Community Center Drive  
Highland, CA 92346

Subject: Habitat Conservation Plan for the Upper Santa Ana River Wash

Dear Ms. Clauss:

The San Bernardino Valley Water Conservation District (SBVWCD) is responding to your request for formal notification of the SBVWCD's "CEQA projects" pursuant to AB52, Public Resources Code section 21080.3.1, subsection (b), which stated that the SBVWCD is located within the Tribes' ancestral territory.

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Federal Partners in the implementation of this project are the BLM and the United States Fish and Wildlife Service (FWS). Both the BLM and the FWS have tribal consultation requirements under the National Environmental Policy Act (NEPA) and these will be undertaken by the Federal Agencies.

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[www.sbvwcd.org](http://www.sbvwcd.org)

October 6, 2017

Mr. Andrew Salas  
Chairperson  
Gabrieleno Band of Mission Indians – Kizh Nation  
PO Box 393  
Covina, CA 91723

Subject: Habitat Conservation Plan for the Upper Santa Ana River Wash

Dear Mr. Salas:

The San Bernardino Valley Water Conservation District (SBVWCD) is responding to your request for formal notification of the SBVWCD's "CEQA projects" pursuant to AB52, Public Resources Code section 21080.3.1, subsection (b), which stated that the SBVWCD is located within the Tribes' ancestral territory.

Although initiation of this project predates the statutory requirement for consultation under AB52, this letter is to notify you that the SBVWCD is proposing to implement a project that would exchange land with the Bureau of Land Management (BLM), amend the BLM South Coast Resource Management Plan and implement a Habitat Conservation Plan for the Upper Santa Ana River Wash. A Project Description and Project Map are provided in Attachment 1. The Cultural Resources Report prepared for the Project is provided in Attachment 2. The SBVWCD is charged with operating and maintaining its existing facilities in the Santa Ana River and Mill Creek for groundwater recharge, as it has since approximately the 1920s.

Federal Partners in the implementation of this project are the BLM and the United States Fish and Wildlife Service (FWS). Both the BLM and the FWS have tribal consultation requirements under the National Environmental Policy Act (NEPA) and these will be undertaken by the Federal Agencies.

The Gabrieleno Band of Mission Indians – Kizh Nation has 30 days to request formal consultation regarding the Project in writing under Public Resources Code 21080.3.1, subsections (b) and (d). Such request should be directed to:

Jeff Beehler  
San Bernardino Valley Water Conservation District  
1630 West Redlands Blvd., Suite A  
Redlands, California 92373  
Phone: 909.793.2503  
Email: [JBeehler@sbvwcd.org](mailto:JBeehler@sbvwcd.org)

If we do not receive notification within the 30-day period, we will assume that Gabrieleno Band of Mission Indians – Kizh Nation has no tribal cultural resource concerns for the Project and we will proceed with the public review of a Supplemental Environmental Impact Statement in accordance with California Environmental Quality Act procedures.

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Please do not hesitate to contact me with any questions or concerns regarding the above.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Beehler", with a long horizontal flourish extending to the right.

Jeff Beehler

Attachments:

Attachment 1 - Project Description and Project Map

Attachment 2 – Cultural Resources Report

From: Lee Clauss [mailto:LClauss@sanmanuel-nsn.gov]  
Sent: Wednesday, November 29, 2017 9:09 AM  
To: Jeff Beehler; George Kline (gkline@blm.gov)  
Subject: Re: Habitat Conservation Plan for the Upper Santa Ana River Wash

Good morning, Jeff,

Thank you again for hosting a meeting between SBVWCD, BLM, and SMBMI on the 27th of this month to discuss the Habitat Conservation Plan (HCP) for the Upper Santa Ana River Wash. I greatly appreciate all of the history and insights offered during our time together.

To recap the Tribe's comments that were shared during the meeting, please refer to the following notes:

1. SMBMI greatly desires to continue traditional gathering of plants, as outlined in the current MOU with SBVWCD, and appreciates you clarifying and assuring the Tribe that the adoption and/or implementation of the HCP will not in any way diminish or alter this agreement, as this is considered a covered activity. Thank you for also reaffirming that the Tribe may conduct gathering activities, as outlined in the MOU, throughout all of the HCP lands, and on other lands governed by the SBVWCD (other than those areas closed to restricted activity, of course, such as mining operations).
2. SMBMI expressed concern about the projected/potential use of herbicides for the eradication of non-native plants and plant thinning. I reminded all present that the Tribe gathers plant material within the HCP lands for subsistence, medicinal uses, and traditional crafts--all activities which result in the ingestion of plant materials. We discussed the HCP land managers being acutely aware of the dangers posed by potential ingestion of herbicides, as well as exposure to skin and other surfaces during gathering activities. To address these concerns, we discussed the HCP land managers' notifying the Tribe of herbicide application locations and timing, the rotational application of herbicides with gathering seasons, and the judicious point-of-source application of herbicides (instead of broadcasting). The Tribe, of course, also strongly supports and encourages non-native plant removal and plant thinning vis a vis non-chemical means whenever possible (goats/sheep; handwork; etc.)
3. SMBMI also expressed some concern with the removal of plants that are regarded as non-native, but for which the Tribe has adapted ethnobotanical uses over the last 200+ years. An example we discussed at length is tree tobacco. The Tribe would appreciate not all of the tree tobacco being eradicated, if at all possible. Perhaps the preservation of a small stand of a half-dozen plants could be permitted in an easily accessible gathering location. Also, to this point, it would be helpful for the Tribe to be supplied with a list of the plants that the HCP land managers currently eradicate (or plan to remove in the future) so that we can identify any other plants of cultural use/sensitivity to the community.
4. SMBMI presented their review of the BCR-authored cultural resources survey report to the parties present, as well. The CRM Department is disappointed in the lack of detail BCR included in the historic context, background research, and methodology sections. The Tribe recommended BCR be asked to supply an addendum to the report that (1) provides a much more thorough history of the HCP lands, with an increased focus on historic land use across this acreage; (2) provide a map showing where previous cultural resources studies were conducted within the HCP lands and the 1-mile records search radius adjoining the HCP lands and; (3) provide a map indicating exactly where BCR performed field reconnaissance, along with a more detailed narrative as to why a 20% sample was selected, why certain parts of the APE were not accessible, and what the ground cover/visibility was in each location that was surveyed.