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GAVIN NEWSOM, Governor
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March 11, 2024
Sent via email

Governor's Office of Planning & Research

Mar 11 2024

STATE CLEARINGHOUSE

Russell Brady
Contract Planner
Riverside County Planning Department
PO Box 1409
Riverside, CA 92502- 1409

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

Dear Russell Brady:

The California CDFW of Fish and Wildlife (CDFW) received and reviewed the Recirculated Draft Environmental Impact Report (RDEIR) 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 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 issuance of a Lake or Streambed Alteration Agreement (Fish & G. Code Sections 1600

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.

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 Project site comprises approximately 614 acres 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 582.9-acre 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. This site would be developed with up to 3,888.5 acres of Light Industrial land uses, 49.1 acres of Business Park land uses, 8.0 acres of Commercial Retail land uses, Open Space – Conservation on 18.1 acres, Open Space – Conservation Habitat on 81.6 acres, and major roadways on 37.3 acres. 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's comments and recommendations on the Recirculated DEIR are explained below.

Western Riverside County Multiple Species Habitat Conservation Plan

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 easternly 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*). The RDEIR and Biological Technical Report Appendix C identified that the additional analysis has been included for the LAPM surveys conducted from June 27 to July 5, 2020. Fourteen (14) individuals were captured during the survey within the Project footprint and conservation areas (See EIR Technical Appendix C), and of the captured, four (4) individuals would be impacted by Project implementation. The areas identified as occupied by LAPM within the survey area were stated as not having long-term conservation value and thus did not need to be conserved under terms of MSHCP Section 6.3.2.

It's unclear why certain areas occupied by LAPM were determined not to have long-term conservation values and whether the updated trapping analysis was used to support this assertion. Based on the Biological Technical Report, the trapping methods appear to focus more on a presence/absence determination than an analysis on density or site use. The analysis stated that the traps with positive LAPM and SKR capture were removed after the first night of capture, thus the number of animals present is probably higher than tallied. Therefore, CDFW maintains the comments previously issued on the initial DEIR, and reiterates that the RDEIR does not adequately address the functions and values of the occupied LAPM habitat or address 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 Riverpark Mitigation Bank, it would indicate that the easternly portions of the Project does have potential for long-term conservation value for LAPM. Thus, CDFW continues to recommend the following occur prior to certification of the final Environmental Impact Report:

1. The RDEIR includes a functions and values analysis as to why the eastern boundary of the Project does or does not have conservation value.
2. A DBESP is prepared for the Project that clearly identifies a mitigation strategy that is biologically equivalent or superior to avoidance.
3. The eastern portions of the project that are occupied by LAPM be avoided and placed under conservation.

Mitigation Measures for Project Impacts to Biological Resources

Riverpark Mitigation Bank

Responses to CDFW comments (M-12 through M-16 of the RDEIR) do not adequately address our concerns regarding the potential for Project-related impacts to the established Riverpark Mitigation Bank. The DEIR/RDEIR 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. The potential impacts from lighting, noise, human activity (e.g., recreation), defensible space, wildlife-human interactions, exotic and/or invasive species, and effects on drainage should also be included.

CDFW is also concerned about the potential impacts of runoff 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). Thus, CDFW continues to recommend that prior to certification of the final Environmental Impact Report, the document should address Project-related changes on drainage patterns 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.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document 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 environmental document filing 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.)

CONCLUSION

CDFW appreciates the opportunity to comment on the Stoneridge Commerce Center Project, State Clearinghouse No. 2020040325 to assist in identifying and mitigating Project impacts on biological resources. CDFW personnel are available for consultation regarding biological resources and strategies to minimize impacts. CDFW requests that Riverside County address CDFW's comments and concerns prior to certification of the Final Environmental Impact Report.

Questions regarding this letter or further coordination should be directed to Breanna Machuca, Senior Environmental Scientist Specialist, at breanna.machuca@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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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.
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