



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

GAVIN NEWSOM, Governor  
 CHARLTON H. BONHAM, Director



March 18, 2024  
 Sent via email

Governor’s Office of Planning & Research

**Mar 19 2024**

**STATE CLEARINGHOUSE**

Russel Brady  
 County of Riverside  
 4080 Lemon Street  
 Riverside, CA 92502

Subject: Notice of Preparation of a Draft Recirculated Environmental Impact Report  
 The Village of Lakeview Specific Plan No. 342 Project  
 State Clearinghouse No. 2006071095

Dear Russel Brady:

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) of a Draft Recirculated Environmental Impact Report (REIR) from the County of Riverside (County) for the Village of Lakeview Specific Plan No. 342 Project (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

**CDFW ROLE**

CDFW is California’s Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

---

<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The “CEQA Guidelines” are found in Title 14 of the California Code of Regulations, commencing with section 15000.

CDFW is also submitting comments as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

## **PROJECT DESCRIPTION SUMMARY**

The Project would consist of a maximum of 8,725 dwelling units and 1,380,000 square feet of commercial uses to be constructed within eight (8) Specific Plan Villages within a total of 2,883 acres. The residentially designated areas within the Specific Plan include a range of residential products from medium density residential to high density residential with a density range of 2 to 14 dwelling units per acre as well as mixed use designations that allow 8 to 40 dwelling units per acre. The mixed-use areas could accommodate either residential or commercial development or a combination of residential and commercial. The specific plan would also include areas designated as commercial office, agriculture, public facility, conservation habitat, recreation, and water. The conservation habitat designated areas would be split between a total of 1,106 acres of areas designated for conservation to be left as natural open space and a total of 80 acres is designated for recreation. Of the public facility areas, 114 acres is designated for 3 future school sites.

The Project is in Criteria Cells 2252, 2253, 2258, 2259, 2355, 2356, 2357, 2451, 2452, 2453, 2454, 2555, 2556, 2557, and 2558, in the Noncontiguous Habitat Block 5 (the Lakeview Mountains), and proposed Extension of Existing Core 4 of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).

## **COMMENTS AND RECOMMENDATIONS**

CDFW offers the comments and recommendations below to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. The comments and recommendations are also offered to enable the CDFW to adequately review and comment on the proposed Project with respect to the Project's consistency with the MSHCP.

CDFW recommends that the forthcoming REIR address the following:

### **California Endangered Species Act**

*Crotch's Bumble Bee*

The California Fish and Game Commission accepted a petition to list Crotch bumble bee as endangered under CESA, determining the listing “may be warranted” and advancing the species to the candidacy stage of the CESA listing process. Take of any endangered, threatened, candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). In addition, Crotch’s bumble bee has a State ranking of S1/S2. This means that the Crotch’s bumble bee is considered critically imperiled or imperiled and is extremely rare (often five or fewer populations). Crotch’s bumble bee is also listed as an invertebrate of conservation priority under the [Terrestrial and Vernal Pool Invertebrates of Conservation Priority](#) (CDFW 2017).

The Project may result in temporal or permanent loss of suitable nesting and foraging habitat for Crotch’s bumble bee. Project ground-disturbing activities may cause death or injury of adults, eggs, and larva; burrow collapse; nest abandonment; and reduced nest success. As such, the Project may have a significant impact on Crotch’s bumble bee.

Prior to any ground disturbance, the Project should conduct site specific surveys for Crotch’s bumble bee in accordance with any Crotch’s bumble bee survey protocol provided by CDFW ([Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species](#)), or other similar approach. Findings should be analyzed and disclosed in the RDEIR and any potentially significant impact identified and mitigated appropriately. If “take” or adverse impacts to Crotch’s bumble bee cannot be avoided either during Project activities or over the life of the Project, the Project should obtain appropriate take authorization from CDFW pursuant to Fish and Game Code section 2081 subdivision (b).

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to CESA. CDFW recommends that a CESA Incidental Take Permit (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. It is the policy of CESA to conserve, protect, enhance, and restore State-listed CESA species and their habitats.

CDFW encourages early consultation, as significant modification to the proposed Project and avoidance, minimization, and mitigation measures may be necessary to obtain a CESA ITP. The California Fish and Game Code requires that CDFW comply with CEQA for issuance of a CESA ITP. CDFW therefore recommends that the REIR addresses all Project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of CESA.

## **Western Riverside County Multiple Species Habitat Conservation Plan**

CDFW issued Natural Community Conservation Plan Approval and Take Authorization for the Western Riverside County MSHCP per Section 2800, *et seq.*, of the California Fish and Game Code on June 22, 2004. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and provides for the incidental take of covered species in association with activities covered under the permit.

Compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA. Specifically, Section 15125(d) of the CEQA Guidelines requires that the CEQA document discuss any inconsistencies between a proposed Project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans. An assessment of the impacts to the MSHCP as a result of this Project is necessary to address CEQA requirements. To obtain additional information regarding the MSHCP please go to: <https://www.wrc-rca.org/>.

The County is also obligated to notify the Western Riverside County Regional Conservation Authority (RCA), through the Joint Project/Acquisition Review Process (JPR) set forth in Section 6.6.2 of the MSHCP or proposed discretionary Projects within the Criteria Area and participate in any further requirements imposed by MSHCP Section 6.6.2. The County has submitted JPR 07-07-16-01 on June 17, 2008, to the U. S. Fish and Wildlife Service and the California Department of Fish and Game, collectively the "Wildlife Agencies;" however, the Wildlife Agencies provided comments on June 27, 2008, that have yet to be addressed by the Project applicant and the County (see Enclosed Attachments). The Project has yet to demonstrate compliance with the policies for 1) the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools, set forth in Section 6.1.2 of the MSHCP; 2) the policies for the Protection of Narrow Endemic Plant Species set forth in Section 6.1.3 of the MSHCP; 3) compliance with the Urban/Wildlands Interface Guidelines as set forth in Section 6.1.4 of the MSHCP; 4) the policies set forth in Section 6.3.2 and associated vegetation survey requirements identified in Section 6.3.1; and 5) compliance with the Best Management Practices and the siting, construction, design, operation and maintenance guidelines as set forth in Section 7.0 and Appendix C of the MSHCP.

To examine how the Project might contribute to, or conflict with, assembly of the MSHCP Conservation Area consistent with the reserve configuration requirements, CDFW recommends that the REIR identify the specific Area Plan and Area Plan Subunit within which the Project is located, and the associated Planning Species and Biological Issues and Considerations that may apply to the Project, further discussed below. The REIR should also discuss the specific Criteria for Cells within which the Project is located and identify the associated Core(s) and/or Linkage(s) (i.e., Noncontiguous Habitat Block 5 and proposed Extension of Existing Core 4). Next, the REIR should identify the vegetation communities toward which conservation should be directed along with the connectivity requirements. Finally, the REIR should examine the Project with respect to the percentage conservation portion within Criteria Cells 2252, 2253, 2258, 2259, 2355, 2356, 2357, 2451, 2452, 2453, 2454, 2555, 2556, 2557, and 2558.

### Impacts to San Jacinto Wildlife Area

The San Jacinto Wildlife Area (SJWA) includes over 10,000 acres of land adjacent to the proposed Project. The SJWA supports a diverse array of biological resources including habitats associated with the San Jacinto River floodplain and the San Jacinto foothill region such as wetlands, vernal playas, vernal pools, and riparian areas. The wetland habitat provides an important stop for a number of migratory birds along the Pacific flyway. It includes highly alkaline and silty-clay soils that support Narrow Endemic Plant Species identified in the MSHCP. In addition, it supports a connection to MSHCP Core Areas in the Badlands, the San Jacinto River, and the Lakeview Mountains. The Wildlife Area includes grasslands adjacent to coastal sage scrub habitats that provide live-in and foraging habitat for many species including the Stephens' Kangaroo Rat (*Dipodomys stephensi*), burrowing owl (*Athene cunicularia*), tricolored blackbird (*Agelaius tricolor*), raptors, and many other species.

In order to address this, further analysis on these key items that the Wildlife Agencies previously expressed the following concerns regarding Mitigation Measure Bio-11 is required:

- The proposed development could increase trespass onto the Conservation Area from unauthorized uses which can lead to habitat loss and degradation, increase fire hazards, increased predation, and spread of invasive species. In addition, the proposed Project may result in a substantial amount of noise through road use, equipment, and other project-related activities that may adversely affect wildlife species in several ways.
- The forthcoming REIR should include detailed enforcement mechanisms or information provided on the duration of the Environmental Stewardship Program. Enforcement should also include inspecting barriers between the project and conservation areas to ensure they are not modified, and that they function as intended; enforcement of trail rules in conservation areas; and compliance with other long-term mitigation measures. The forthcoming REIR should include specific and detailed descriptions of enforcement, identify who is responsible for enforcement, the number of staff required to implement the program, and the duration of the program.
- In addition, there was insufficient information on MM Bio 11 to determine if sufficient funds are available for the Environmental Stewardship Program that includes a community education program, enforcement and SJWA management issues. The funding source and amount of funding was not identified in the previous EIR. The REIR should include information, with a detailed budget, that identifies staffing levels, tasks, and roles and responsibilities of all parties involved in this program in the forthcoming REIR. The funding mechanism should include a non-wasting endowment.

To address our previous comments regarding the information necessary to make the Environmental Stewardship Program an adequate mitigation measure, additional analysis is required. A comprehensive analysis of impacts to the San Jacinto Wildlife Area, including impacts to the San Jacinto River and the newly established Riverpark Mitigation Bank, should be completed to understand and identify the potential increased management needs.

## **ADDITIONAL COMMENTS AND RECOMMENDATIONS**

### *Native Landscaping*

To ameliorate the water demands of this Project, CDFW recommends incorporation of water-wise concepts in Project landscape design plans. In particular, CDFW recommends xeriscaping with locally native California species, and installing water-efficient and targeted irrigation systems (such as drip irrigation). Native plants support butterflies, birds, reptiles, amphibians, small mammals, bees, and other pollinators that evolved with those plants, more information on native plants suitable for the Project location and nearby nurseries is available at CALSCAPE: <https://calscape.org/>. Local water agencies/districts and resource conservation districts in your area may be able to provide information on plant nurseries that carry locally native species, and some facilities display drought-tolerant locally native species demonstration gardens (for example the Riverside-Corona Resource Conservation District in Riverside). Information on drought-tolerant landscaping and water-efficient irrigation systems is available on California's Save our Water website: <https://saveourwater.com/>.

## **ENVIRONMENTAL DATA**

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). Information can be submitted online or via completion of the CNDDDB field survey form at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

## **ENVIRONMENTAL DOCUMENT FILING FEES**

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying Project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.).

Russel Brady, Project Planner  
County of Riverside  
March 18, 2024  
Page 7 of 8

## CONCLUSION

CDFW appreciates the opportunity to comment on the NOP of a REIR for the Village of Lakeview Specific Plan No. 342 Project (SCH No. 2006071095) and recommends that the County of Riverside address CDFW's comments and concerns in the forthcoming REIR. Questions regarding this letter or further coordination should be directed to Breanna Machuca, Senior Environmental Scientist, at [Breanna.machuca@wildlife.ca.gov](mailto:Breanna.machuca@wildlife.ca.gov) and Katrina Rehrer, Environmental Scientist, at [Katrina.Rehrer@wildlife.ca.gov](mailto:Katrina.Rehrer@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
84F92FFEEFD24C8...

Kim Freeburn  
Environmental Program Manager

ec:

Carly Beck, Senior Environmental Scientist Supervisor  
Inland Deserts Region  
[Carly.Beck@wildlife.ca.gov](mailto:Carly.Beck@wildlife.ca.gov)

Office of Planning and Research, State Clearinghouse, Sacramento  
[state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov)

Karin Cleary-Rose, Inland Division Supervisor  
U.S. Fish and Wildlife Service  
[karin\\_cleary-rose@fws.gov](mailto:karin_cleary-rose@fws.gov)

Tricia Campbell (Western Riverside County Regional Conservation Authority)  
Director of Reserve Management and Monitoring  
[tcampbell@rctc.org](mailto:tcampbell@rctc.org)

### Enclosures:

Wildlife Agencies' Comment Letter on the Notice of Preparation of a Draft EIR for the Villages of Lakeview Specific Plan No. 342; August, 21, 2006

Wildlife Agencies' Comment Letter on Western Riverside County Multiple Species Habitat Conservation Plan Joint Project Review Case 07-07-16-01 (HANS 313). The Villages at Lakeview Specific Plan No. 342; June 27, 2008

Russel Brady, Project Planner  
County of Riverside  
March 18, 2024  
Page 8 of 8

California Department of Fish and Game Comment Letter on Draft EIR No. 471, SCH #2006071095, Villages of Lakeview Specific Plan No. 342; April 15, 2009

Wildlife Agencies' Comment Letter on the Draft EIR for the Villages of Lakeview Specific Plan; December 9, 2016

Wildlife Agencies' Comment Letter on the Final EIR for the Villages of Lakeview Specific Plan No. 342; September 5, 2017