



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



Governor's Office of Planning & Research

June 15, 2022
Sent via email

Jun 16 2022

STATE CLEARINGHOUSE

Mr. Russell Brady
Project Planner
Riverside County Planning Department
4080 Lemon Street, 12th Floor, PO Box 1409
Riverside, CA 92502- 1409

Subject: Draft Environmental Impact Report, Stoneridge Commerce Center Project,
State Clearinghouse No. 2020040325

Dear Mr. Brady:

The California CDFW of Fish and Wildlife (CDFW) received and reviewed the Draft Environmental Impact Report (DEIR) from the County of Riverside for the Stoneridge Commerce Center Project (Project), State Clearinghouse No. 2020040325, pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations by providing an extension to the review period and allowing our comments to be submitted by June 15th, 2022 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 (Fish & G. Code, § 1802.). Similarly, for purposes of CEQA, CDFW provides, 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.

CDFW may also act as a Responsible Agency regarding any discretionary actions under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381, such as the

¹ 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.

issuance of a Lake or Streambed Alteration Agreement (Fish & G. Code Sections 1600 et seq.), a California Endangered Species Act (CESA) Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (Fish & G. Code Sections 2080 and 2080.1) and/or for administering the Natural Community Conservation Planning Program (NCCP). CDFW also administers the Native Plant Protection Act, Natural Community Conservation Program, and other provisions of the Fish and Game Code that afford protection to California's fish and wildlife resources.

CDFW issued Natural Community Conservation Plan approval and take authorization in 2004 for the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP), as per Section 2800, et seq., of the California Fish and Game Code. The MSHCP established a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit. The County of Riverside is a permittee to the MSHCP and is responsible for implementation of the MSHCP and its associated Implementation Agreement. CDFW is providing the following comments as they relate to the project's consistency with the MSHCP and CEQA.

PROJECT DESCRIPTION SUMMARY

Project Location

The approximately 614-acre Project site is in unincorporated Riverside County, California, within Sections 13, 14, 16, and 23 of Township 4 South, Range 3 West, of the U.S. Geological Survey (USGS) 7.5" Perris, California topographic quadrangle map. The Project is located south of Ramona Expressway, north of Nuevo Road, east of Foothill Drive, and west of the future extension of Menifee Road in Riverside County.

In addition, proposed Northerly and Southerly Off Site Road Improvement and Use Areas are located along Dunlap Drive, San Jacinto Avenue, Nuevo Road, and Redlands Avenue within the existing paved portion of each roadway. It also includes a small expansion of the roadway at the intersection of Nuevo Road and Dunlap Drive, and the intersection of Dunlap Drive and San Jacinto Avenue to accommodate the use of the area for truck traffic located south of the Project site (see Exhibit 2B of the DEIR).

Project Description

The Project includes two separate land use plans for the Project site. The "Primary Land Use Plan" anticipates that the Project would encompass 582.9 acres with Ramona Expressway providing primary access from the north and Nuevo Road providing access from the south. The Project site would be developed with up to 389.2 acres of Light Industrial land use, 49.1 acres of Business Park land use, 8.0 acres of Commercial Retail land use, 18.1 acres of Open Space – Conservation, 81.6 acres of Open Space – Conservation Habitat, and 37.3 acres of major roadways. However, depending on construction of the Riverside County Transportation Commission's Mid-County

Parkway, which is proposed for construction through the northwest portion of the Project site an “Alternative Land Use Plan” is also identified, encompassing a smaller footprint of 388.5 acres of Light Industrial land uses, 51.5 acres of Business Park land uses, 8.5 acres of Commercial Retail land uses, 18.1 acres of Open Space – Conservation, 81.6 acres of Open Space – Conservation Habitat, and 34.4 acres of major roadways.

COMMENTS AND RECOMMENDATIONS

CDFW is concerned that the DEIR fails to adequately address MSHCP implementation, specifically amending the JPR 06-08-18-01 to include new project impacts, completion of Determination of Biologically Equivalent or Superior Preservation prior to adoption of the DEIR, and does not provide Project measures that address Guidelines Pertaining to the Urban/Wildlands Interface (Section 6.1.4). CDFW requests that the DEIR be revised and recirculated pursuant to CEQA Guidelines §15088.5(a). The revised DEIR should include a commitment to complete implementation of the MSHCP prior to adoption and approval of the Project, and specific measures that address drainage, lighting, toxics, and noise-related impacts on adjacent Conservation Areas including Riverpark Mitigation Bank, among other items included in the discussion below. Additional details on these comments are provided below.

Western Riverside County Multiple Species Habitat Conservation Plan

Western Riverside MSHCP Implementation

Joint Project Review

CDFW appreciates that the DEIR clearly identifies that the County of Riverside implemented the MSHCP Joint Project Review (JPR) for the onsite portion of the Project in 2006. The DEIR and Appendix C1 Biological Technical Report (Appendix C1) provides the approved JPR 06-08-18-01 as Exhibit 13 and indicates that the current onsite Project has remained unchanged since that time. The onsite Project is located within the Lakeview/Nuevo Plan Area in Proposed Extension of Existing Core 4 and will contribute 80 acres on the eastern boundary to conservation for the MSHCP. However, the DEIR and Appendix C1 Section 1.4.2 identify that the Northerly and Southerly Off Site Road Improvements occurring within Criteria Cells were not originally proposed within the approved JPR 06-08-18-01 and that an amendment to the JPR may be required. Implementation of MSHCP Section 6.6.2 requires that if the Project changes, in this case the offsite road improvements result in a change, then the County of Riverside should consult with the Western Riverside County Regional Conservation Authority (RCA) to submit an application to amend JPR 06-08-18-01. The amendment should include all off-site impacts that occur within Criteria Cells, a complete analysis of the functions and values within the impact areas, and how Reserve Assembly may be affected. Completion of the Joint Project Review process for Project would ensure that the Project is consistent with the MSHCP. CDFW recommends that an amendment to JPR 06-08-18-01 occur prior to adoption of the final Environmental Impact Report for

completion of MSHCP implementation (6.6.2.E.2). To complete MSHCP JPR implementation, CDFW recommends that the City revise MM 4.4-6 and condition the measure to include the following (edits are in **bold** and ~~strikethrough~~):

MM 4.4-6 ~~Prior to approval of grading permits or improvement plans~~ **the adoption of the final Environmental Impact Report** for the ~~Southern Truck Route Stoneridge Commerce Center~~, and if required by the Regional Conservation Authority (RCA), the Project Applicant shall prepare a HANS application to amend the previously approved HANS 269 determination to include required improvements to Dunlap Drive and San Jacinto Avenue, which traverse MSHCP Criteria Cells 2969 and 3069 in Cell Group G. The HANS application shall be submitted to the RCA and shall be subject to the Western Multiple Species Habitat Conservation Plan (MSHCP) Joint Project Review (JPR) process. Prior to issuance of grading permits or improvement plans for the Southern Truck Route, the Project Applicant shall provide a copy of the approved amended HANS 269 determination. These requirements shall not apply in the event that the RCA does not require an amendment to HANS 269 for the Southern Truck Route, ~~or in the event that the Southern Truck Route is not implemented.~~

Western Riverside MSHCP Covered Roads Analysis

The DEIR and Appendix C1 describes the Northerly and Southerly Off Site Road Improvements as being a Covered Activity under Section 7.3.5 of the MSHCP. The purpose of MSHCP Section 7.3.5 is to identify circulation elements within the Criteria Area that were proposed as part of the General Plan Circulation Element at the conception of the MSHCP. These Covered Activities are fully described within the MSHCP as being existing facilities that may require improvements or planned facilities to improve circulation. The MSHCP Section 7.3.5 further identifies each classification of circulation roads and their associated rights-of-way:

“Seven types of roadways are proposed as part of the General Plan Circulation Element: expressways (184' ROW), urban arterials (152' ROW), arterials (128' ROW), major roads (118' ROW), mountain arterials (110' ROW), secondary roads (100' ROW) and collector roads (74' ROW). The improvement/ construction of circulation element roadways shown on Figure 7-1 are Covered Activities within the Criteria Area, as well as the operation and Maintenance Activities conducted for these facilities. (MSHCP Section 7.3.5, p.g. 7-31)”

The DEIR and Appendix C1 identifies that there are potentially road improvements resulting in impacts to associated biological resources along Nuevo Road, San Jacinto Avenue, and Dunlap Drive but fails to provide an analysis of the how these Covered Activities will be implementing the MSHCP. The County is required to implement the requirements and to fulfill the purposes of the Permits, the MSHCP and the Implementing Agreement for its Covered Activities (Section 6.1.6).

For example, the DEIR and Appendix C1 indicate road improvements are proposed to Nuevo Road that will cross the San Jacinto River. Nuevo Road is described in MSHCP Section 7.3.5 as an Urban Arterial Road with an allotted right-of-way width of 152-feet and include specific considerations of a full span bridge. This means that road improvements to Nuevo Road should be analyzed based on the description provided within MSHCP Section 7.3.5. If the improvements are unable to meet the parameters described, then the Project is not consistent with MSHCP, and a Minor Amendment is required. A full analysis of the proposed roads including allotted road widths, acreage and location of road coverage, culvert sizing requirements for wildlife movement, and wildlife fencing should be included within the DEIR for the Northerly and Southerly Off Site Road Improvements proposed to occur within Criteria Cells 2762, 2865, 2867, 2970, 2969, and 3069 (Section 7.3.5). This analysis should also be provided to the RCA as part of the JPR amendment process.

Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools

The MSHCP Protection of Species Associated with Riparian/Riverine and Vernal Pool Resources Section 6.1.2 indicates that if avoidance of onsite impacts to Section 6.1.2 resources is not feasible, then the impacts should be identified and mitigated for through the Determination of Biologically Equivalent or Superior Preservation (DBESP) process prior to or in parallel to CEQA. MSHCP Section 6.1.1 describes this purpose for this as implementation of the requirements of MSHCP Section 6.0 are intended to provide full mitigation under CEQA by mitigating Project impacts to the extent feasible and ensures that there is no conflict with a the MSHCP, a requirement of CEQA Environmental Impact Report, Biological Resources, Section 4 subitem f.

The DEIR and Appendix C1 identifies unavoidable impacts to approximately 1.7 acres of MSHCP riparian/riverine resources (Section 6.1.2) and indicates that the impacts will be mitigated at a minimum of a 3 to1, mitigation to impact ratio, by way of purchasing mitigation credits from the adjacent Riverpark Mitigation Bank.

CDFW recommends that the County of Riverside complete a DBESP prior to adoption of the final Environmental Impact Report for completion of MSHCP implementation. Also, process CDFW, Regional Water Quality Control Board, and/or U.S. Army Corp of Engineer regulations regarding state or federal water resources are separate regulatory processes and should be addressed separately from the DBESP process. To complete MSHCP DBESP implementation, CDFW recommends that the City revise MM 4.4-1 and condition the measure to include the following (edits are in **bold** and ~~strikethrough~~):

~~MM 4.4-1 Prior to approval of any implementing developments within the Project site (e.g., plot plans, conditional use permits)~~ **the adoption of the final Environmental Impact Report**, the Project Applicant shall contract with a qualified biologist to prepare a Determination of Biologically Equivalent or Superior Preservation (DBESP), in accordance with Section 6.1.2 of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The required DBESP shall address Project impacts to **approximately 1.691** ~~acres of~~

~~riverine/riparian/jurisdictional features resources (including impacts to 0.29 acre of Southern Riparian Scrub habitat) that comprise MSHCP riparian/riverine habitat, California Department of Fish and Wildlife (CDFW) jurisdiction, . In the event that the Southern Truck Route is implemented (as described in EIR subsection 3.6.2), then the required DBESP also shall address impacts to an additional 0.04 acre of MSHCP riparian/riverine habitat, CDFW, and RWQCB jurisdiction. The required DBESP shall identify compensatory mitigation for the loss of up to 1.691 acres of riparian/riverine resources (1.701 acre of riparian resources if the Southern Truck Route is implemented) at a minimum 3:1 ratio, and the required mitigation shall consist of the following:~~

- ~~• Purchase of 2.536 acres of rehabilitation credits at the Riverpark Mitigation Bank (2.551 acres of rehabilitation credits are required if the Southern Truck Route is implemented); and~~
- ~~• Purchase of 2.537 acres of re-establishment credits at the Riverpark Mitigation Bank (2.552 acres of rehabilitation credits are required if the Southern Truck Route is implemented).~~

~~Prior to approval of the implementing development(s) **the adoption of the final Environmental Impact Report**, the required DBESP shall be subject to review and approval by the Riverside County Environmental Programs Department (EPD), and also shall be subject to a 60-day review **and response** period by the Wildlife Agencies as required by the MSHCP. Following approval of the DBESP by County EPD and the Wildlife Agencies, and prior to issuance of grading permits, the Project Applicant shall provide evidence to Riverside County that the required compensatory mitigation has been achieved in accordance with the approved DBESP. Should compensatory mitigation credits be unavailable at the Riverpark Mitigation Bank, the Project Applicant shall coordinate with the regulatory agencies, Riverside County, and MSHCP Wildlife Agencies to secure alternate mitigation totaling a minimum of 5.073 acres (5.103 acres if the Southern Truck Route is implemented) at another approved mitigation bank or in-lieu fee program.~~

Additional Survey Needs and Procedures: Los Angeles Pocket Mouse (LAPM)

In 2006, a JPR was processed for the onsite portion of the Project which identified that the easterly boundary of the Project was within the MSHCP Section 6.3.2 Additional Survey Needs and Procedures for Los Angeles pocket mouse (*Perognathus longimembris brevinasus*). LAPM surveys were conducted for the 2006 JPR and found negative within the survey area, but LAPM were found outside of the survey area within the westerly portion of the Project site. The JPR deemed the Project consistent with MSHCP Section 6.3.2 as surveys had been conducted to protocol and were negative. However, the DEIR and Appendix C1 identify that the Project site has since been

resurveyed and is occupied by LAPM along the easternly boundary within the designated survey area (see Exhibit 7 of Appendix C1). The DEIR identified the LAPM-occupied areas within the survey area as not having long-term conservation value and thus did not need to be conserved under terms of MSHCP Section 6.3.2.

The DEIR fails to adequately address the functions and values of the occupied LAPM habitat and why it does not meet the terms for long-term conservation value. Based on the Project's adjacency to known LAPM occupied MSHCP Conservation Areas and to the Riverpark Mitigation Bank, the easterly portions of the Project does have potential long-term conservation value for LAPM. Thus, CDFW recommends that the following occur prior to adoption of the final Environmental Impact Report:

1. The DEIR includes a functions and values analysis of the long-term conservation value of LAPM-occupied areas within the Project site.
2. If the LAPM-occupied area will be impacted then a DBESP shall be prepared for the Project that clearly identifies a mitigation strategy that is biologically equivalent or superior to avoidance for LAPM-occupied habitat within the survey areas on the Project site.
3. If the LAPM-occupied areas within the Project site will be avoided, then the LAPM-occupied areas should be protected for long-term conservation through a legal mechanism such as a conservation easement.

Mitigation Measures for Project Impacts to Biological Resources

Guidelines Pertaining to the Urban/Wildlands Interface

Riverpark Mitigation Bank

The MSHCP section for Guidelines Pertaining to the Urban/Wildlands Interface (Section 6.1.4) requires that development address indirect effects such as drainage, toxics, lighting, noise, and invasives associated with development in proximity to the MSHCP Conservation Areas. CDFW is concerned the DEIR did not identify potential Project-related impacts to the recently established Riverpark Mitigation. The cumulative impacts discussion within the DEIR indicates that the Project's indirect impacts to MSHCP Conservation Areas will be a cumulatively considerable impact but fails to clearly identify any indirect impacts or cumulative impacts to the adjacent Riverpark Mitigation Bank. Riverpark Mitigation Bank is within an MSHCP Criteria Area and described for conservation under the MSHCP. The DEIR should include a complete and thorough evaluation of all potential Project-related impacts to the Riverpark Mitigation Bank. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the Project footprint, such as adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or conservation/mitigation lands, including preserved lands associated with the MSHCP, and the Riverpark Mitigation Bank should be included in the DEIR. The potential impacts from lighting, noise, toxics, human activity (e.g., recreation), defensible space,

and wildlife-human interactions created by Project activities on the Riverpark Mitigation Bank, exotic and/or invasive species, and effects on drainage should also be included.

Toxics and Hydrology

CDFW is also concerned about the potential impacts of runoff and air pollution from the proposed Project site on the surrounding area and San Jacinto River watershed. Increased nitrogen deposition into wetland systems has been shown to cause systems to become more eutrophic and cause increased frequency of harmful algal blooms in aquatic systems. Environmental factors (such as climate change) and the addition of excess nitrogen has been shown to alter the soil's physical and chemical properties, microbial diversity, and key carbon and nitrogen cycling genes in wetlands (Yin et al. 2022). In addition, correlations have been documented between nitrogen enrichment in waters and pathogen abundance and diseases of both humans and wildlife (Johnson et al. 2010).

To address MSHCP requirements for indirect effects on adjacent conservation areas, the DEIR should provide an analysis of Project-related changes to drainage patterns, soil chemistry, and water quality within, upstream, and downstream of the Project site, including but not limited to: 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.

Noise

The MSHCP identifies that proposed noise generating land uses affecting the MSHCP Conservation Area shall incorporate setbacks, berms or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations and guidelines related to land use noise standards. For planning purposes, wildlife within the MSHCP Conservation Area should not be subject to noise that would exceed residential noise standards. CDFW is concerned noise associated with light industrial use could exceed these thresholds and negatively impact wildlife use of the conservation areas. CDFW requests the incorporation of the following measure to help protect wildlife from development impacts:

MM 4.4-3: Prior to approval of implementing developments (i.e., plot plans, building permits, etc.) affecting lands adjacent to the on-site MSHCP Conservation Areas (i.e., proposed Conservation Areas within Planning Areas 10 and 11 of the Stoneridge Commerce Center Specific Plan No. 239, Amendment No. 1) **and the Riverpark Mitigation Bank**, the Project Applicant shall prepare and Riverside County shall review and approve an acoustical analysis to determine whether long-term operational noise associated with the implementing development would expose the proposed MSHCP Conservation Areas to noise levels exceeding 65 I CNEL. **To reduce noise-related impacts to wildlife using the MSHCP Conservation Areas**

and the Riverpark Mitigation Bank, acoustical analysis shall include monitoring noise level measurements during Project construction and post-construction operations to determine if noise levels exceed 65 I CNEL. This will inform if additional avoidance and minimization measures are required to meet the specified thresholds. In the event that the analysis shows that future site operations would expose the Conservation Areas, **including Riverpark Mitigation Bank**, to noise levels exceeding 65 I CNEL, the required acoustical analysis shall incorporate recommendations to reduce Project-related operational noise affecting the Conservation Areas to below 65 I CNEL during construction and post-construction. Noise attenuation measures may include, but are not necessarily limited to, the incorporation of screen walls or other barriers (such as berms or solid walls). Prior to issuance of building permits, the Riverside County Building and Safety Department shall ensure that any required noise attenuation measures have been incorporated into the plans, and shall verify that the noise attenuation measures have been implemented prior to final building inspection.

Lighting

A significant source of artificial nighttime lighting with the potential to impact wildlife the adjacent conservation area and Riverpark Mitigation Bank may come from lighting associated with the Project. Although the CEQA document indicates that all lightning will be shielded and directed away from wildlife areas, CDFW recommends that lightning analysis before Project construction and operations is needed to determine that existing lighting levels and to demonstrate that potential lightning impacts to wildlife using adjacent conserved area will be less than significant. To determine if artificial nighttime lighting associated with Project construction and operations will result in minimal to no increase from existing lighting levels to all areas of Conservation Area, CDFW recommends that lighting and glare impacts are evaluated before, during, and after Project construction and operations. CDFW requests the inclusion of the following new measures in the DEIR:

MM-[XX]: To reduce nighttime artificial lighting-related impacts to wildlife using conservation areas including Riverpark Mitigation Bank, the Project shall take lightning measurements before, during, and post construction operations to determine impacts of nighttime artificial lightning on adjacent conservation areas and the wildlife it supports. To protect wildlife using conserved areas, project construction and operations shall result in not net increase to pre-construction ambient night-time levels to all areas of conservation areas. If light or glare impacts to conservation areas exceed this threshold, the Project shall make changes to their operations and/or adopt landscape shielding, dimming, lighting curfews or other appropriate measures that result in the Project causing minimal to no glare to all conserved.

Barriers

Proposed land uses adjacent to the MSHCP Conservation Area shall incorporate barriers, where appropriate in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass or dumping in the MSHCP Conservation Area. CDFW was unable to evaluate the effectiveness of proposed barriers along the project perimeter because specific details on the type and placement of fencing were not provided in the DEIR. Section 6.1.4 of the MSHCP requires that development address indirect effects associated with development in proximity to the MSHCP Conservation Areas. Due to the proximity of the proposed Project to Riverpark Mitigation Bank, CDFW recommends that solid walls be installed along the Project boundary to minimize the Project effects (i.e., noise, lighting, trespass, etc.) on MSHCP Conservation Area resources and to prevent incidental impacts on wildlife species. Glass walls should not be used because of the mortality risk to birds from striking the clear glass.

In addition, the DEIR analysis should clearly identify the minimization and mitigation measures that will be implemented as part of their Mitigation Monitoring and Reporting Program (MMRP) to ensure compliance with section 2081(b) of the Fish and Game Code and section 21081.6 of the Public Resources Code. The following should be included for each mitigation measure: Mitigation Measure, Source, Implementation Schedule, Responsible Party, and Status/Date/Initials.

Lake and Streambed Alteration Program

Completion of the DBESP is an MSHCP process and is not an appropriate mechanism to address Fish and Game Code Section 1602. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: substantially divert or obstruct the natural flow of any river, stream or lake; substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or deposit debris, waste or other materials that could pass into any river, stream or lake. To address Fish and Game section 1602, CDFW recommends inclusion of the following measure:

MM -[X]: Prior to initiation of construction activities and/or ground disturbance activities, the Project Applicant shall receive written correspondence from the California Department of Fish and Wildlife (CDFW) confirming that CDFW has either executed a Streambed Alteration Agreement (Agreement), or informed the Project that an Agreement is not needed.

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

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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). The CNDDDB field survey form can be filled out and submitted online 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>.

CONCLUSION

CDFW appreciates the opportunity to comment on the Stoneridge Commerce Center Project to assist in identifying and mitigating Project impacts on biological resources. Our review and analysis of the DEIR identified a number of significant new Project impacts and recommend providing additional minimization measures to lessen significant Project impacts on the biological resources in the area. Therefore, CDFW requests that the County revise and recirculate the DEIR, for disclosure to the public. Once the requested additional analyses have been prepared and the additional mitigation and minimization measures have been added to the Project, and all of these substantial modifications have been documented in the revised Draft EIR for review and comment by the citizens of California and interested public agencies.

CDFW personnel are available for consultation regarding biological resources and strategies to minimize impacts. We request a meeting to discuss our comments at your earliest convenience. Questions regarding this letter or further coordination should be directed to Carly Beck, Senior Environmental Scientist Specialist, at carly.beck@wildlife.ca.gov.

Sincerely,

DocuSigned by:

DF423498814B441...

Heather Pert,
Acting Environmental Program Manager

ec:

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Western Riverside County Regional Conservation Authority
Tricia Campbell
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REFERENCES

- Johnson P.T., Townsend A.R., Cleveland C.C., Glibert P.M., Howarth R.W., McKenzie V.J., Rejmankova E., and M.H.Ward. 2010 Linking Environmental Nutrient Enrichment and Disease Emergence in Humans and Wildlife. *Ecological Applications*. 20(1):16–29. <https://esajournals.onlinelibrary.wiley.com/doi/full/10.1890/08-0633.1>
- Yin, Z., Yu, X., Zou, Y. Ding, S. and J. Zhang. Nitrogen Addition Effects on Wetland Soils Depend on Environmental Factors and Nitrogen Addition Methods: A Meta-Analysis. *Water* 2022, 14, 1 748. <https://doi.org/10.3390/w14111748>.

ATTACHMENT 1

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Monitoring and Reporting Program (MMRP)

Purpose for the MMRP

The purpose of the MMRP is to ensure compliance with mitigation measures during Project implementation. Mitigation measures must be implemented within the time periods indicated in the table below.

TABLE OF MITIGATION MEASURES

The following items are identified for each mitigation measure: Mitigation Measure, Implementation Schedule, and Responsible Party for implementing the mitigation measure. The Mitigation Measure column summarizes the mitigation requirements. The Implementation Schedule column shows the date or phase when each mitigation measure will be implemented. The Responsible Party column identifies the person or agency that is primarily responsible for implementing the mitigation measure.

Mitigation Measure	Implementation Schedule	Responsible Party
<p>MM 4.4-1 Prior to approval of any implementing developments within the Project site (e.g., plot plans, conditional use permits) the adoption of the final Environmental Impact Report, the Project Applicant shall contract with a qualified biologist to prepare a Determination of Biologically Equivalent or Superior Preservation (DBESP), in accordance with Section 6.1.2 of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The required DBESP shall address Project impacts to approximately 1.691 acres of riverine/riparian/jurisdictional features resources (including impacts to 0.29 acre of Southern Riparian Scrub habitat) that comprise MSCHP riparian/riverine habitat, California Department of Fish and Wildlife (CDFW) jurisdiction,. In the event that the Southern Truck Route is implemented (as described in EIR subsection 3.6.2), then the required DBESP also shall address impacts to an additional 0.01 acre of MSHCP riparian/riverine habitat, CDFW, and RWQCB jurisdiction. The required DBESP shall identify compensatory mitigation for the loss of up to 1.691 acres of riparian/riverine resources (1.701 acre of riparian resources if the Southern Truck Route is implemented) at a minimum 3:1 ratio, and the required mitigation shall consist of the following:</p> <ul style="list-style-type: none"> • Purchase of 2.536 acres of rehabilitation credits at the Riverpark Mitigation Bank (2.551 acres of rehabilitation credits are required if the Southern Truck Route is implemented); and • Purchase of 2.537 acres of re-establishment credits at the Riverpark 	<p>Prior to adoption of the final Environmental Impact Report</p>	<p>County of Riverside and Project Applicant</p>

<p>Mitigation Bank (2.552 acres of rehabilitation credits are required if the Southern Truck Route is implemented).</p> <p>Prior to approval of the implementing development(s) the adoption of the final Environmental Impact Report, the required DBESP shall be subject to review and approval by the Riverside County Environmental Programs Department (EPD), and also shall be subject to a 60-day review and response period by the Wildlife Agencies as required by the MSHCP. Following approval of the DBESP by County EPD and the Wildlife Agencies, and prior to issuance of grading permits, the Project Applicant shall provide evidence to Riverside County that the required compensatory mitigation has been achieved in accordance with the approved DBESP. Should compensatory mitigation credits be unavailable at the Riverpark Mitigation Bank, the Project Applicant shall coordinate with the regulatory agencies, Riverside County, and MSHCP Wildlife Agencies to secure alternate mitigation totaling a minimum of 5.073 acres (5.103 acres if the Southern Truck Route is implemented) at another approved mitigation bank or in-lieu fee program.</p>		
<p>MM 4.4-6 Prior to approval of grading permits or improvement plans the adoption of the final Environmental Impact Report for the Southern Truck Route Stoneridge Commerce Center, and if required by the Regional Conservation Authority (RCA), the Project Applicant shall prepare a HANS application to amend the previously-approved HANS 269 determination to include required improvements to Dunlap Drive and San Jacinto Avenue, which traverse MSHCP Criteria Cells 2969 and 3069 in Cell Group G. The HANS application shall be submitted to the RCA and shall be subject to the Western Multiple Species Habitat Conservation Plan (MSHCP) Joint Project Review (JPR) process. Prior to issuance of grading permits or improvement plans for the Southern Truck Route, the Project Applicant shall provide a copy of the approved amended HANS 269 determination. These requirements shall not apply in the event that the RCA does not require an amendment to HANS 269 for the Southern Truck Route, or in the event</p>	<p>Prior to adoption of the final Environmental Impact Report</p>	<p>County of Riverside and Project Applicant</p>

<p>that the Southern Truck Route is not implemented.</p>		
<p>MM4.4-3: Prior to approval of implementing developments (i.e., plot plans, building permits, etc.) affecting lands adjacent to the on-site MSHCP Conservation Areas (i.e., proposed Conservation Areas within Planning Areas 10 and 11 of the Stoneridge Commerce Center Specific Plan No. 239, Amendment No. 1) and the Riverpark Mitigation Bank, the Project Applicant shall prepare and Riverside County shall review and approve an acoustical analysis to determine whether long-term operational noise associated with the implementing development would expose the proposed MSHCP Conservation Areas to noise levels exceeding 65 I CNEL. To reduce noise-related impacts to wildlife using the MSHCP Conservation Areas and the Riverpark Mitigation Bank, acoustical analysis shall include monitoring noise level measurements during Project construction and post-construction operations to determine if noise levels exceed 65 I CNEL. This will inform if additional avoidance and minimization measures are required to meet the specified thresholds. In the event that the analysis shows that future site operations would expose the Conservation Areas, including Riverpark Mitigation Bank, to noise levels exceeding 65 I CNEL, the required</p>	<p>Prior to adoption of the final Environmental Impact Report</p>	<p>Project Applicant</p>

<p>acoustical analysis shall incorporate recommendations to reduce Project-related operational noise affecting the Conservation Areas to below 65 I CNEL during construction and post-construction. Noise attenuation measures may include, but are not necessarily limited to, the incorporation of screen walls or other barriers (such as berms or solid walls). Prior to issuance of building permits, the Riverside County Building and Safety Department shall ensure that any required noise attenuation measures have been incorporated into the plans, and shall verify that the noise attenuation measures have been implemented prior to final building inspection.</p>		
<p>MM-[XX]: To reduce nighttime artificial lighting-related impacts to wildlife using conservation areas including Riverpark Mitigation Bank, the Project shall take lightning measurements before, during, and post construction operations to determine impacts of nighttime artificial lightning on adjacent conservation areas and the wildlife it supports. To protect wildlife using conserved areas, project construction and operations shall result in not net increase to pre-construction ambient night-time levels to all areas of conservation areas. If light or glare impacts to conservation areas exceed this threshold, the Project shall make changes to their operations and/or adopt landscape shielding, dimming, lighting curfews or other appropriate measures that result in the Project causing minimal to no glare to all conserved.</p>	<p>Prior to adoption of the final Environmental Impact Report</p>	<p>Project Applicant</p>
<p>MM -[X]: Prior to initiation of construction activities and/or ground disturbance activities, the Project Applicant shall receive written correspondence from the California Department of Fish and Wildlife (CDFW) confirming that CDFW has either executed a Streambed Alteration Agreement (Agreement), or informed the Project that an Agreement is not needed.</p>	<p>Prior to adoption of the final Environmental Impact Report</p>	<p>Project Applicant</p>