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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



Governor's Office of Planning & Research

May 13, 2020
 Sent via email

MAY 13 2020

STATE CLEARINGHOUSE

Ms. Julia Descoteaux
 Associate Planner
 City of Moreno Valley
 14177 Frederick Street
 PO Box 88005
 Moreno Valley, CA 92552-0805
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Subject: Revised Final Environmental Impact Report
 City of Moreno Valley, World Logistics Center Project
 State Clearinghouse No. 2012021045

Dear Ms. Descoteaux:

The California Department of Fish and Wildlife (CDFW) received the Revised Final Environmental Impact Report (RFEIR) on May 5, 2020 from the City of Moreno Valley (City) for the World Logistics Center Project (Project) 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 is concerned with the adequacy of the City's assessment of impacts to the San Jacinto Wildlife Area (Wildlife Area; SJWA), and with the adequacy and enforceability of mitigation measures for biological resources. CDFW's concerns related to the SJWA and recommended edits to the City's mitigation measures to improve specificity and enforceability are identified and discussed below.

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

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.

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.

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.

CDFW previously provided comments on the Draft EIR on April 8, 2013, on the Final EIR June 11, 2015, and on the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Determination of Biologically Equivalent or Superior Preservation (DBESP) on December 19, 2014.

CDFW Comments and Recommendations

CDFW's comments and recommendations on the Project are summarized below.

Impacts to rare, listed, and sensitive species

Mitigation Measures (MM) 4.4.6.2A, 4.4.6.4D, and 4.4.6.4E identify the preparation of translocation plans for rare and listed plant species (MM 4.4.6.2A), burrowing owl (MM4.4.6.4D), and Los Angeles pocket mouse (MM 4.4.6.4E).

Sensitive Plant Species

MM 4.4.6.2A provides mitigation measures for impacts to sensitive plant species:

Each Plot Plan application shall include a focused plant survey of the proposed development site prepared by a qualified biologist to identify if any of the following sensitive plants (i.e., Coulter's goldfields, smooth tarplant, Plummer's' mariposa lily, or thread-leaved brodiaea) are present. If any of the listed plants are found, they may be relocated to the 250-foot setback area outlined in the Specific Plan and discussed in Mitigation Measure 4.4.6.1A. Alternatively, at the applicant's discretion, an impact

fee may be paid to the Western Riverside County Regional Conservation Authority (RCA) or other appropriate conservation organizations to offset for the loss of these species. This measure shall be implemented to the satisfaction of the Planning Official.

CDFW is concerned that City's "Planning Official" is not sufficiently qualified to review and approve a translocation plan for rare plant species. Further, thread-leaved brodiaea is a state endangered and federally threatened species and CDFW should review this proposal. To ensure that this proposal is implemented in compliance of rules and regulations related to state and/or federally listed plant species CDFW recommends that the City revise mitigation measure (MM) 4.4.6.2A and condition the measure to include the following (edits are in **bold** and ~~strikethrough~~):

MM 4.4.6.2A Each Plot Plan application shall include a focused plant survey of the proposed development site prepared by a qualified biologist to identify if any of the following sensitive plants (i.e., Coulter's goldfields, smooth tarplant, Plummer's' mariposa lily, or thread-leaved brodiaea) are present. If any of the listed plants are found, **the City will consult with the California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS). If translocation of the species is deemed appropriate by CDFW and/or USFWS a translocation plan shall be developed and submitted to CDFW and USFWS for review and approval** ~~they may be relocated to the 250-foot setback area outlined in the Specific Plan and discussed in Mitigation Measure 4.4.6.1A.~~ Alternatively, at the applicant's discretion, an impact fee may be paid to the Western Riverside County Regional Conservation Authority (RCA) or other appropriate conservation organizations to offset for the loss of these species. This measure shall be implemented to the satisfaction of the Planning Official.

Burrowing Owl

MM 4.4.6.4D provides mitigation measures for impacts to burrowing owl:

If active burrowing owl burrows are detected outside the breeding season (September through January), or within the breeding season but owls are not nesting or in the process of nesting, active and/or passive relocation may be conducted following consultation with the California Department of Fish and Wildlife. A relocation plan may be required by California Department of Fish and Wildlife if active and/or passive relocation is necessary. The relocation plan will outline the basic process and provides options for avoidance and mitigation. Artificial burrows - may be constructed within the buffer area south of the World Logistics Center

Specific Plan. Construction activity may occur within 500 feet of the burrows at the discretion of the biological monitor in consultation with CDFW.

A relocation plan may be required by California Department of Fish and Wildlife if active or passive relocation is necessary. Artificial burrows may be constructed within appropriate burrowing owl habitat within the proposed open space/conservation area (Planning Area 30), a 74.3-acre area in the southwest portion of the Specific Plan. This area abuts the Lake Perris State Recreation Area (LPSRA) which is already in conservation. If suitable habitat is not present in Planning Area 30, owls may be relocated to the SJWA, the 250-foot buffer area or other suitable on-site or off-site areas. Construction activity may occur within 500 feet of the burrows at the discretion of the biological monitor.

CDFW previously provided comments on the City's proposal to translocate burrowing owl to the "250-foot buffer area" in a joint CDFW – US Fish and Wildlife Service (USFWS) comment letter written in response to the City's DBESP submitted for review as required by the Western Riverside MSHCP. In the joint letter (dated December 19, 2014) CDFW and the USFWS articulated to the City that the 250-foot buffer area is not appropriate as a receptor site for burrowing owl because it is insufficient in terms of area, spatial configuration, and conflicting planned use (the City has proposed the construction of detention basins, etc., within the buffer area). Burrowing owl require large open expanses of sparsely vegetated habitat to forage and nest, and the 250-foot buffer area would not provide these ecological needs. Further, because the buffer area is proposed to be planted with trees, CDFW and the USFWS also stated that the City's proposal to plant trees within the buffer area would provide perch sites for bird-eating raptors, such as red-tailed hawks, which eat burrowing owls, further reducing the appropriateness of the City's proposed mitigation approach.

MM 4.4.6.4D also includes reference to Planning Area 30. CDFW maintains similar concerns regarding the suitability of this area for burrowing owl: Planning Area 30 is insufficient in terms of area and spatial configuration. Further, based on CDFW's review of aerial photography the topography of much of Planning Area 30 is unlikely to be suitable for burrowing owl.

CDFW appreciates that the City has included an additional relocation option: CDFW's San Jacinto Wildlife Area. However, CDFW is concerned that MM 4.4.6.4D does not include specific and enforceable language to ensure that the financial burden of any proposed translocation of burrowing owl (including the translocation itself, short-term habitat management needs, as well as long-term management needs) is provided by the Project Applicant. CDFW is unable to assume this financial burden, and it is the responsibility of the Project Applicant to mitigate Project impacts.

MM 4.4.6.4D identifies that CDFW would review any active and/or passive relocation plan for burrowing owl. Please note that these plans will also need to be reviewed and approved by the USFWS and the Western Riverside County Regional Conservation Authority (RCA).

To improve the specificity and enforceability of MM 4.4.6.4D and to ensure consistency with the MSHCP, CDFW recommends that the City revise mitigation measure MM 4.4.6.4D and condition the measure as following (edits are in **bold** and ~~strikethrough~~):

MM 4.4.6.4D If active burrowing owl burrows are detected outside the breeding season (September through January), or within the breeding season but owls are not nesting or in the process of nesting, active and/or passive relocation may be conducted following consultation with the California Department of Fish and Wildlife (**CDFW**), **U.S. Fish and Wildlife Service (USFWS)**, and the **Western Riverside County Regional Conservation Authority (RCA)**. A relocation plan ~~may~~ **will** be required by ~~California Department of Fish and Wildlife CDFW, the USFWS, and the RCA~~ if active and/or passive relocation is necessary. The relocation plan will outline the basic process, ~~and provides options for avoidance and mitigation,~~ **identify short- and long-term habitat management needs of the receiver site, and identify the entity responsible for all financial costs associated with the relocation plan and long-term management of the receiver site.** Artificial burrows - may be constructed within the buffer area south of the World Logistics Center Specific Plan. Construction activity may occur within 500 feet of the burrows at the discretion of the biological monitor in consultation with CDFW, **the USFWS, and RCA.**

A relocation plan ~~may~~ **will** be required by ~~California Department of Fish and Wildlife CDFW, the USFWS, and RCA~~ if active or passive relocation is necessary. Artificial burrows may be constructed within appropriate burrowing owl habitat within the proposed open space/conservation area (Planning Area 30), a 74.3-acre area in the southwest portion of the Specific Plan. This area abuts the Lake Perris State Recreation Area (LPSRA) which is already in conservation. If suitable habitat is not present in Planning Area 30, owls may be relocated **following written approval by CDFW, the USFWS, and RCA, to habitat deemed suitable by CDFW, the USFWS, and RCA (which may include the SJWA, the 250-foot buffer area or other suitable on-site or off-site areas).** Construction activity may occur within 500 feet of the burrows at the discretion of

the biological monitor, **following consultation with CDFW, the USFWS, and RCA.**

Los Angeles Pocket Mouse

MM 4.4.6.4E provides mitigation measures for impacts to Los Angeles pocket mouse (LAPM):

Prior to the approval of any Plot Plans proposing the development of land including or adjacent to Drainage 9, a protocol survey for the Los Angeles Pocket Mouse (LAPM), including 100 feet upstream and downstream of the affected reach shall be prepared by a qualified biologist and submitted to the City. If the affected drainage is not occupied, the area is considered not to be occupied and development can continue without further action. If the species is found within the specific survey area, no development shall occur until an appropriate mitigation fee is paid or appropriate amount of land set aside on the project site or off site to compensate for any loss of occupied Los Angeles Pocket Mouse habitat. Alternatively, individuals may be relocated to the 250-foot setback zone along the southern boundary of the property identified in Mitigation Measure 4.4.6.1A, or other appropriate areas as determined by the United States Fish and Wildlife Service. If necessary, this measure shall also be coordinated with Mitigation Measure 4.4.6.2B regarding preparation and processing of a Determination of a Biological Equivalent or Superior Preservation report. This measure shall be implemented to the satisfaction of the City Planning Division.

MM 4.4.6.4E identifies that the City will review LAPM “protocol surveys,” and the USFWS will review any relocation plan for LAPM. CDFW is concerned that City staff are not appropriately qualified to determine if appropriate survey methodology has been employed by the Project Applicant, or review trapping results. CDFW recommends that proposed survey methodology and trapping results be reviewed and/or approved by CDFW and the USFWS. Further, any relocation plan prepared for LAPM will also need to be reviewed and approved by CDFW (in addition to the USFWS).

CDFW appreciates that MM 4.4.6.4E identifies that LAPM translocation, if deemed necessary, may occur to a site other than the 250-foot buffer area. CDFW and the USFWS previously commented that the 250-foot buffer area may not be appropriate as a receiver site because of size and configuration (it will be a narrow, relatively restricted area), and because of potential disruptions to existing small mammal populations, and predator-prey relationships. CDFW appreciates that the City has included an additional relocation option however, CDFW is concerned that MM 4.4.6.4E does not include specific and enforceable language to ensure that the financial burden of any proposed translocation of

LAPM (including the translocation itself, short-term habitat management needs, as well as long-term management needs) is provided by the Project Applicant.

To improve the specificity and enforceability of MM 4.4.6.4E CDFW recommends that the City revise mitigation measure MM 4.4.6.4E and condition the measure as following (edits are in **bold** and ~~strikethrough~~):

MM 4.4.6.4E Prior to the approval of any Plot Plans proposing the development of land including or adjacent to Drainage 9, a protocol survey for the Los Angeles Pocket Mouse (LAPM), including 100 feet upstream and downstream of the affected reach shall be prepared by a qualified biologist and submitted to **CDFW and the USFWS for review and approval prior to submission to the City**. If the affected drainage is not occupied, the area is considered not to be occupied and development can continue without further action. If the species is found within the specific survey area, no development shall occur until an appropriate mitigation fee is paid or appropriate amount of land set aside on the project site or off site to compensate for any loss of occupied Los Angeles Pocket Mouse habitat. Alternatively, individuals may be relocated **to locations pre-approved by CDFW and the USFWS (which may include** ~~to~~ the 250-foot setback zone along the southern boundary of the property identified in Mitigation Measure 4.4.6.1A, or other appropriate areas) ~~as determined by the United States Fish and Wildlife Service~~. **All costs associated with the relocation, as well as short-and long-term management and monitoring of the receiver site shall be the responsibility of the Project Applicant**. If necessary, this measure shall also be coordinated with Mitigation Measure 4.4.6.2B regarding preparation and processing of a Determination of a Biologically Equivalent or Superior Preservation report. This measure shall be implemented to the satisfaction of the City Planning Division **following coordination with CDFW and the USFWS**.

Fish and Game Code section 1602

MM 4.4.6.3C conditions the Project Applicant(s) to submit to the City copies of appropriate permits/agreements for impacts to Waters of the State and Waters of the U.S. The measure identifies the “need for permits based on the results of the 2012 jurisdictional delineation.” Please note that CDFW will require that any stream mapping submitted to CDFW as a component of a Notification of Lake or Streambed Alteration be current. CDFW recommends the measure be revised to remove all reference to the “2012 jurisdictional delineation.” In addition to removing reference to out-of-date mapping, CDFW recommends that errors

included in the measure be corrected. CDFW recommends that the City revise mitigation measure MM 4.4.6.3C as follows (edits are in **bold** and ~~strikethrough~~):

MM 4.4.6.3C Prior to issuance of any grading permit for any offsite improvements that support development within the World Logistics Center Specific Plan, the developer shall retain a qualified biologist to prepare a jurisdictional delineation (JD) for any drainage channels affected by construction of the offsite improvements. This jurisdictional delineation shall be submitted to the U.S. Army Corps of Engineers (USACE), **Regional Water Quality Control Board**, and California Department of Fish and Wildlife (CDFW) for review and concurrence. If the offsite improvements **are deemed by the regulatory agencies to not require regulatory permits/agreements, a written copy of this determination shall be submitted to the City** ~~will not affect any identified jurisdictional areas, no United States Army Corps of Engineers permitting is required.~~ **The Applicant shall consult with** ~~However, permitting through the~~ Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (i.e., Streambed ~~Alteration~~ **Alteration** Agreement) ~~may still be required for these improvements. The applicant shall consult with~~ **and** United States Army Corps of Engineers, ~~California Department of Fish and Wildlife and Regional Water Quality Control Board~~ to establish the need for permits based on the results of the ~~2012~~ **current stream mapping jurisdictional delineation** and final design plans for each of the proposed the facilities. Consultation with the three agencies shall take place and appropriate permits obtained. Compensation for losses associated with any altered offsite drainages shall be in agreement with the permit conditions. Any landscaping associated with these offsite improvements shall use only native species to help protect biological resources residing within or traveling through these drainages per Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Table 6.1.2. This measure shall be implemented to the satisfaction of the City Planning Division in consultation with the ~~U.S. Fish and Wildlife Service~~ **Regional Water Quality Control Board**, U.S. Army Corps of Engineers, and the California Department of Fish and Wildlife.

Wildlife Movement

The Biological Resources section (Section 4.4) of the Revised Sections of the FEIR (page 4.4-37) discusses that the Project will incorporate fencing to separate development areas from MSHCP open space areas to the south and along Gilman Springs Road. CDFW agrees that fencing is appropriate to minimize unauthorized public access, illegal trespass, and dumping. In addition, fencing

along Gilman Springs Road should be designed to minimize wildlife movement and direct wildlife towards wildlife crossings. CDFW is concerned that because a mitigation measure has not been developed and included in the FEIR the City will be unable to enforce the construction of such fences as the Project is developed. To ensure enforceability, CDFW recommends that the City include a new mitigation measure in the FEIR conditioning the construction of fencing along the Project's southern and eastern boundaries, and wildlife fencing along Gilman Springs Road. CDFW recommends the inclusion of the following new mitigation measure in the FEIR:

Prior to issuance of any grading permit for Projects constructed immediately west of Gilman Springs Road (Planning Areas 6, 8, 11, 12), or north of the San Jacinto Wildlife Area (Planning Areas 10, 12) the Project Applicant shall provide for review and approval to the California Department of Fish and Wildlife and City design plans for the construction of appropriate fencing along the Project's eastern and/or southern boundary, as appropriate. The City shall also inspect fence construction prior to issuance of occupancy permits, or equivalent.

CDFW is concerned about the project's potential to restrict wildlife movement to and from the San Timoteo Badlands (Badlands) and SJWA/Mystic Lake area. As proposed, the Project will border the Badlands along portions of its northern border as well as its nearly 2-mile long eastern border at Gilman Springs Road, creating an obstruction to wildlife movement between the Badlands and open areas to the south (Mystic Lake, Lake Perris, and SJWA). The Project is located between the SJWA and the two existing culverts under State Route 60 (SR-60), and will also be located immediately west of Gilman Springs Road and the existing culverts under this road. Because the Project encompasses logistics centers that will significantly increase traffic volume, CDFW argues that the Project will have substantial effects on existing wildlife movement patterns. Species of concern include mountain lion, bobcat, badger, coyote, deer, long-tailed weasel, black-tailed jackrabbit, and desert cottontail. A fair argument can be made that the Project will increase noise, lighting, and traffic which may in turn negatively affect wildlife through direct mortality or alter movement patterns by forcing wildlife to move east or west, away from the Project. CDFW recommends that the Project install appropriate fencing along Gilman Springs Road and SR-60 to reduce wildlife mortality and direct animals to future or existing wildlife crossings.

CDFW recommends that the City condition the Project to require the installation of wildlife fencing along SR-60 and Gilman Springs Road to reduce Project-related wildlife mortality. CDFW recommends the inclusion of the following new mitigation measure in the FEIR:

Prior to issuance of any grading permit for Projects constructed immediately west of Gilman Springs Road (Planning Areas 6, 8, 11, 12), or south of State Route 60 (Planning Area 6) the Project Applicant shall provide for review and approval to the California Department of Fish and Wildlife and City design plans for the construction of wildlife fencing along State Route 60 and Gilman Springs Road. The City shall inspect wildlife fence construction prior to issuance of occupancy permits, or equivalent.

Section 4.4 of the Revised Sections of the FEIR (page 4.4-61) discusses that the RCA submitted comments to the City stating that the project would likely cause an increase in truck traffic along Gilman Springs Road which “could significantly affect wildlife movement between Core H and proposed Core 3.” To mitigate these impacts the Revised Sections of the FEIR (page 4.4-61) states that it would be appropriate for the Project to contribute (financially) to the “fair share of the improvements to Gilman Springs Road, including provisions for wildlife movement or crossings.” CDFW agrees that contribution of funding for improvements to wildlife crossings along Gilman Springs Road would be appropriate, but CDFW is concerned that because a mitigation measure has not been developed and included in the FEIR the City will be unable to enforce the contribution of funds for this purpose. To ensure enforceability, CDFW recommends that the City include a new mitigation measure in the FEIR conditioning the contribution of funds to a mitigation account, to held by CDFW-approved entity, for later use for improvements to wildlife crossings along Gilman Springs Road. CDFW recommends the inclusion of the following new mitigation measure in the FEIR:

Prior to issuance of any grading permit the Project Applicant shall provide to the City 5% of total Project costs to be deposited into a mitigation account, held by a CDFW-approved entity, for later use for improvements to wildlife crossings along Gilman Springs Road.

Impacts to the San Jacinto Wildlife Area

CDFW previously provided comments on the Project’s proposal to construct buildings within 450 feet of the SJWA (refer to CDFW’s April 8, 2013, and June 11, 2015 comment letters). SJWA is an active hunting area, and hunts are regularly conducted along the SJWA’s northern boundary. Fish and Game Code Section 3004 prohibits the discharging of firearms within 150 yards (450 feet) of any building without express permission of the owner. Given that the City is proposing the construction of buildings within 450 feet of the northern property boundary of the SJWA, the City’s actions will directly constrain the public’s use of the SJWA. CDFW reiterates that unless the City increases the buffer distance between the SJWA and constructed elements of the Project to a minimum of 450 feet, the City will have effectively created restraints on hunting with the Wildlife

Area. Further unless the environmental document is revised, it continues to be deficient in its analysis of impacts on public access and recreational pursuits within the SJWA.

CDFW strongly recommends that the buffer distance between the northern boundary of the SJWA and the Project be increased to a minimum of 450 feet.

Project's Consistency with Adopted HCPs/NCCPs

Projects proposed for construction within the MSHCP and the Stephens' kangaroo rat Habitat Conservation Plan (SKR HCP) are subject to payment of mitigation fees. Pages 4.4-60 and 4.4-61 discuss the required payment of these fees, however the City did not include a mitigation measure to ensure the enforceability of payment of fees. To ensure enforceability, CDFW recommends that the City include a new mitigation measure in the FEIR conditioning the payment of MSHCP and SKR HCP fees, as appropriate, prior to issuance of grading permits. CDFW recommends the inclusion of the following new mitigation measure in the FEIR:

Prior to issuance of any grading permit the Project Applicant shall pay appropriate Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), and Stephens' kangaroo rat Habitat Conservation Plan mitigation fees.

Resource Management

MM 4.4.6.4F discusses the development of a Biological Resource Management Plan for the proposed 250-foot setback area. The measure discusses that the plan will be reviewed by the City's "Planning Official in consultation with the San Jacinto Wildlife Area Manager." CDFW is unaware that the City contacted CDFW's SJWA manager to verify that CDFW were available and able to contribute to the review of this plan, or whether this workload element could be accommodated based on CDFW's current staffing levels. CDFW appreciates that the City is requesting review of the proposed Biological Resource Management Plan, but we request that review of this document be determined by CDFW.

CDFW recommends that the City revise mitigation measure MM 4.4.6.4F as follows (edits are in **bold** and ~~strikethrough~~):

- 4.4.6.4F Prior to approval of any discretionary permits for development within Planning Areas 10 and 12, a Biological Resource Management Plan (BRMP) shall be prepared to prescribe how the 250-foot setback area outlined in Mitigation Measure 4.4.6.1A will be developed and maintained **in perpetuity**. This plan will identify frequent and infrequent vegetation management requirements (i.e.,

removal of invasive plants) and the planting and maintaining trees to provide roosting and nesting opportunities for raptors and other birds. **The Biological Resource Management Plan will include an estimate of short-and long-term management costs, a discussion of how funds will be made available in perpetuity, and entities responsible for contribution of funds to support the Biological Resource Management Plan.** The Biological Resource Management Plan will also describe how relocation of listed or sensitive species will occur from other locations as outlined in Mitigation Measures 4.4.6.2A, 4.4.6.4D, and 4.4.6.4E.

The Biological Resource Management Plan, **including the short-and long-term funding strategy** shall be reviewed and approved by the Planning Official in consultation with **California Department of Fish and Wildlife San Jacinto Wildlife Area Manager**. The Biological Resource Management Plan shall cover all the land within the 250-foot setback zone within Planning Areas 10 and 12. Implementation of the plan shall be supervised by a qualified biologist, to the satisfaction of the City Planning Division.

Fuel Management

MM 4.4.6.4J discusses the preparation of a Fuel Management Plan for those Planning Areas adjacent to the south and east boundary of the Project and MSHCP lands. The measure identifies that the plan shall demonstrate that adjacent MSHCP lands are adequately protected from expected fire risks. CDFW recommends that MM 4.4.6.4J be revised to also demonstrate that the Fuel Management Plan adequately protect CDFW's SJWA lands. CDFW recommends that the City revise mitigation measure MM 4.4.6.4J as follows (edits are in **bold** and ~~strikethrough~~):

- 4.4.6.4J A Fuel Management Plan shall be prepared on a project-by-project basis for those Planning Areas adjacent to the south and east boundary of the World Logistics Center Specific Plan adjacent to Western Riverside County Multiple Species Habitat Conservation Plan Conservation Areas **and/or San Jacinto Wildlife Area (SJWA) lands**. The Fuel Management Plan shall be prepared by the project proponent and submitted for approval to the prior to plot plan approval for those projects on the southern and eastern Western Riverside County Multiple Species Habitat Conservation Plan **and/or SJWA** boundary. Per the Western Riverside County Multiple Species Habitat Conservation Plan guidelines, the Fuel Management Plan shall include the following:

- A plant palette of adequate plant species that may be planted within the Fuel Management Area, which will be approved by a biologist familiar with the plant requirements of the area.
- A list of non-native invasive plants that are prohibited from installation.
- Maintenance activities and a maintenance schedule.

Fuel modification zones shall be mapped and include an impact assessment as required under California Environmental Quality Act guidelines for a project-level analysis. The plan shall demonstrate that the adjacent Western Riverside County Multiple Species Habitat Conservation Plan Areas **and SJWA lands** are adequately protected from expected fire risks.

Minor Errors

MM4.4.6.2B and 4.4.6.3B include reference to the “Resource Conservation Agency (RCA).” CDFW assumes that the City is referring to the Western Riverside County **Regional Conservation Authority**. CDFW recommends that the City review the aforementioned mitigation measures and correct all references to the Regional Conservation Authority.

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. The types of information reported to CNDDDB can be found at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

Ms. Julia Descoteaux, Associate Planner
World Logistics Center Project
May 13, 2020
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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.).

CDFW CONCLUSIONS AND FURTHER COORDINATION

CDFW appreciates the opportunity to comment on the RFEIR for the City of Moreno Valley's World Logistics Center Project (SCH No. 2012021045) and recommends that the City address the CDFW's comments and concerns prior to adoption of the RFEIR. Pursuant to CEQA Guidelines section 15097(f) CDFW has prepared a draft mitigation monitoring and reporting program (MMRP) for the new mitigation measures identified in this letter. The draft MMRP is enclosed at the end of this letter.

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.

Sincerely,

DocuSigned by:

8091B1A9242F49C...

Scott Wilson
Environmental Program Manager

ec: California Department of Fish and Wildlife
HCPB CEQA Coordinator

Office of Planning and Research, State Clearinghouse
State.clearinghouse@opr.ca.gov

Mitigation Monitoring and Reporting Program for the City of Moreno Valley's World Logistics Center Project

Mitigation Measure	Timing	Responsible Parties
<p>Prior to issuance of any grading permit for Projects constructed immediately west of Gilman Springs Road (Planning Areas 6, 8, 11, 12), or north of the San Jacinto Wildlife Area (Planning Areas 10, 12) the Project Applicant shall provide for review and approval to the California Department of Fish and Wildlife and to the City design plans for the construction of appropriate fencing along the Project's eastern and/or southern boundary, as appropriate. The City shall also inspect fence construction prior to issuance of occupancy permits, or equivalent.</p>	<p>Prior to issuance of grading permit, and prior to issuance of occupancy permits.</p>	<p>City of Moreno Valley</p>
<p>Prior to issuance of any grading permit for Projects constructed immediately west of Gilman Springs Road (Planning Areas 6, 8, 11, 12), or south of State Route 60 (Planning Area 6) the Project Applicant shall provide for review and approval to the California Department of Fish and Wildlife and City design plans for the construction of wildlife fencing along State Route 60 and Gilman Springs Road. The City shall inspect wildlife fence construction prior to issuance of occupancy permits, or equivalent.</p>	<p>Prior to issuance of grading permit, and prior to issuance of occupancy permits.</p>	<p>City of Moreno Valley</p>
<p>Prior to issuance of any grading permit the Project Applicant shall provide to the City 5% of total Project costs to be deposited into a mitigation account, held by a CDFW-approved entity, for later use for improvements to wildlife crossings along Gilman Springs Road.</p>	<p>Prior to issuance of grading permit.</p>	<p>City of Moreno Valley</p>

Prior to issuance of any grading permit the Project Applicant shall pay appropriate Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), and Stephens' kangaroo rat Habitat Conservation Plan mitigation fees.	Prior to issuance of grading permit.	City of Moreno Valley
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