



State of California – Natural Resources Agency  
 DEPARTMENT OF FISH AND WILDLIFE  
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EDMUND G. BROWN JR., Governor  
 CHARLTON H. BONHAM, Director



February 3, 2020  
 Sent via email

Governor's Office of Planning & Research

February 3, 2020

STATE CLEARINGHOUSE

Ms. Joanne Coletta  
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Subject: Draft Environmental Impact Report  
 Corona General Plan Technical Update Project  
 State Clearinghouse No. 2018081039

Dear Ms. Coletta:

The California Department of Fish and Wildlife (CDFW) received the Draft Environmental Impact Report (DEIR) on December 19, 2019 from the City of Corona (City) for the Corona General Plan Technical Update 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

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<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.

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public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

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 proposes a technical update to the existing General Plan to achieve land use, transportation, housing, and other goals of the City that reflect the community's growth for a future horizon year of 2040. The purpose of the Project is to create a policy framework that articulates a vision for the City's long-term physical form and development, while preserving and enhancing the quality of life for the City's residents.

### **WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN AND PERMITTEE OBLIGATIONS**

CDFW issued Natural Community Conservation Plan Approval and Take Authorization for the Western Riverside County Multiple Species Habitat Conservation Plan (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: <http://rctlma.org/epd/WR-MSHCP>.

The City is a Permittee to the MSHCP and its associated Implementing Agreement. Section 13.2 of the Implementing Agreement identifies County and Cities Obligations under the MSHCP and states that the County and Cities will "Adopt and maintain ordinances or resolutions as necessary, and amend their general plans as appropriate, to implement the requirements and to fulfill the purposes of the Permits, the MSHCP

and this [Implementing] Agreement for private and public development projects...” Following review of the DEIR, CDFW is concerned that the City has not adequately identified the City’s obligations under the MSHCP and its Implementing Agreement. CDFW’s review has identified specific concerns related to the following sections of the DEIR: Biological Resources, Recreation, Transportation and Traffic, and Wildfire. The comments and concerns identified below are not exhaustive. CDFW requests a meeting with the City as soon as possible to discuss our concerns and the City’s obligations under the MSHCP and its Implementing Agreement.

### Biological Resources

CDFW’s review of the Biological Resources Report (Appendix E) and the Biological Resources section of the DEIR (Section 5) has identified that not all areas subject to MSHCP conservation criteria within the City’s boundary and Sphere of Influence were described and discussed. Specifically, neither Appendix E or Section 5 of DEIR identify or discuss MSHCP conservation criteria associated with independent MSHCP Criteria Cells located in the northwestern extent of the City’s boundary, and within the City’s eastern boundary and adjacent Sphere of Influence Areas. It appears that both Appendix E and Section 5 include only a discussion of MSHCP Criteria Cells that are components of MSHCP Cell Groups and overlooks the independent Criteria Cells. CDFW recommends that the DEIR be revised to include all MSHCP Criteria Cells within and adjacent to the City’s boundary and its Sphere of Influence.

Because independent MSHCP Criteria Cells were not included in the DEIR, the DEIR does not include a discussion of the linkages associated with these criteria cells, and how they are expected to provide for the movement of identified MSHCP planning species between Core Areas. Two proposed constrained linkages are associated with the MSHCP independent Criteria Cells located in the northwestern extent of the City’s boundary: Proposed Constrained Linkage 1 and Proposed Constrained Linkage 2. An additional proposed constrained linkage is also associated with the MSHCP independent Criteria Cells located at the City’s eastern boundary/Sphere of Influence Area: Proposed Constrained Linkage 4. CDFW requests revision of the DEIR to identify and discuss all MSHCP Criteria Cells and their associated conservation objectives located within and immediately adjacent to the City’s boundary/Sphere of Influence. An evaluation of how the City will achieve the conservation objectives of the MSHCP should also be addressed in the DEIR.

Because independent MSHCP Criteria Cells were not identified or described in the DEIR, CDFW requests revision of the Wildlife Movement section (DEIR, page 5.4-38) to discuss how the MSHCP objectives and requirements for Proposed Constrained Linkages 1, 2, and 4 are addressed in the General Plan. Associated Figure 5.4-7 should also be revised following review and incorporation of the MSHCP linkage requirements.

The DEIR does not clearly address the City's obligations to implement section 6.1.4 of the MSHCP: Guidelines Pertaining to the Urban/Wildlands Interface. CDFW recommends that the DEIR be revised to address and evaluate how the City will ensure that the Project is consistent with section 6.1.4 of the MSHCP and address indirect effects associated with locating development in proximity to the MSHCP Conservation Areas.

CDFW also recommends the following revisions to Section 5.0 of the DEIR:

- Figure 5.4-3 does not accurately depict critical habitat mapping for coastal California gnatcatcher. Please revise Figure 5.4-3 to reflect accurate mapping for this species.
- Figure 5.4-6 does not include an accurate legend for vegetation types. Please revise so that the figure can be reviewed.

### Recreation

The Recreation section (Section 5.16) includes a discussion of trails and specific General Plan Policies that include public access to trails. CDFW was unable to find a discussion of, or reference to, the assumptions for covered trails and facilities within the MSHCP Conservation Area as described in the Conditionally Compatible Uses section of the MSHCP (Section 7.4.2). Section 7.4.2 identifies guidelines and criteria for conditionally compatible uses, that are covered within the MSHCP Conservation Area, to help meet the overall conservation goals and objectives of the MSHCP. There are two types of trails that are expected within the MSHCP Conservation Area. The first type is existing community trails, which are primarily used by equestrian users (see Figure 7-3) and adopted planned and proposed regional trails within the MSHCP Criteria Area and Special Linkage Areas (Figures 7-3 and 7-4). The DEIR should demonstrate that the design, construction, and operation of public access facilities will avoid and minimize impacts to MSHCP Conservation Area resources. CDFW recommends that the City consult Figures 7-3 and 7-4 of the MSHCP to complete this analysis and to ensure proposed trails are covered activities under the MSHCP. CDFW requests revision of Section 5.16 to demonstrate how recreation will be consistent with the goals and objectives of the MSHCP.

The Existing Regulations and Standard Conditions (Section 5.16.5) of the DEIR identifies regulations and standards related to recreation. CDFW recommends that the City's obligations as a Permittee to the MSHCP and its Implementing Agreement also be identified in this section of the DEIR.

### Transportation and Traffic

The Transportation and Traffic section (Section 5.17) evaluates transportation impacts associated with implementation of the Project. Included in this section are Corona's road networks, bikeway plans, and pedestrian facilities. CDFW was unable to find a discussion of, or reference to, the assumptions for covered roads, or for covered trails and facilities with the MSHCP Conservation Area as described in section 7.0 of the MSHCP.

CDFW requests revision of Section 5.17 of the DEIR to demonstrate compatibility with the goals and objectives of the MSHCP. CDFW specifically recommends that the City consult Figures 7-1, 7-3, and 7-4 of the MSHCP, and that Section 5.17 of the DEIR identify and describe the City's obligations as a Permittee to the MSHCP and its Implementing Agreement.

### Wildfire

The DEIR discusses Wildfire (Section 5.20) within the City and its Sphere of Influence. Included in this section are discussions on vegetation management, fire access, fuel modification requirements, weed abatement, and fire/fuel break maintenance. CDFW is concerned that fuel modification may be identified on existing conservation lands or on lands identified for future conservation under the MSHCP. Because of these concerns, we request a meeting with the City to discuss the Wildfire General Plan Policies identified in the DEIR and how these policies may impact the policies, procedures, and conservation objectives of the MSHCP.

For example, CDFW is concerned with potential impacts to existing and proposed conservation from implementation of the following Land Use Elements, and Public Safety Elements:

Land Use Element 2.1 and 4.3. These two land use elements discuss new development. CDFW recommends that these elements be revised, or a new land use element be included in the DEIR, to require future projects to fully describe and identify the location, acreage, and composition of defensible space (including vegetation management zones) and fire access routes *within* proposed development footprints. The City, through their planning processes, should ensure that defensible space and fire access routes are provided and accounted for *within proposed development areas*, and not transferred to adjacent open space or conservation lands.

Land Use Element 16.7 (DEIR page 5.20-19) states "Work with Corona Fire, CAL FIRE and Forest Service and with property owners in affected areas to reduce and minimize the hazards associated with wildfire in the hillsides and open spaces consistent with the goals and policies of the safety element." CDFW recommends that City also require

consultation with the Western Riverside County Regional Conservation Authority (RCA), CDFW, United States Fish and Wildlife Service (USFWS), and relevant land management entities (e.g., Riverside-Corona Resource Conservation District, Riverside County Habitat Conservation Authority) where fuel hazards are identified on conservation areas or on lands identified for future conservation under the MSHCP.

Public Safety Elements 10.6 and 10.7 identify fuel modification/fuel hazard reduction for development/buildings and structures in the City's identified Very High Fire Hazard Safety Zones. As previously stated, CDFW recommends that the City require defensible space and fire access routes *within* proposed development footprints. Where fuel modification is proposed to existing or proposed conservation areas adjacent to existing development, CDFW requests that the City consult with CDFW, RCA, USFWS and the afore-mentioned relevant land management entities.

Section 5.20 also identifies that the Corona Fire Department will be preparing a Community Wildlife Protection Plan "...that will continue to improve safety in the wildland-interface areas." (DEIR, page 5.20-17). CDFW requests the opportunity to participate in discussions associated with the preparation of this Plan. We recommend that the RCA, USFWS, Riverside-Corona Resource Conservation District, and Riverside County Habitat Conservation Authority also be given the opportunity to participate in the preparation and review of this Plan.

The Existing Regulations section (Section 5.20.5) identifies applicable fire regulations. As a Permittee to the MSHCP, CDFW recommends that the City's obligations under the MSHCP and its Implementing Agreement also be identified in this section of the DEIR.

## **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 completed form can be mailed electronically to CNDDDB at the following email address: [CNDDDB@wildlife.ca.gov](mailto:CNDDDB@wildlife.ca.gov). The types of information reported to CNDDDB can be found at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

## **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

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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.).

## **CDFW CONCLUSIONS AND FURTHER COORDINATION**

CDFW appreciates the opportunity to comment on the DEIR for the City of Corona's General Plan Technical Update Project (SCH No. 2018081039) and recommends that the City address the CDFW's comments and concerns prior to recirculating the revised DEIR. We also request a meeting with the City as soon as possible to discuss our comments.

If you should have any questions pertaining to the comments provided in this letter, and to schedule a meeting, please contact Joanna Gibson at (909) 987-7449 or at [Joanna.Gibson@wildlife.ca.gov](mailto:Joanna.Gibson@wildlife.ca.gov).

Sincerely,



Scott Wilson  
Environmental Program Manager

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