

**DEPARTMENT OF FISH AND GAME**

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July 9, 2007

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City of Corona  
400 S. Vincentia Avenue  
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**Re: Notice of Preparation of an Draft Environmental Impact Report – Foothill Parkway Westerly Extension, SCH# SCH2007061044**

The California Department of Fish and Game (Department) thanks you for the opportunity to comment on the proposed development project. The project consists of the extension of Foothill Parkway as a four-lane roadway from approximately 500 feet west of Skyline Drive to Green River Road in the City of Corona, County of Riverside. The Cleveland National Forest is to the west and there is residential development to the east, north and south.

The site potentially includes habitat for a suite of coastal sage scrub species, as well as large predators, such as coyote, mountain lion and bobcat. Because the project is located adjacent to the Cleveland National Forest, the document should examine measures, such as fencing, to minimize road kill.

The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Streambed Alteration Agreement or a California Endangered Species Incidental Take Permit (Fish and Game Code Sections 2080 and 2080.1).

This particular project has the potential to have significant environmental impacts on sensitive flora and fauna resources, including Federally and State listed endangered species. Therefore, critical aspects of the DEIR should include an alternatives analysis which focuses on environmental resources and in-kind mitigation measures for impacts identified as significant. To enable Department staff to adequately review and comment on the proposed project, we suggest that updated biological studies be conducted prior to any environmental or discretionary approvals. The following information should be included in any focused biological report or supplemental environmental report:

1. A complete assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats.

- a. A thorough assessment of rare plants and rare natural communities, following the Department's May 1984 Guidelines for Assessing Impacts to Rare Plants and Rare Natural Communities.
  - b. A complete assessment of sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service.
  - c. Rare, threatened, and endangered species to be addressed should include all those which meet the California Environmental Quality Act (CEQA) definition (See CEQA Guidelines, 15380)
  - d. The Department's California Natural Diversity Data Base in Sacramento should be contacted at (916) 327-5960 to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code.
2. A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts.
- a. CEQA Guidelines, 15125(a), direct that knowledge of the regional setting is critical to an assessment of environmental impacts and that special emphasis should be placed on resources that are rare or unique to the region.
  - b. Project impacts should be analyzed relative to their effects on off-site habitats. Specifically, this should include nearby public lands, open space, adjacent natural habitats, and riparian ecosystems. Impacts to and maintenance of wildlife corridor/movement areas, including access to undisturbed habitat in adjacent areas, should be fully evaluated and provided.
  - c. The zoning of areas for development projects or other uses that are nearby or adjacent to natural areas may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the environmental document.
  - d. A cumulative effects analysis should be developed as described under CEQA Guidelines, 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

- e. The document should include an analysis of the effect that the project may have on completion and implementation of regional and/or subregional conservation programs. Under 2800-2840 of the Fish and Game Code, the Department, through the Natural Communities Conservation Planning (NCCP) program is coordinating with local jurisdictions, landowners, and the Federal Government to preserve local and regional biological diversity. The Western Riverside Multiple Species Habitat Conservation Plan (WRMSHCP) is an NCCP plan. The project area is included in the criteria area for the MSHCP and therefore should be examined for consistency with this plan. The document should include a brief explanation of the MSHCP, the project's status in relation to the MSHCP, whether the project is a covered activity, and the process the lead agency will have to follow to bring the project into consistency with the MSHCP. In particular, the document should analyze the impact that a road in this location would have on wildlife and measures to mitigate accidental road death. In addition, the Lead Agency should examine the potential impact of the project on MSHCP Constrained Linkages 1 and 2.
3. A range of alternatives should be analyzed to ensure that alternatives to the proposed project are fully considered and evaluated. A range of alternatives which avoid or otherwise minimize impacts to sensitive biological resources should be included. Specific alternative locations should also be evaluated in areas with lower resource sensitivity where appropriate.
    - a. Mitigation measures for project impacts to sensitive plants, animals, and habitats should emphasize evaluation and selection of alternatives which avoid or otherwise minimize project impacts. Off-site compensation for unavoidable impacts through acquisition and protection of high-quality habitat elsewhere should be addressed.
    - b. The Department considers Rare Natural Communities as threatened habitats having both regional and local significance. Thus, these communities should be fully avoided and otherwise protected from project-related impacts (Attachment 2).
    - c. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Department studies have shown that these efforts are experimental in nature and largely unsuccessful.
  4. A California Endangered Species Act (CESA) Permit must be obtained, if the project has the potential to result in "take" of species of plants or animals listed under CESA, either during construction or over the life of the project. CESA Permits are issued to conserve, protect, enhance, and restore State-listed threatened or endangered species and their habitats. Early consultation is encouraged, as significant modification to the proposed project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, require that the Department issue a separate CEQA document for the issuance of a CESA permit unless the project CEQA document addresses all project impacts to listed species and specifies a mitigation monitoring

and reporting program that will meet the requirements of a CESA permit. For these reasons, the following information is requested:

- a. Biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA Permit.
  - b. A Department-approved Mitigation Agreement and Mitigation Plan are required for plants listed as rare under the Native Plant Protection Act.
5. The Department opposes the elimination of watercourses and/or their channelization or conversion to subsurface drains. All wetlands and watercourses, whether intermittent or perennial, must be retained and provided with substantial setbacks which preserve the riparian and aquatic values and maintain their value to on-site and off-site wildlife populations.
- a. Under Section 1600 *et seq* of the Fish and Game Code, the Department requires the project applicant to notify the Department of any activity that will divert, obstruct or change the natural flow or the bed, channel or bank (which includes associated riparian resources) of a river, stream or lake, or use material from a streambed prior to the applicant's commencement of the activity. Streams include, but are not limited to, intermittent and ephemeral streams, rivers, creeks, dry washes, sloughs, blue-line streams, and watercourses with subsurface flow. The Department's issuance of a Lake and Streambed Alteration Agreement for a project this is subject to CEQA will require CEQA compliance actions by the Department as a responsible agency. The Department, as a responsible agency under CEQA, may consider the local jurisdiction's (lead agency) Negative Declaration or EIR for the project. However, if the CEQA document does not fully identify potential impacts to lakes, streams, and associated resources (including, but not limited to riparian and alluvial fan sage scrub habitat) and provide adequate avoidance, mitigation, monitoring and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Streambed Alteration Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a lake or stream, as well as avoidance and mitigation measures need to be discussed within this CEQA document. The Department recommends the following measures to be discussed within this CEQA document. The Department recommends the following measures to avoid subsequent CEQA documentation and project delays:
    - (1) Incorporate all information regarding impacts to lakes, streams and associated habitat within the DEIR. Information that needs to be included within this document includes: (a) a delineation of lakes, streams and associated habitat that will be directly or indirectly impacted by the proposed project;(b) details on the biological resources (flora and fauna) associated with the lakes and/or streams; (c) identification of the presence or absence of sensitive plants, animals, or natural communities; (d) a discussion of environmental alternatives; (e) a discussion of

avoidance measures to reduce project impacts; and (f) a discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance. The applicant and lead agency should keep in mind that the State also has a policy of no net loss of wetlands.

- (2) The Department recommends that the project applicant and/or lead agency consult with the Department to discuss potential project impacts and avoidance and mitigation measures. Early consultation with the Department is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement Notification package, please call (909) 987-7161.

Thank you for this opportunity to comment. Please contact Robin Maloney-Rames at (909) 980-3818, if you have any questions regarding this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Dawson', with a long horizontal line extending to the right.

Scott Dawson  
Senior Environmental Scientist  
Habitat Conservation Planning

cc: Doreen Statlander USFWS Carlsbad  
State Clearinghouse, Sacramento

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