

Appendix A
**NOP, Public Scoping
Materials, and Comments
Received**



Appendix A-1

Notice of Preparation





SOUTHERN CALIFORNIA
ASSOCIATION OF GOVERNMENTS
900 Wilshire Blvd., Ste. 1700
Los Angeles, CA 90017
T: (213) 236-1800
www.scag.ca.gov

NOTICE OF PREPARATION

TO: Interested Agencies, Organizations, and Individuals

SUBJECT: Notice of Preparation of a Draft Program Environmental Impact Report for Connect SoCal 2024 (2024-2050 Regional Transportation Plan/Sustainable Communities Strategy) (State Clearinghouse No. TBD)

DATE: October 17, 2022

LEAD AGENCY: Southern California Association of Governments
900 Wilshire Blvd, Suite 1700
Los Angeles, California 90017

The Southern California Association of Governments (SCAG), as Lead Agency, is publishing this Notice of Preparation (NOP) to prepare a Draft Program Environmental Impact Report (Draft PEIR) in accordance with the California Environmental Quality Act (CEQA) for the proposed 2024-2050 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS), referred to alternatively as “2024 RTP/SCS”, “Connect SoCal 2024”, “Plan”, or “Project”.

To ensure full consideration of environmental issues with potential significant adverse impacts when preparing the Draft PEIR, **all written comments on the NOP must be received within thirty (30) days of the start of the required 30-day public review and comment period, which begins October 17, 2022, and ends November 16, 2022 at 5:00 PM (PST).**

Two (2) virtual public scoping meetings for the NOP, each providing the same information, will be held on **Wednesday, November 9, 2022, from 6:00 PM to 8:00 PM**, and **Thursday, November 10, 2022, from 10:00 AM to 12:00 PM**. The meetings will be held in an online format using Zoom. You may join, view, and participate in the meetings by using the Zoom application, by your web browser, or by phone. Information for the webcast is provided below:

<https://scag.zoom.us/j/81023287939>

Dial by location: +1 669 900 6833 US Toll or +1 669 444 9171 US Toll

Meeting ID: 810 2328 7939

Please send your comments on the NOP to Ms. Karen Calderon, Senior Regional Planner, either electronically to: ConnectSoCalPEIR@scag.ca.gov or by mail to the address shown above. If you wish to be placed on the mailing list to receive CEQA notices regarding the PEIR for the Plan, need additional information, or require special accommodations or translation services for a scoping meeting, please email Ms. Karen Calderon at least 72 hours prior to the scoping meeting or call (213) 236-1983 so that SCAG has sufficient time to make arrangements.

REGIONAL COUNCIL OFFICERS

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INTRODUCTION

CEQA and its implementing regulations (CEQA Guidelines) require SCAG as the Lead Agency to evaluate the potential environmental impacts for any discretionary governmental action and disclose the evaluation in a CEQA document that is appropriate for the proposed governmental action. Connect SoCal 2024 is a regional planning document updated every four years (see further discussion below) and will update the 2020 RTP/SCS, as amended. Given the regional level of analysis provided in a RTP/SCS for a large geographic area with a minimum 20-year planning horizon, a Program EIR (PEIR) is the appropriate type of EIR for Connect SoCal 2024.

A PEIR is a “first-tier” CEQA document designed to consider “broad policy alternatives and program wide mitigation measures” (CEQA Guidelines Section 15168). The programmatic environmental impact analysis for the Connect SoCal 2024 PEIR will evaluate potential environmental effects consisting of direct and indirect effects, growth-inducing impacts, and cumulative impacts resulting from the Plan, and will include feasible mitigation measures and a range of reasonable alternatives to the Plan, including a No Project Alternative, to avoid or reduce any identified potentially significant adverse environmental effects of the Plan. As a first-tier document, the PEIR may serve as a foundation for subsequent, site-specific environmental review documents (including EIRs, Supplemental EIRs, Subsequent EIRs, and Addenda) that may be conducted by implementing agencies serving as CEQA lead agencies for subsequent individual transportation and development projects in the region (CEQA Guidelines Section 15385).

This NOP is intended to serve the following purposes: (1) to notify responsible agencies, interested agencies, organizations, and individuals that SCAG is preparing the Draft PEIR which will assess the potential adverse environmental impacts that may result from implementing the proposed Plan; and (2) to provide information on the proposed Plan and allow the public the opportunity to review and comment on the scope and content of the environmental information to be considered and evaluated in the Draft PEIR. Written comments regarding the scope and contents of the environmental impact analysis in the Draft PEIR received during the required 30-day NOP review period will be considered to refine the scope and content of the Draft PEIR, as appropriate and included in an appendix of the Draft PEIR.

The NOP is filed for posting with county clerks of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties and is published in local newspapers, including ethnic press that address the large geographic reach and diverse population within the six-county SCAG region. The NOP is also available for public review from (1) SCAG’s website at: <https://scag.ca.gov/peir>; (2) Governor’s Office of Planning and Research – State Clearinghouse website at: <https://ceqanet.opr.ca.gov/>; and (3) [the county clerk’s website for the six counties in the SCAG region](#).

PROJECT LOCATION AND BACKGROUND

Project Location

SCAG is the federally designated Metropolitan Planning Organization (MPO) under Title 23, United States Code (U.S.C.) 134(d)(1). The SCAG region consists of six counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura), and 191 cities (Figure 1, *SCAG Region*). To the north of the SCAG region are the counties of Kern and Inyo; to the east is state of Nevada and state of Arizona; to the south is the county of San Diego; and to the northwest is the Pacific Ocean. The SCAG region also consists of 15 subregional entities that serve as partners in the regional planning process. (Figure 2, *SCAG Subregions*).

SCAG is one of 18 MPOs in the State of California. The total area of the SCAG region is approximately 38,000 square miles. The region includes the county with the largest land area in the nation, San Bernardino County, as well as the county with the highest population in the nation, Los Angeles County. The SCAG region is home to approximately 18.8 million people, or 48 percent of California’s population, according to the 2020 Census, representing the largest and most diverse region in the country.



Figure 1: SCAG Region

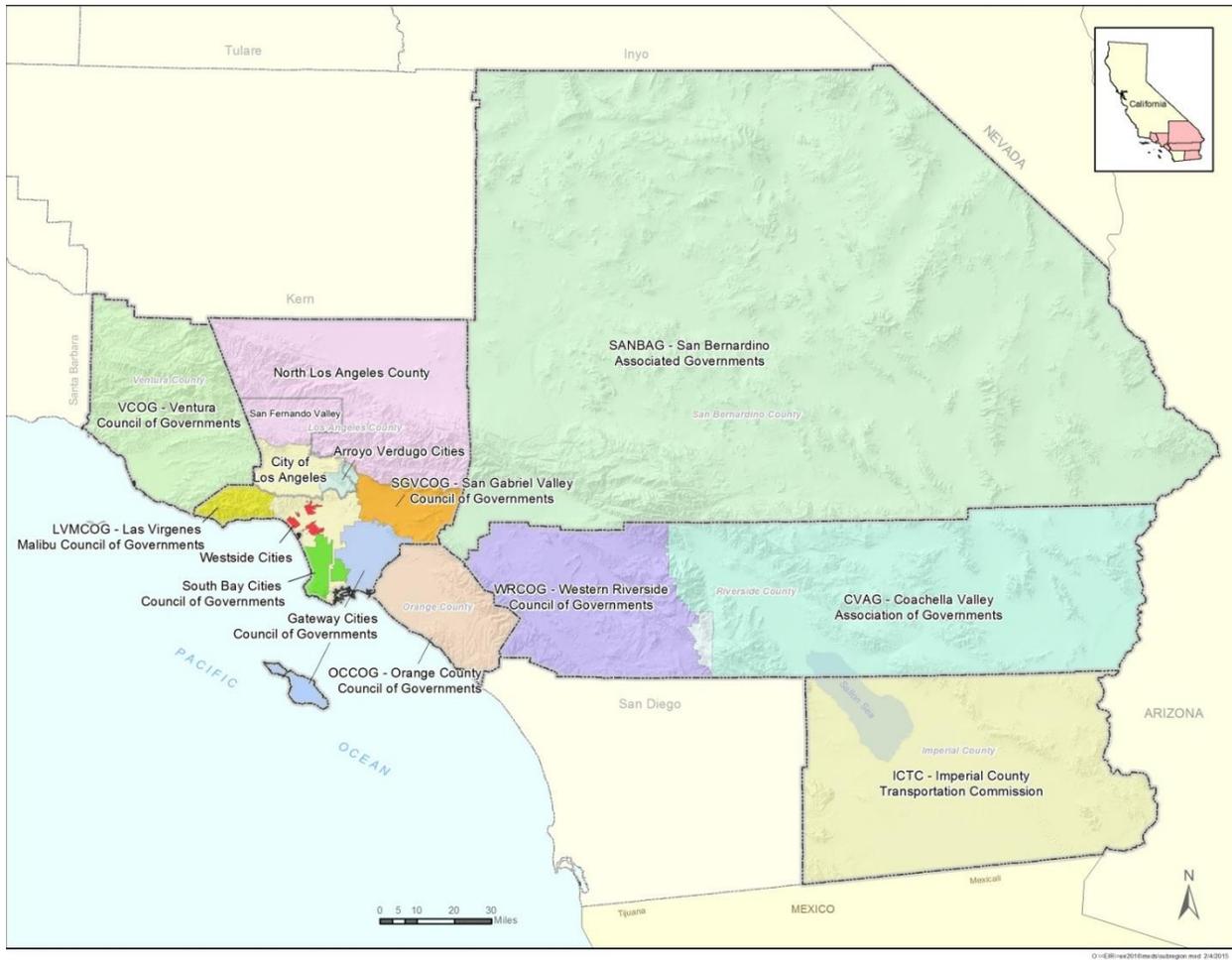


Figure 2: SCAG Subregions

SCAG Roles and Responsibilities

In addition to federal designation as a MPO, SCAG is designated under California state law as the Multicounty Designated Transportation Planning Agency and Council of Governments for the six-county region. Founded in 1965, SCAG is a Joint Powers Authority, established as a voluntary association of local governments and agencies.

SCAG serves as the regional forum for cooperative decision making by local government elected officials and its primary responsibilities in fulfillment of federal and state requirements include the development of the RTP/SCS; the Federal Transportation Improvement Program (FTIP); the annual Overall Work Program; and transportation-related portions of local air quality management plans. SCAG’s other major functions include determining the RTPs and programs are in conformity with state air quality plans; preparation of a Regional Housing Needs Assessment; and intergovernmental review of regionally significant projects.

PROJECT DESCRIPTION

Connect SoCal 2024 (2024-2050 Regional Transportation Plan/Sustainable Communities Strategy)

Pursuant to federal and state planning requirements, SCAG updates and adopts a long-range RTP every four years. SCAG's last Plan was approved for transportation conformity purposes in May 2020 and adopted in its entirety in September 2020 and an updated Plan is anticipated to be adopted by April 2024.

Connect SoCal 2024 will be a long-range visioning plan that balances future mobility and housing needs with economic and environmental goals. Connect SoCal 2024 represents the vision for Southern California's future through 2050, including policies, strategies, and projects. The Plan details how the region will address its transportation and land use challenges and leverage opportunities in order to support attainment of applicable federal ambient air quality standards and achieve state's greenhouse gas (GHG) emissions reduction targets. Connect SoCal 2024 will build from the policy directions established in Connect SoCal 2020 as well as more recent policy directions from SCAG's Regional Council to reflect emerging issues such as equity, resilience, and the economy. It is important to note that SCAG does not have authority to implement individual transportation projects in the RTP, nor does the SCS supersede the land use authority of cities and counties in the region. Specific projects and policies will be implemented by local jurisdictions, state agencies, and other agencies, such as County Transportation Commissions (CTCs). SCAG has already initiated the development of Connect SoCal 2024 and is working closely with all 197 local jurisdictions to collect land use data and determine a forecasted regional development pattern. SCAG is also working with CTCs to compile a regional project list that will build upon the list identified in the Connect SoCal 2020, as amended.

Sustainable Communities Strategies

In accordance with the Sustainable Communities and Climate Protection Act of 2008, or SB 375 (Steinberg) and codified in California Government Code Section 65080(b)(2)(B), the Plan will include a SCS which "set[s] forth a forecasted development pattern for the region, which, when integrated with the transportation network, and other transportation measures and policies" will reduce GHG emissions from passenger vehicles (automobiles and light-duty trucks).

Pursuant to SB 375, SCAG's SCS is required to meet GHG emissions reduction target of 19 percent per capita by 2035 compared to 2005 emission levels, as set by the California Air Resources Board (ARB). According to Section 65080(b)(2)(B) of the California Government Code, the SCS shall:

- Identify the general location of land uses, residential densities and building intensities in the region;
- Identify areas to house all of the population of the region, including all economic segments, over the course of the planning period;
- Identify areas to accommodate an eight-year projection of regional housing needs;
- Identify a transportation network to service the transportation needs of the region,
- Gather and consider information regarding resource areas and farmland;
- Consider state housing goals;

- Set forth a forecasted development pattern which, when integrated with the transportation network, and other transportation measures and policies, will reduce the GHG emissions from automobiles and light trucks to achieve the GHG targets set by CARB; and
- Comply with the federal Clean Air Act.

If the combination of measures in the SCS would not meet the regional targets, the MPO must prepare a separate “Alternative Planning Strategy” to meet the regional GHG emission reduction target.

Local Data Exchange

A critical component to developing a successful Plan is the participation and cooperation of SCAG’s local government partners and stakeholders within the SCAG region. Beginning in February 2022, SCAG began the Local Data Exchange (LDX) process wherein local jurisdictions can provide feedback and edits on roughly 25 datasets, including land use data and preliminary growth projections, which serve as technical foundation for developing the land use component of the Connect SoCal 2024. LDX is associated with SCAG’s Regional Data Platform (RDP). By also providing tools and data back to local jurisdictions for their own plan updates through the RDP, the LDX process ensures participation of local jurisdiction, improves data accuracy, and improves coordination between local and regional long-range-plans.

SCAG’s Public Participation Plan and Process

Another key aspect of Plan development is public participation. To provide early and meaningful public participation in the Plan’s development and decision-making processes, SCAG has developed and adopted a Public Participation Plan (PPP).¹ The adoption of the PPP demonstrates SCAG’s commitment in increasing awareness and involvement of interested persons in SCAG’s governmental processes and regional transportation and land use planning. SCAG will provide information and timely public notice, ensuring full public access to key decisions, and supporting early and continuing public involvement in the development of the Plan. To this end, SCAG will continue to engage a wide range of stakeholder groups, elected officials, special interest groups, the general public, and other interested parties through a series of workshops and public meetings, as well as SCAG’s policy committees, task forces, and subcommittee structure during the development of the Plan and its associated PEIR. To stay informed on the Connect SoCal 2024 development process please visit: <https://scag.ca.gov/connect-socal>.

SCOPE AND CONTENT OF ENVIRONMENTAL IMPACT ANALYSIS IN THE DRAFT PEIR

The Connect SoCal 2024 PEIR is a programmatic document that will analyze potential effects of the proposed Plan on the environment. Although Connect SoCal 2024 will include a list of transportation projects and development patterns resulting from transportation and land use policies in the Plan, the PEIR does not specifically analyze environmental effects of any individual transportation or development project. Project-level environmental analyses will be prepared by implementing agencies on a project-by-project basis as individual projects proceed through the design, development, and decision-making process.

¹ Southern California Association of Governments. Public Participation Plan. Adopted April 7, 2022. <https://scag.ca.gov/community-participation-public-participation-plan>.

Environmental Setting

The Connect SoCal 2024 PEIR must identify significant environmental impacts that would be expected to result from implementation of the proposed Plan. Significant environmental impacts must be determined by applying explicit significance criteria to compare the future Plan conditions to the existing environmental setting (CEQA Guidelines Section 15126.2(a)). The CEQA Guidelines provide that the existing physical conditions at the time the Notice of Preparation is published will “normally” constitute the baseline. However, CEQA Guidelines Section 15125(a)(1) indicates that, “where existing conditions change or fluctuate over time, and where necessary to provide the most accurate picture practically possible of the project’s impacts, a lead agency may define existing conditions by referencing historic conditions...that are supported by substantial evidence.”

SCAG will use a CEQA baseline that is considered the most appropriate for use to analyze the regional environmental impacts from Connect SoCal 2024 in the Draft PEIR. Considerations would include, for instance, availability of comprehensive data for land use, demographics, traffic count, and vehicle miles traveled (VMT), as well as technical and modeling assumptions for the proposed Plan. Where appropriate and identified throughout the Draft PEIR, the base year of the environmental and regulatory settings of some resource areas may vary to better characterize baseline conditions.

Environmental Issues and Topics

The potential content of environmental effects that warrant analysis in the Connect SoCal 2024 PEIR are as follows:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

Mitigation Measures

CEQA requires that SCAG identify all feasible mitigation measures in the PEIR that will avoid or substantially lessen the significant environmental effects of the Plan. As SCAG has no concurrent authority/jurisdiction to implement mitigation related to transportation and land use projects or plans that implement Connect SoCal 2024, the 2024 PEIR is expected to employ the same approach to mitigation measures as those in the previously certified PEIRs for the 2016-2040 RTP/SCS and Connect SoCal (2020-2045 RTP/SCS), i.e., the 2024 PEIR will include two types of mitigation measures: SCAG mitigation measures and project-level mitigation measures.

SCAG mitigation measures are program wide measures for implementation by SCAG that address the large-scale regional impacts from the variety of projects spread over more than 20 years. In addition, the PEIR identifies project-level mitigation measures as resources for implementing agencies serving as CEQA lead agencies for later projects to consider, as applicable and feasible, when these agencies conduct and carry out subsequent, project-specific design, environmental analyses, and decision-making processes.

Preliminary Consideration of Alternatives to the Proposed Connect SoCal 2024

CEQA requires a discussion of alternatives to the Plan. The development of alternatives is focused on avoiding or reducing potentially significant adverse environmental impacts of the Plan while achieving most of the basic objectives of the Plan. The discussion of alternatives provides a means for evaluating the comparative merits of each alternative. The range of alternatives must be sufficient to permit a reasoned choice, and it need not include every conceivable project alternative. In addition, a CEQA document need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative. The key consideration for alternatives is whether the selection and discussion of alternatives foster informed decision making and public participation.

The Draft PEIR for Connect SoCal 2024 will evaluate a range of reasonable alternatives to the Plan, including a No Project Alternative. The No Project Alternative is required by CEQA Guidelines Section 15126.6(e)(2) and assumes what would reasonably be expected to occur in the foreseeable future if Connect SoCal 2024 were not adopted. The No Project Alternative assumes continued implementation of goals and policies of the adopted 2020 RTP/SCS, as amended and is based on trending 2020 RTP/SCS regional population, housing, and employment growth projection to the future. The No Project Alternative includes those transportation projects that are included in the first year of the previously conforming FTIP (i.e., 2023 FTIP). As with previous cycles, each alternative for the 2024 PEIR, except the No Project Alternative, will vary in terms of policies related to regional land use development patterns. It is also anticipated that the transportation network would be generally the same for the Plan and all alternatives, except for the No Project Alternative.

Based on SCAG staff's preliminary evaluation of previous RTP/SCSs and respective alternatives analysis in the associated PEIRs, SCAG staff has generally observed that as local agencies incorporate RTP/SCS concepts into their own general/local plans, the previously analyzed no project alternatives are showing signs of converging with previous regional plans. Additionally, as the plan is updated and improves each cycle, it also gets closer to regional policies for more compact development patterns in high-quality transit areas (HQTAs). As such, SCAG has found that using a scenario planning process to identify alternative land use patterns for the 2024 RTP/SCS to be less useful and instead incorporated regional growth strategies in datasets for review by local jurisdictions which will then be incorporated into the Plan. Given this shift in approach and the converging of alternative scenarios, SCAG is currently considering a qualitative analytical approach for the alternatives other than the No Project Alternative.

SCAG anticipates that it will consider an Intensified Land Use Alternative which would be based on a transportation network for the 2024 RTP/SCS with more aggressive land use development patterns. Land use development patterns in this alternative would build on land use strategies as described in the Plan by maximizing growth around HQTAs. Potential growth patterns associated with this alternative would optimize urban areas and suburban town centers, livable corridors, and neighborhood mobility areas. The No Project Alternative and the Intensified Land Use Alternative are expected "book-ends" of the range of

potential alternatives to provide a framework for understanding the greatest potential impacts from alternatives when compared to the proposed Plan.

SCAG is seeking input on these preliminary alternatives as well as any other potential alternatives during the scoping process. Changes to the alternatives as a result of the scoping process could result in modifications to the number, content and scope of alternatives analyzed in the PEIR. Furthermore, the PEIR will identify alternatives that were initially considered, but rejected for reasons including infeasibility or inability of a particular alternative to meet the project objectives or reduce environmental impacts beyond that of the Project.

CEQA Streamlining and Tiering

SB 375 includes CEQA incentives, or streamlining provisions, to encourage coordinated land use and transportation planning. Certain types of development projects (i.e., transit priority projects or residential/mixed use residential projects, as defined by the statute) may qualify for CEQA streamlining as long as the requisite criteria are met. Consistency will be determined by the local jurisdiction that is the lead agency for each project to be streamlined. SCAG's primary role is to include appropriate information in the SCS, such as land use information as required by SB 375 and/or guidance to aid in interpreting land use information that will allow a jurisdiction to make a consistency determination with respect to appropriate streamlining options on a project-by-project basis.

In addition to providing for streamlining CEQA documentation in accordance with SB 375, the PEIR will support other CEQA streamlining options including those provided for in other regulations such as SB 743 (transit-oriented infill development), SB 226 (CEQA streamlining for infill development) as well as provisions of the CEQA Guidelines that provide for tiering and other streamlining mechanisms.

PUBLIC SCOPING MEETINGS AND COMMENTS

As mentioned previously, SCAG will host two (2) virtual public scoping meetings for the NOP, each providing the same information, on **Wednesday, November 9, 2022 from 6:00 PM to 8:00 PM and Thursday, November 10, 2022 from 10:00 AM to 12:00 PM.**

The meetings will be held in an online format using Zoom to share information regarding the proposed Plan and the environmental review process. You may join, view, and participate in the meetings by using the Zoom application, by your web browser, or by phone. Information for the webcast is provided below:

<https://scag.zoom.us/j/81023287939>

Dial by location: +1 669 900 6833 US Toll or +1 669 444 9171 US Toll

Meeting ID: 810 2328 7939

Each meeting will begin with a presentation and be followed by a question-and-answer session. The meetings will be open to the public and all stakeholders. Questions may be submitted via email in advance of the meeting at ConnectSoCalPEIR@scag.ca.gov, however there will also be opportunities for verbal questions taken at the meetings.

In accordance with the Americans with Disabilities Act, SCAG is committed to providing special accommodations to those who are interested in participating in the scoping meetings. SCAG is also committed to helping those with limited proficiency in the English language by providing translation

services in accordance with Title VI of the Civil Rights Act. We ask that you provide your request for special accommodations or translation services at least 72 hours prior to the scoping meetings so that SCAG has sufficient time to make arrangements.

To ensure full consideration of environmental issues with potential significant adverse impacts when preparing the Draft PEIR, **all written comments on the NOP must be received within thirty (30) days of the start of the required 30-day public review and comment period, which begins October 17, 2022, and ends November 16, 2022 at 5:00 PM (PST).**

Written comments on the NOP can be sent to Karen Calderon, Senior Regional Planner, either electronically to: ConnectSoCalPEIR@scag.ca.gov or by mail to the address shown below:

Southern California Association of Governments
Attn: Ms. Karen Calderon
900 Wilshire Blvd, Suite 1700
Los Angeles, California 90017

Please include a return address, the name, phone number, and email address of a contact person in your agency/organization, and the agency/organization name, if applicable.

CONTACT US

If you have any questions on the NOP or PEIR, would like to make a special accommodations request for a scoping meeting including translation, or wish to be placed on the mailing list to receive notices regarding the Connect SoCal 2024 PEIR, please contact Ms. Karen Calderon, Senior Regional Planner, at (213) 236-1983 or email ConnectSoCalPEIR@scag.ca.gov.



Sarah Jepson, Director, Planning and Programs
Southern California Association of Governments

Date: 10/6/2022

Appendix A-2

Scoping Meeting





Connect SoCal 2024 Scoping Meeting

November 9, 2022

WWW.SCAG.CA.GOV

SCAG Core Team

- Ms. Sarah Jepson, Planning Director
- Mr. Frank Wen, Planning Manager
- Ms. Karen Calderon, Senior Regional Planner
- Mr. Michael Houston, Legal Counsel
- Mr. Jeffery Elder, Legal Counsel
- Ms. Patricia Chen, Outside Legal Counsel

Consultant Core Team

Environmental Science Associates (ESA)

- Ms. Kimberly Comacho, Senior Managing Associate

Sirius Environmental

- Ms. Wendy Lockwood, Principal

Terry A. Hayes Associates Inc. (TAHA)

- Mr. Kevin Ferrier, Senior Planner

Connect SoCal 2024

- SCAG is currently developing the 2024-2050 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS), referred to as “Connect SoCal 2024”.
- SCAG is the lead agency for the Program Environmental Impact Review (PEIR) for Connect SoCal 2024.
- SCAG released the Notice of Preparation (NOP) of a PEIR for a 30-day public review and comment period on October 17, 2022, through November 16, 2022.

Purpose and Objectives of the Scoping Meeting

- Purpose:
 - CEQA requires a scoping meeting as part of the NOP process
- Objectives:
 - Project Background
 - Project Location
 - Project Description
 - Scope of the PEIR for Connect SoCal 2024
 - Solicit input and refine scope of the environmental analysis

Southern California Association of Governments

- Founded in 1965, SCAG is a Joint Powers Authority
- Under federal law, SCAG is designated as a Metropolitan Planning Organization (MPO)
- Under state law, SCAG is a multi-county designated Regional Transportation Planning Agency and a Council of Governments

SCAG Region

- Nation's largest Metropolitan Planning Organization (MPO)
- Governed by a Regional Council of 84 elected officials
- Nation's Global Gateway for Trade

6
COUNTIES

48.1%
STATE POPULATION

SCAG Facts

191
CITIES

5.8%
U.S. POPULATION



19.1
MILLION
RESIDENTS



15th
LARGEST
ECONOMY
IN THE WORLD



\$1.2T
REGIONAL
GDP

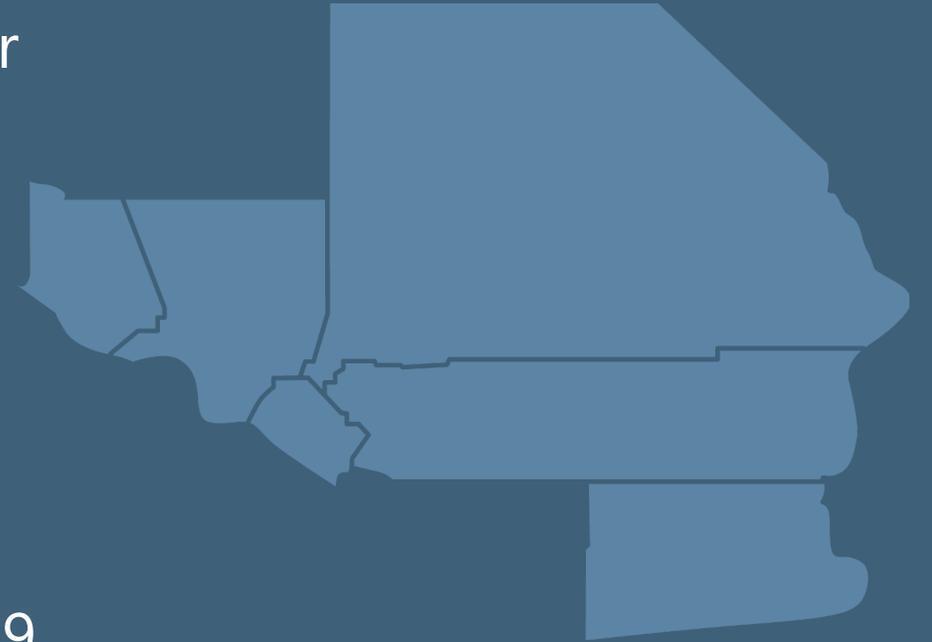


40%
NATION'S
CONTAINER
IMPORTS



What is Connect SoCal 2024?

- Long-term vision and investment framework
- Federal Requirements
 - Updated every 4 years to maintain eligibility for federal funding
 - Long Range: 20+ years into the future
 - Passes regional emission standards
 - Outreach and EJ requirements
- State Requirements
 - Integrated regional development pattern and transportation network
 - Must meet GHG per capita reduction targets (19 percent) for passenger and light/medium duty vehicles



Why is Connect SoCal 2024 Important?

- Align with major trends in economy, demographics, & technology
- Reflect the most up to date transportation investments
- Update financial plan to reflect new revenues and latest costs
- Comply with new requirements such as the performance based planning approach called for by MAP-21/FAST Act
- Adjust/update SCS strategies to address new greenhouse gas (GHG) targets and related California climate goals, including identifying regional land use growth patterns

What will be included in Connect SoCal 2024?

- Vision, Goals, Policies, & Performance Measures
- Patterns and Growth/Demographic Forecasts
- Financial Plan
- Strategies
- List of Projects
- Performance Analysis



Draft Goals for Connect SoCal 2024

Mobility: Build and maintain a robust transportation network.

- Support investments and programs that are well-maintained and operated, coordinated, and resilient, and result in improved safety and air quality, including encouraging a compact growth pattern that does not encroach on open space, biological resources or wildland fire hazards but in proximity to transit and employment centers in order to reduce VMT and GHG emissions.
- Ensure reliable, accessible, affordable, and quality travel options while striving to enhance equity in transportation resources offered in underserved communities.
- Plan for people of all ages, abilities, and backgrounds.

Communities: Develop, connect, and sustain communities that are livable and thriving.

- Reinforce vibrant, human-centered communities in urban, suburban, and rural settings to increase mobility options and reduce travel distances.
- Produce and preserve a diversity of housing types to improve affordability, accessibility, and choices for all.
- Foster inclusive communities free from barriers that restrict access to opportunity, and actively seek to reduce racial and economic disparities.

Draft Goals for Connect SoCal 2024 (cont.)

Environment: Create a healthy region for the people of today and tomorrow.

- Develop communities that are resilient and can mitigate, adapt to, and respond to chronic and acute stressors and disruptions, such as climate change.
- Integrate the region's development pattern and transportation network to improve air quality and reduce greenhouse gas emissions.
- Conserve and restore the region's natural and agricultural resources.

Economy: Support a sustainable, efficient, and productive regional economic environment that provides opportunities for all.

- Provide physical and digital infrastructure to improve access to education, vocational training, jobs, financial systems, and to foster the growth of small businesses in underserved communities.
- Advance a resilient and efficient goods movement system that supports the economic vitality of the region, attainment of clean air, and quality of life for our communities.
- Improve regional multimodal transportation system infrastructure and efficiency to enhance the region's global economic competitiveness.

Connect SoCal 2024 PEIR

- SCAG as a lead agency is required to prepare a PEIR for Connect SoCal 2024
- PEIR provides a region-wide program level assessment of potential effects of implementing projects, programs, and policies included in the Connect SoCal 2024.
- A PEIR is a “first-tier” CEQA document. As a first-tier document, the PEIR may serve as a foundation for subsequent, site-specific environmental review documents that may be conducted by implementing agencies serving as CEQA lead agencies for subsequent individual transportation and development projects in the region.
- PEIR includes program-level mitigation measures and a range of reasonable alternatives to the RTP/SCS that would feasibly attain most of the basic objectives.

State Climate Change Requirements

- Address consistency with GHG reduction goals, as set forth in:
 - Executive Order (S-3-5)
 - Assembly Bill (AB) 32
 - State Bill (SB) 32
 - SB 375

Goals for Connect SoCal PEIR

- Streamline the CEQA process for efficient development of future projects.
- Ensure consistent stakeholder involvement via outreach
- Incorporate mitigation measures to be undertaken by 1) SCAG as appropriate at the regional level and 2) provide a toolbox of measures for use as applicable and appropriate at the project level
- Engage in Tribal Consultation pursuant to AB 52
- Design the PEIR as a resource tool for local jurisdictions

Connect SoCal 2024 PEIR Scope of Environmental Effects

20 Environmental Factors

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology, Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology and Water Resources
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

Mitigation Measures

- SCAG Mitigation Measures
- Project-Level Mitigation Measures
 - "Can and Should"
 - Useful for tiering

Preliminary Draft Alternatives

- No Project Alternative
- Less Intensified Land Use Alternative
- Intensified Land Use Alternative

Technical Appendices to Support the PEIR



Health Risk Assessment

Biological Resources Report

Cultural and Historical Resources Report

Regional Aviation Noise Report

Native American Consultation Report

Next Steps



Public Participation Opportunities

Mail written comments to SCAG by 5:00 p.m., November 16, 2022, to the address below:

Southern California Association of Governments (SCAG)

Attn: Ms. Karen Calderon

900 Wilshire Blvd, Ste. 1700

Los Angeles, CA 90017

OR submit comment electronically to:

ConnectSoCalPEIR@scag.ca.gov

Public Participation Opportunities (cont.)

Provide verbal comments TODAY



THANK YOU!

For more information, please visit:

<https://scag.ca.gov/peir>

All written, verbal, and electronic comments/questions received from the scoping meeting and staff responses will be available on the Connect SoCal website.

Appendix A-3

NOP and Public Scoping Comments Received



Annaleigh Ekman

From: Quechan Historic Preservation <historicpreservation@quechantribe.com>
Sent: Thursday, October 27, 2022 10:27 AM
To: 2024 PEIR
Subject: NPO Draft PEIR for Connect SoCal 2024 project

This Message Is From an External Sender

EXTERNAL: This email message was sent from outside our organization. Proceed with caution when opening links or attachments. Submit as spam if you are not sure it is safe.

Report Suspicious

This email is to inform you that we do not wish to comment on this project. We defer to the more local Tribes and support their determinations on this matter.

H. Jill McCormick, M.A.
Historic Preservation Officer
Ft. Yuma Quechan Tribe
P.O. Box 1899
Yuma, AZ 85366
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Annaleigh Ekman

From: Karen Calderon
Sent: Tuesday, November 29, 2022 3:34 PM
To: 2024 PEIR
Subject: FW: CA Department of Fish and Wildlife Comments- Connect SoCal 2024 NOP (SCH# 2022100337)

Forwarding email to the official 2024 PEIR email address.



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From: OPR State Clearinghouse <State.Clearinghouse@opr.ca.gov>
Sent: Tuesday, November 29, 2022 3:12 PM
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Cc: Gibson, Steve@Wildlife <Steve.Gibson@wildlife.ca.gov>; Tang, Victoria@Wildlife <Victoria.Tang@wildlife.ca.gov>; Freeburn, Kim@Wildlife <Kim.Freeburn@wildlife.ca.gov>; Pert, Heather@Wildlife <Heather.Pert@wildlife.ca.gov>; Brandt, Jeff@Wildlife <Jeff.Brandt@wildlife.ca.gov>; Kwan-Davis, Ruby@Wildlife <Ruby.Kwan-Davis@Wildlife.ca.gov>; Galli, Emily@Wildlife <Emily.Galli@Wildlife.ca.gov>; Hailey, Cindy@Wildlife <Cindy.Hailey@wildlife.ca.gov>; Jimenez, Corina@Wildlife <Corina.Jimenez@Wildlife.ca.gov>; Wilson-Olgin, Erinn@Wildlife <Erinn.Wilson-Olgin@wildlife.ca.gov>
Subject: RE: CA Department of Fish and Wildlife Comments- Connect SoCal 2024 NOP (SCH# 2022100337)

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Thank you for your submittal, the SCH is in receipt of your comments.

Mikayla Vaba
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From: Castanon, Angela@Wildlife <Angela.Castanon@Wildlife.ca.gov>

Sent: Tuesday, November 29, 2022 2:49 PM

To: calderon@scag.ca.gov

Cc: Gibson, Steve@Wildlife <Steve.Gibson@wildlife.ca.gov>; Tang, Victoria@Wildlife <Victoria.Tang@wildlife.ca.gov>; Freeburn, Kim@Wildlife <Kim.Freeburn@wildlife.ca.gov>; Pert, Heather@Wildlife <Heather.Pert@wildlife.ca.gov>; Brandt, Jeff@Wildlife <Jeff.Brandt@wildlife.ca.gov>; Kwan-Davis, Ruby@Wildlife <Ruby.Kwan-Davis@Wildlife.ca.gov>; Galli, Emily@Wildlife <Emily.Galli@Wildlife.ca.gov>; Hailey, Cindy@Wildlife <Cindy.Hailey@wildlife.ca.gov>; Jimenez, Corina@Wildlife <Corina.Jimenez@Wildlife.ca.gov>; Wilson-Olgin, Erinn@Wildlife <Erinn.Wilson-Olgin@wildlife.ca.gov>

Subject: CA Department of Fish and Wildlife Comments- Connect SoCal 2024 NOP (SCH# 2022100337)

Hello Ms. Calderon,

We appreciate the extension for submission, attached are the California Department of Fish and Wildlife's comments on SCAG's NOP for the Connect SoCal 2024 Regional Transportation Plan DPEIR, (SCH No. 2022100337).

Please let me know if you have any questions.

Angela Castanon

Environmental Scientist

Habitat Conservation and Planning

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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



November 29, 2022

Ms. Karen Calderon
Southern California Association of Governments
900 Wilshire Blvd.
Los Angeles, CA 90017
Calderon@scag.ca.gov

Subject: Notice of Preparation of a Draft Program Environmental Impact Report Connect SoCal 2024 Regional Transportation Plan, Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura County, State Clearinghouse No. 2022100337

Dear Ms. Calderon:

The California Department of Fish and Wildlife (CDFW) has reviewed the Notice of Preparation (NOP) of a Draft Program Environmental Impact Report (PEIR) from the Southern California Association of Governments (SCAG) for the 2024-2050 Regional Transportation Plan and Sustainable Communities Strategy (Connect SoCal 2024; Project). For the purposes of this comment letter, “Applicant” will refer to subsequent project proponents (Applicant) that tier from SCAG’s PEIR. Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. CDFW appreciates the extension to accept comments after the November 16, 2022, deadline. 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’s Role

CDFW is California’s Trustee Agency for fish and wildlife resources and holds those resources in trust for the people of the State [Fish & Game Code, §§ 711.7, subdivision (a) & 1802; Pub. Resources Code, § 21070; California Environmental Quality Act (CEQA) Guidelines, [§ 15386, subdivision (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). CDFW is also directed to provide biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect state fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA (Public Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & Game Code, § 1600 *et seq.*). To the extent implementation of the Project as proposed may result in “take” of any species protected under the California Endangered Species Act (CESA; Fish & Game Code, § 2050 *et seq.*), or CESA-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & Game Code, §1900

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et seq.), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.

Project Description and Summary

Objective: The Southern California Association of Governments (SCAG) is proposing the Connect SoCal 2024 that would provide program-level direction for development of a regional transportation plan. Plans associated with this Project are updated every four years and act as a long-range plan to accommodate an eight-year projection of housing needs and associated transportation networks. No construction was purposed as part of the Project and the PEIR will be used for planning purposes. To determine the framework of potential regional development and transportation patterns, SCAG is in collaboration with 197 local jurisdictions to collect land use data. Considerations to lowering greenhouse gas emission (GHG) are also included within the scope of the Project. The Project will build off the policies established within the Connect SoCal 2020.

Location: The Project area includes 38,000 square miles and spans throughout Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. Within the six counties, 191 cities are included within the Project area.

Comments and Recommendations

CDFW offers the comments and recommendations below to assist SCAG in adequately identifying, avoiding, and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources.

Alternatives Analysis

CDFW recommends the PEIR describe and analyze a range of reasonable alternatives to the Project that are potentially feasible, would "feasibly attain most of the basic objectives of the Project," and would avoid or substantially lessen any of the Project's significant effects (CEQA Guidelines § 15126.6[a]). The alternatives analysis should also evaluate a "no project" alternative (CEQA Guidelines § 15126.6[e]).

COMMENTS AND RECOMMENDATIONS

Specific Comments

- 1) Impacts on Wildlife Corridors and Habitat Connectivity. Within the Project area there are various wildlife corridors and essential habitat blocks. These areas support native biodiversity and areas essential for ecological connectivity between them. By implementing new transportation and development networks across 6 counties the Project could impact the ecological integrity and function of wildlife corridors and steppingstones supporting resident and transient wildlife movement. Habitat fragmentation could threaten the viability of remaining natural resources for wildlife, including sensitive and special status species. Maintaining wildlife corridors and habitat connectivity is essential for wildlife movement and is increasingly important considering habitat loss and climate change. The South Coast Missing Linkages project has developed a comprehensive plan to connect existing corridors and open spaces to aid wildlife movement

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(<http://www.scwildlands.org/reports/scmlregionalreport.pdf>). The California Essential Habitat Connectivity Project provides guidance for mitigating the fragmenting effects of roads and for developing and implementing local and regional connectivity plans (Spencer et al. 2010). SCAG should avoid development within these potential linkage networks when developing their PEIR.

- a) Ventura County. According to the Ventura County GIS viewer, the Santa Monica-Sierra Madre and the Sierra Madre-Castaic wildlife corridors transect Ventura County in multiple areas (Ventura County 2022a). Likewise, there are several critical wildlife passage areas throughout Ventura County including the [Oak View critical wildlife passage area](#), the [Simi Hills critical wildlife passage area](#), and the [Tierra Rejada critical wildlife passage area](#) (CVRMA 2019). Future development of transportation networks through these areas undermine the goal of [Ventura County's non-coastal zoning ordinance](#) to "preserve functional connectivity for wildlife and vegetation throughout the [wildlife corridor] overlay zone by minimizing direct and indirect barriers, minimizing loss of vegetation and habitat fragmentation and minimizing impacts to those areas that are narrow, impacted or otherwise tenuous with respect to wildlife movement." Transportation corridors and roads create extended linear barriers to wildlife. State routes 118 and 23, and the 101 freeway already constitute significant barriers to wildlife movement in Ventura County. Transportation networks can also create "pinch points" and funnel wildlife to unsafe crossing areas or habitat less suitable to wildlife species.
- b) Analysis and Disclosure. CDFW recommends the Applicant analyze whether the Project would impact wildlife corridors and essential connectivity blocks within the entirety of the Project area. Impacts include (but are not limited to) habitat loss and fragmentation, narrowing of a wildlife corridor, and introduction of barriers to wildlife movement. CDFW recommends such an analysis be supported by studies to document wildlife activity and movement through Project area where development is proposed. Further, the PEIR should analyze the cumulative impacts of creating transportation networks within these important movement areas as part of their analysis. The Applicant should consider current, planned, and future wildlife passage projects when analyzing Project impacts. Technical detail such as data, maps, diagrams, and similar relevant information should be provided to permit full assessment of significant environmental impacts by reviewing agencies and members of the public (CEQA Guidelines, §15147).
- c) Avoidance. Future placement of transportation and development patterns should not exacerbate barriers to wildlife movement. The Project should avoid impacts to wildlife corridors, essential connectivity blocks, and potential "least cost" linkage areas. To more effectively avoid passage areas the Applicant should at a minimum consider the following datasets: the Missing Linkages in California's landscape California Natural Diversity Database (CNDDDB) layer (ds420), South Coast Missing Linkages (ds419), and Essential Connectivity Areas (ds620). Based on these datasets, the Applicant should identify areas of possible impact. The Project should also consider the South Coast Missing Linkages projected "least cost" linkage designs for the South Coast Ecoregion (South Coast Wildlands 2008). The Applicant should also review CDFW's Priority Wildlife Movement Barrier locations report (CDFW 2020a). CDFW recommends a minimum half-mile buffer is recommended around wildlife corridors to maintain the integrity of these connectivity areas. Likewise, a minimum 1,000-foot setback should be provided for other passage areas such as essential connectivity blocks to avoid impacts

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from edge effects.

- d) Mitigation. CDFW recommends the Project avoid developing and encroaching onto wildlife corridors, essential connectivity blocks, critical wildlife passage areas, or potential linkage areas. Future transportation and development networks should avoid areas important to wildlife movement to the extent feasible. If avoidance is not feasible, CDFW recommends the PEIR provide measures to minimize and mitigate for the Project's significant impacts on wildlife corridors (see General Comments 10 & 11). If impacts are anticipated to occur within movement areas, the applicant should be required to construct a crossing or passage with wildlife fencing to maintain wildlife movement in the impacted area as part of the Project. The PEIR should provide minimum criterion for design features, dimensions, and locations of potential crossings. The Applicant may also consider acquiring contiguous adjacent land parcels to be protected in perpetuity from encroachment and development. CDFW also recommends the PEIR provide measures where any future development patterns facilitated by the Project mitigates (avoids first if feasible) for project-level impacts on wildlife corridors not previously identified in the PEIR.
- 2) Mountain Lion (*Puma concolor*). Implementation of new transportation networks across multiple counties may impact mountain lion by narrowing or fragmenting movement corridors to suitable habitat units. Mountain lions are currently protected under CESA as a candidate species and are exceptionally vulnerable to human disturbance (Lucas 2020). The biggest threat to mountain lion is fragmentation of movement corridors and habitat loss through conversion of natural vegetation into another land use such as development (e.g., commercial, residential, industrial). Further, Project implementation will include the development of new roads and higher vehicle usage. Increased traffic paired with continuous development could create "pinch points" which can lead mountain lion towards unsafe road crossings, causing vehicle strikes. Habitat loss and fragmentation due to roads and development has driven the southern California mountain lion population towards extinction (Yap et al. 2019).
- a) Protection Status. Mountain lion is a specially protected mammal in the State (Fish and Game Code, § 4800). In addition, on April 21, 2020, the California Fish and Game Commission accepted a petition to list an evolutionarily significant unit (ESU) of mountain lion in southern and central coastal California as threatened under CESA (CDFW 2020b). As a CESA-candidate species, the mountain lion in southern California is granted full protection of a threatened species under CESA.
- b) Analysis and Disclosure. CDFW recommends the Applicant include a discussion on potential impacts to the Southern California Evolutionary Significant Unit (ESU) of mountain lion and each subpopulation under the ESU within the PEIR. Impacts from habitat loss and wildlife movement should be discussed. The Applicant should evaluate the mountain lion territory size and use of habitat within and around the Project vicinity. The Applicant should analyze the change (i.e., increase) in human presence and area of anthropogenic influence that will be in mountain lion habitat and how it may impact mountain lion behavior, reproductive viability, and overall survival success. The Applicant should review datasets related to mountain lion such as CDFW's Mountain Lion Habitat Suitability dataset (ds2916) and California Wildlife Habitat Relationships Mountain Lion Predicted Habitat dataset (ds2616) in addition to datasets previously

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mentioned in Specific Comment 1. CDFW also recommends reviewing National Park Service (NPS) data of collared individuals and assessing potential pinch points through mountain lion strike data.

- c) Avoidance. CDFW recommends the PEIR provide measures where future development patterns facilitated by the Project avoids encroachment into mountain lion habitat and movement corridors. This includes areas of movement, hunting, and denning. The PEIR should include appropriate buffers and setbacks to potential mountain lion habitat and movement corridors.
- d) Mitigation. If impacts cannot be avoided, habitat should be replaced to compensate for the temporal or permanent loss habitat within a Project site (see General Comments 10 & 11). If impacts to movement corridors occur the Project should include plans to implement wildlife crossing structures or passages with directional wildlife fencing to mitigate impacts to mountain lion in impacted areas. The PEIR should provide minimum criterion for design features, dimensions, and locations of potential crossings and associated fencing. The Applicant may also consider acquiring contiguous adjacent land parcels to be protected in perpetuity from encroachment and development.
- a) CESA ITP. If “take” or adverse impacts to mountain lion cannot be avoided either during Project construction and/or over the life of the Project, the Applicant must consult with CDFW to determine if a CESA Incidental Take Permit (ITP) is required (pursuant to Fish & Game Code, § 2080 *et seq.*).

Appropriate take authorization from CDFW under CESA may include an ITP or a Consistency Determination in certain circumstances, among other options [Fish & Game Code, §§ 2080.1, 2081, subds. (b) and (c)]. Early consultation is encouraged, as significant modification to the project and mitigation measures may be required to obtain an ITP. Revisions to the Fish and Game Code, effective January 1998, may require that CDFW issue a separate CEQA document for the issuance of an ITP for the Project unless the Project’s CEQA document addresses all the Project’s impact on CESA endangered, threatened, and/or candidate species. The Project’s CEQA document should also specify a mitigation monitoring and reporting program that will meet the requirements of an ITP. It is important that the take proposed to be authorized by CDFW’s ITP be described in detail in the Project’s CEQA document. Also, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for an ITP. However, it is worth noting that mitigation for the Project’s impact on a CESA endangered, threatened, and/or candidate species proposed in the Project’s CEQA document may not necessarily satisfy mitigation required to obtain an ITP.

- 3) Sensitive Habitats and Open Space. There are various areas of critical habitat, sensitive habitat, and open spaces (parks and reserves) throughout the Project area. Future development patterns and transportation projects should avoid these areas to preserve the sensitive plants, wildlife, and communities.
 - a) Analysis and Disclosure. CDFW recommends the Applicant review online resources to determine the distribution of critical habitats within the Project area. Critical habitat areas should be avoided to reduce impact to Endangered Species Act (ESA-) and CESA-listed

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species present in the various counties (USFWS 2022a). CDFW recommends the Applicant analyze and discuss the Project's direct impacts on critical habitat, sensitive habitats, and open space within the Project area. The Project could result in loss of critical habitat, sensitive habitats, and open space through development of future transportation networks in these areas. PEIR should disclose the acreage of critical habitat, sensitive habitats, and open space that would be lost as a result of any subsequent network designs, including all areas subject to vegetation clearing and grading to accommodate development. CDFW also recommends the Applicant analyze and discuss the Project's potential impacts on conserved lands adjacent to the Project area.

- b) Avoidance. CDFW recommends the Project avoid developing and encroaching onto critical habitat and sensitive habitats/open space. Encroachment onto sensitive habitats/open space creates an abrupt transition between two different land uses. Encroachment onto sensitive habitats/open space could affect environmental and biological conditions and increase the magnitude of edge effects on biological resources. CDFW recommends the PEIR provide alternatives to the Project that would not result in conversion of critical habitat, sensitive habitat, or open space into developed areas. CDFW also recommends the PEIR provide alternatives that would not encroach onto sensitive habitats/open space, particularly conservation easements. Pursuant to CEQA Guidelines section 15126.6, a PEIR "shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasible attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives." Furthermore, a PEIR "shall include sufficient information about alternatives to allow meaningful evaluation, analysis, and comparison with the proposed project" (CEQA Guidelines, § 15126.6) (see General Comment 12).
- c) Mitigation. If avoidance is not feasible, CDFW recommends the PEIR provide measures to mitigate for impacts to critical habitat, sensitive habitats, and open space. There should be no net loss of sensitive habitats/open space. CDFW recommends the PEIR provide measures where any future development patterns facilitated by the Project mitigates (avoids first if feasible) for project-level impacts on sensitive habitats/open space not previously identified in the PEIR. CDFW recommends the PEIR provide a measure where any future development patterns facilitated by the Project establishes unobstructed vegetated buffers and setbacks. The PEIR should provide standards for an effective buffer and setback; however, the buffer and setback distance should be increased at a project-level as needed. The PEIR should provide justifications for the effectiveness of all proposed mitigation measures. The PEIR should provide sufficient information and disclosure to facilitate meaningful public review, analysis, and comment on the adequacy of proposed mitigation measures to offset Project-related impacts on sensitive habitats/open space.
- 4) Coastal California Gnatcatcher (*Poliioptila californica californica*). Project activities could include the implementation of new transportation patterns in areas currently occupied by coastal California gnatcatcher. Future Projects occurring during the breeding and nesting season could also result in the incidental loss of fertile eggs or nestlings. Placement of roads and associated development in or surrounding occupied habitat may result in permanent impacts to coastal California gnatcatcher through alteration, fragmentation, and/or loss of

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suitable nesting and foraging habitat. Populations of coastal California gnatcatcher have been found to be genetically isolated from other populations within their range. Lack of genetic mixing between other geographical populations is likely due to heightened fragmentation and loss of suitable habitat across their range in southern California (Vandergast 2019). Coastal California gnatcatcher are non-migratory, territorial, and have been found not to disperse far from their natal nests (Bailey 1998; Vandergast 2019). Thus, the preservation of sensitive natural communities which they have been documented to utilize is paramount.

- a) Protection Status. Coastal California gnatcatcher is an ESA-listed species and a California SSC. ESA-listed species are considered endangered, rare, or threatened species under CEQA (CEQA Guidelines, § 15380). Take under the ESA is more broadly defined than CESA. Take under ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. CEQA provides protection not only for State and federally listed species, but for any species including, but not limited to SSC, which can be shown to meet the criteria for State listing. SSC's meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15065). Take of SSC's could require a mandatory finding of significance (CEQA Guidelines, § 15065).
 - b) Disclosure and Analysis. CDFW recommends the PEIR analyze and discuss the Project's potential impacts on coastal California gnatcatcher and their habitat. The Applicant should review the U.S. Fish and Wildlife Service (USFWS) Final Critical Habitat dataset (ds404) on the Biogeographic Information and Observation System (BIOS). The PEIR should have a discussion regarding how the project avoids impacts to coastal California gnatcatcher and associated habitat (see Specific Comment 3). The PEIR should be conditioned to perform project-level surveys for coastal California gnatcatcher in areas of potential impact.
 - c) Avoidance. CDFW recommends the PEIR provide measures where future development patterns facilitated by the Project avoids encroachment or fragmentation of coastal California gnatcatcher habitat and critical habitat. The Project should avoid coastal sage scrub and any associations or alliances that fall under the coastal sage scrub community. Ground disturbance and vegetation clearing should avoid the nesting bird season (see Specific Comment 7).
 - d) Mitigation. If avoidance is not feasible the Applicant should protect or create habitat suitable for coastal California gnatcatcher. Replacement habitat should be protected in perpetuity (see General Comments 10 & 11). CDFW recommends the PEIR be conditioned to provide replacement habitat to ensure no net loss to gnatcatcher habitat. The PEIR should discuss why mitigation measures proposed would be adequate to avoid or offset impacts to gnatcatcher and habitat. If presence is confirmed the Applicant should consult with USFWS and CDFW before ground disturbing activities.
- 5) Crotch's Bumblebee (*Bombus crotchii*). Future transportation patterns developed with the implementation of the Project may cause direct mortality to Crotch's bumblebee or injury of adults, eggs, and larva, burrow collapse, nest abandonment, and reduced nest success. Suitable Crotch's bumblebee habitat is far ranging as they are generalist foragers and can

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utilize many different plant and vegetation communities. Suitable habitat includes areas of grasslands, coastal sage scrub, and arid desertscape that contain requisite habitat elements, such as small mammal burrows.

- b) Protection Status. A petition to list the Crotch's bumble bee as an endangered species under CESA is currently pending before the California Fish and Game Commission (Commission) (Cal. Reg. Notice Register 2018, No. 45-Z, pp. 1986–1987 [November 9, 2018]). The Commission designated the Crotch's bumble bee as a candidate species under CESA in June 2019 (Cal. Reg. Notice Register 2019, No. 26-Z, pp. 954–955 [June 28, 2019]). The Commission's decision to designate the Crotch's bumble bee as a candidate species is the subject of a pending legal challenge (Almond Alliance of California v. Fish and Game Commission [2022] 79 Cal. App. 5th 337, pet. for review pending, S275412). On September 30th, 2022, candidacy was reinstated for the four bumble bee species petitioned for listing—franklin's, Crotch's, western, and suckle cuckoo.
 - c) Disclosure and Analysis. The Applicant should condition the PEIR to perform project-level surveys in areas of impact with suitable habitat for Crotch's bumblebee. Surveys should be performed by a qualified entomologist familiar with the species behavior and life history to determine the presence/absence of Crotch's bumble bee. Surveys should be conducted during flying season when the species is most likely to be detected above ground, between March 1 to September 1 (Thorp et al. 1983).
 - d) Mitigation. If avoidance is not feasible and Crotch's bumblebee is present, the PEIR should be conditioned to mitigate for impacts to Crotch's bumblebee. A qualified biologist should identify and record the locations of all nests in or adjacent to the Project site. CDFW recommends the PEIR be conditioned with a measure where a 50-foot buffer zone should be established around nests where no work should occur. If impacts are unavoidable the Applicant should consult CDFW to see if a CESA ITP is required. Compensatory mitigation should also be provided to offset loss of habitat and vegetation communities associated with Crotch's bumblebee.
- 6) Impacts to Special Status and Sensitive Species. Given the large expanse of area included within the Project area, CDFW is concerned the Project may affect sensitive species that occur within these geographical areas. Grading, vegetation removal, and other ground disturbances could crush and bury listed or sensitive plants and animals, resulting in direct mortality. Likewise, these activities could remove foraging, breeding and nesting habitat for a multitude of species. The Project may also impact specific areas where networks are proposed for placement or modification as well as adjacent habitat through loud noises, lighting, increased human presence and activity, fugitive dust, increased temperatures from asphalt (heat island effect), hydrocarbons from asphalt paving within the floodplain, and spreading invasive weeds, resulting in stress, displacement, and mortality of these species. CDFW recommends to following:
- a) Protection Status. CDFW considers adverse impacts to a species protected by CESA to be significant without mitigation under CEQA. As to CESA, take of any endangered, threatened, candidate species, or CESA-listed rare plant species that results from the Project is prohibited, except as authorized by State law (Fish & Game Code, §§ 2080, 2085; California Code of Regulations, tit. 14, § 786.9). Likewise, CDFW considers State

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listed communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S1, S2, and S3 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDDB and are included in the [Manual of California Vegetation](#) (CNPS 2022).

- b) Analysis and Disclosure. Given this Project is proposed across six counties, the potential for direct and indirect impacts to sensitive, listed, and fully protected species should be thoroughly addressed. The PEIR should include specific information on species locations and specifically how the project will be sited to avoid impacts to this species or vegetation communities. If the Project will impact a sensitive species or vegetation community, specific mitigation to offset the loss of habitat (acreage and type) should be included in the PEIR.
 - c) Avoidance. The PEIR should include measures to fully avoid and otherwise protect special status, sensitive, and rare plant and wildlife species and plant communities from Project-related direct and indirect impacts. The Project should discuss how the Project has been designed to avoid impacts to special status species so that CDFW may assess whether impacts have been lowered to less than significant.
 - d) Mitigation. To mitigate for lost or altered habitat CDFW recommends the PEIR specify that individual projects are conditioned to require to protect or create appropriate habitat for species impacted (see General Comments 10 & 11). The PEIR should specify that individual projects could also use alternatives to hydrocarbon-based asphalt paving to mitigate for potential hydrocarbon and heavy metal contamination.
- 7) Special Status Bird Species. If future Project activities tiering off of the PEIR occur during the breeding season incidental loss of fertile eggs, or nestlings, or nest abandonment may occur in trees and shrubs directly adjacent to the Project. The Project could also lead to the loss of foraging habitat for sensitive bird species.
- a) Protection Status. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (Code of Federal Regulations, Title 50, § 10.13). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the MBTA).
 - b) Analysis and Disclosure. The PEIR should assess the Project's potential impacts on nesting birds and raptors. The environmental document should discuss potential impacts that could occur during construction, ground disturbing activities, and vegetation removal associated with the Project.
 - c) Avoidance. CDFW recommends that measures be taken, primarily, to avoid Project impacts to nesting birds. The PEIR should be conditioned with measures to avoid impacts on special status birds. Proposed Project activities including (but not limited to) staging and disturbances to native and nonnative vegetation, structures, and substrates should occur outside of the avian breeding season which generally runs from February 15 through August 31 (as early as January 1 for some raptors) to avoid take of birds or their eggs.

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- d) Mitigation. If avoidance of the avian breeding season is not feasible, CDFW recommends surveys by a qualified biologist with experience in conducting breeding bird surveys to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 300 feet of the disturbance area (within 500 feet for raptors). Project personnel, including all contractors working on-site, should be instructed on the sensitivity of the area. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.
- 8) Burrowing Owl. Future placement of transportation and development networks may cause direct impacts to burrowing owl. Projects tiered off from the PEIR may remove burrowing owl foraging, breeding, nesting habitat.
- a) Protection Status. Burrowing owl is an SSC. CEQA provides protection not only for CESA-listed species, but for any species including but not limited to Species of Special Concern (SSC) which can be shown to meet the criteria for State listing. Burrowing owl is an SSC that meets the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). Take of individual burrowing owls and their nests is defined by Fish and Game Code section 86, and prohibited by sections 3503, 3503.5 and 3513. Take is defined in Fish and Game Code section 86 as “hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill.”
- b) Analysis and Disclosure. CDFW recommends the PEIR analyze and discuss the Project’s potential impacts on burrowing owl and their habitat. The PEIR should have a discussion regarding how the project avoids impacts to burrowing owl and associated habitat. The PEIR should be conditioned to perform project-level surveys for burrowing owl in areas of potential impact.
- c) Avoidance. The PEIR should be conditioned to avoid impacts to burrowing owl. In areas where burrowing owl may be present ground disturbing should be avoided. If not feasible biological monitors should be present at all times. Burrowing owl are susceptible to impacts year-round as their breeding season extends from February 1 to August 31 and their overwintering period from September 1 to January 31. While overwintering burrowing owl may be less likely to be detected as they overwinter underground in burrows.
- d) Mitigation. In areas where burrowing owl may be present, CDFW recommends that the Applicant follow the recommendations and guidelines provided in the [Staff Report on Burrowing Owl Mitigation](#) (2012 Staff Report; CDFW 2012c). The 2012 Staff Report specifies three steps for project impact evaluations: a habitat assessment; surveys; and an impact assessment. Impact assessments should evaluate the extent to which burrowing owls and their habitat may be impacted, directly or indirectly, on and within a reasonable distance by the Project. If impacts to burrowing owl or their associated habitat are to occur the PEIR should be conditioned such that the Applicant protects or creates habitat appropriate for burrowing owl. Habitat should be secured or created based on site-specific analysis and consideration into the wide variation of natal area, home range, foraging area, and other factors influencing burrowing owls and burrowing owl population persistence in a particular area. Permanent impacts to nesting, occupied,

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and satellite burrows and burrowing owl habitat should be on, adjacent or proximate to the impact site where possible and where habitat is sufficient to support burrowing owls present. If mitigation occurs offsite, it should include (a) permanent conservation of similar vegetation communities (grassland, scrublands, desert, urban, and agriculture) to provide for burrowing owl nesting, foraging, wintering, and dispersal (i.e., during breeding and non-breeding seasons) comparable to or better than that of the impact area, and (b) be sufficiently large acreage with the presence of fossorial mammals. Suitable mitigation lands should be based on a comparison of the habitat attributes of the impacted and conserved lands, including but not limited to type and structure of habitat being impacted or conserved; density of burrowing owls in impacted and conserved habitat; and significance of impacted or conserved habitat to the species range wide.

- 9) Loss of Bird and Raptor Nesting Habitat. Project implementation could result in a significant loss of nesting habitat for passerine and raptor species. The biggest threat to birds is habitat loss and conversion of natural vegetation into another land use such as development (e.g., commercial, residential, industrial). Urban forests and street trees, both native and some non-native species, provide habitat for a high diversity of birds (Wood and Esaian 2020). Some species of raptors have adapted to and exploited urban areas for breeding and nesting (Cooper et al. 2020). For example, raptors (*Accipitridae*, *Falconidae*) such as red-tailed hawks (*Buteo jamaicensis*) and Cooper's hawks (*Accipiter cooperii*) can nest successfully in urban sites. Red-tailed hawks commonly nest in ornamental vegetation such as eucalyptus (Cooper et al. 2020).
- a) Analysis and Disclosure. The Applicant should analyze how forecasted development and transportation networks will impact bird and nesting habitat within the counties. The Applicant should provide a discussion on cumulative impacts due to any current, future, and foreseeable projects.
- b) Avoidance. CDFW recommends the PEIR provide measures where future development patterns facilitated by the Project avoids removal of any native trees, large and dense-canopied native and non-native trees, and trees occurring in high density (Wood and Esaian 2020). CDFW also recommends avoiding impacts to understory vegetation (e.g., ground cover, subshrubs, shrubs, and trees).
- c) Mitigation. If impacts to trees cannot be avoided, trees should be replaced to compensate for the temporal or permanent loss habitat within a Project site. Depending on the status of the bird or raptor species impacted, replacement habitat acres should increase with the occurrence of a California SSC. Replacement habitat acres should further increase with the occurrence of a CESA-listed threatened or endangered species. CDFW recommends planting native tree species preferred by birds. This includes coast live oak (*Quercus agrifolia*) and California sycamore (*Platanus racemosa*) (Wood and Esaian 2020). CDFW recommends Audubon Society's Plants for Birds for more information on selecting native plants and trees beneficial to birds (Audubon Society 2022).
- 10) Bats. Future work tiered off from the PEIR may impact bat species through the introduction of increased noise, vibration, light, and human activity. Accordingly, CDFW recommends the PEIR provide measures where future Projects tiered off from the PEIR avoids potential

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impacts to bats.

- a) Protection Status. Bats are considered non-game mammals and are afforded protection by state law from take and/or harassment (Fish & G. Code, § 4150; Cal. Code of Regs., § 251.1).
 - b) Analysis and Disclosure. CDFW recommends a project-level biological resources survey provide a thorough discussion and adequate disclosure of potential impacts to bats and roosts from Project construction and activities including (but not limited to) ground-disturbing activities (e.g., mobilizing, staging, drilling, and excavating) and vegetation removal. If necessary, to reduce impacts to less than significant, a project-level environmental document should provide bat-specific avoidance and/or mitigation measures [CEQA Guidelines, § 15126.4(a)(1)].
 - c) Avoidance. The Project should be conditioned to avoid impacts to bats. If the Project would impact bats, CDFW recommends the PEIR provide measures to avoid/minimize impacts on bats, roosts, and maternity roosts. Project activities should avoid the maternity season for bat species which generally spans from March 1 to September 30.
 - d) Mitigation. The PEIR should incorporate mitigation measures in accordance with [California Bat Mitigation Measures](#) (Johnston *et al.* 2004).
- 11) Habitat Conservation Plans and Natural Conservation Community Plans. Compliance with approved habitat plans 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. CDFW recommends coordinating with CDFW on each of the Natural Conservation Community Plans (NCCPs) that may be impacted by the proposed Project.
- a) Western Riverside County Multiple Species Habitat Conservation Plan.

CDFW issued Natural Community Conservation Plan Approval and Take Authorization for the Western Riverside County 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. An assessment of the impacts to the MSHCP because 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>.

For CDFW to evaluate any inconsistencies between the proposed Project and the MSHCP, CDFW recommends that the PEIR require that individual projects demonstrates, at a minimum, how projects complies with:

The policies for the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools, set forth in Section 6.1.2 of the MSHCP; the policies for the Protection of Narrow Endemic Plant Species set forth in Section 6.1.3 of the MSHCP; Additional Survey Needs and Procedures as set forth in Section 6.3.2 of

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the MSHCP; the Urban/Wildlands Interface Guidelines as set forth in Section 6.1.4 of the MSHCP; Best Management Practices and the siting, construction, design, operation and maintenance guidelines as set forth in Section 7.0 and Appendix C of the MSHCP.

Applicants for individual projects may be the lead agency but not signatory to the MSHCP, therefore, to participate in the MSHCP they would need to act as a Participating Special Entity (PSE). If the applicant chooses to act as a PSE and obtain take through the MSHCP then all of the MSHCP policies and procedures discussed above in this letter will apply to this Project, and the environmental document for the project should discuss how the project will demonstrate consistency with the MSHCP. If the project is not processed through the MSHCP for covered species, then the project may be subject to the Federal Endangered Species Act (FESA) and/or CESA for threatened, endangered, and/or candidate species.

Regardless of whether take of threatened and/or endangered species is obtained through the MSHCP or through a CESA ITP, individual projects need to address how the proposed project will affect the policies and procedures of the MSHCP. Therefore, all surveys required by the MSHCP policies and procedures listed above to determine consistency with the MSHCP should be conducted and results included in projects so that CDFW can adequately assess whether the project will impact the MSHCP.

To examine how the project might contribute to, or conflict with, assembly of the MSHCP Conservation Area consistent with the reserve configuration requirements, CDFW recommends that the projects identify the specific Area Plan and Area Plan Subunit within which the project is located, and the associated Planning Species and Biological Issues and Considerations that may apply to the projects, further discussed below. The environmental document should also discuss the specific Criteria for Cells within which the project is located and identify the associated Core(s) and/or Linkage(s). Next, the environmental document should identify the vegetation communities toward which conservation should be directed along with the connectivity requirements.

Following this sequential identification of the relationship of the project to the MSHCP the environmental document should then include an in-depth discussion of the project in the context of these aforementioned elements, and as mentioned, examine how the project might contribute to, or conflict with, the conservation criteria of the MSHCP.

Covered Activities

CDFW also recommends that PEIR specify that applicants demonstrate how their project is consistent with Section 7.0 of the MSHCP, if applicable.

Roads. For projects proposed inside the MSHCP Criteria Area, the environmental document should include a discussion of the Project and its consistency with Covered Activities (Section 7.3 of the MSHCP) and specifically Existing Roads Within the Criteria Area (Section 7.3.4) and Planned Roads Within the Criteria Area (7.3.5). Where maintenance of existing roads within the Criteria Area is proposed, CDFW recommends that the SCAG reference MSHCP Section 7.3.4 and Table 7-3, which provides a

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summary of the existing roads permitted to remain in the MSHCP Criteria Area. Planned roads within the MSHCP Criteria Area are discussed in MSHCP Section 7.3.5 and identified on Figure 7-1. Please note that roadways other than those identified in Section 7.3.5 of the MSHCP are not covered without an amendment to the MSHCP in accordance with the procedures described in MSHCP Section 6.10. CDFW recommends that the SCAG review MSHCP Section 7.3.5 and include in the PEIR information that demonstrates that Project-related roads are MSHCP covered activities. The PEIR should also discuss design and siting information for all proposed roads to ensure that the roads are sited, designed, and constructed in a manner consistent with MSHCP conservation objectives.

Allowable Uses in MSHCP Conservation Areas – Trails. CDFW recommends that the PEIR also include a discussion of the Project and MSHCP Allowable Uses (Section 7.4) and Conditionally Compatible Uses (Section 7.4.2) in MSHCP Conservation Area such as trails. For example, if trails are proposed as part of the Project, the PEIR should discuss whether the trail is identified on Figure 7-4, and provide details regarding trail construction (siting and design), and operations and maintenance that demonstrate that the proposed trail is consistent with MSHCP Section 7.4.

Urban/Wildland Interface Guidelines. As the MSHCP Conservation Area is assembled, hardline boundaries are established between development and MSHCP Conservation Areas. Development near MSHCP Conservation Area may result in edge effects that will adversely affect biological resources within the MSHCP Conservation Area. To minimize edge effects and maintain conservation value within the Conservation Areas, Permittees are required to implement the Urban/Wildlands Interface Guidelines (MSHCP Section 6.1.4) for drainage, toxics, lighting, noise, invasives, barriers, and grading/land development. Potential indirect impacts for the Project may include but are not limited to noise, lighting, invasive plants, and possibly toxic materials such as herbicides and pesticides used in landscaping and maintenance, as well as non-hazardous oils and fuels used during project operations. The MSHCP identifies that project review and impact mitigation are provided through the CEQA process to address the Urban/Wildland Interface guidelines. CDFW recommends that potential Project impacts are addressed by including in the PEIR Project specific biological mitigation measures to address the Urban/Wildland Interface guidelines.

The PEIR should include analysis of Project impacts on edge effects such as noise, lighting, trespass, and toxics that have potential indirect impacts from development. The PEIR should include Project specific measures that address Projects impacts to avoid and minimize edge effects. Such measures can include, but are not limited to:

Lighting Plan. A Lighting Plan that identifies existing ambient lighting conditions, analyzes the Project lighting impacts on the adjacent Conservation Area, and demonstrates that the proposed lighting plan will not significantly increase the lighting on the Conservation Area. The Lighting Plan should identify measures that address light and glare from interior and exterior building lighting, safety and security lighting, and vehicular traffic accessing the site at a minimum.

Noise Plan. A Noise Plan to avoid and minimize noise impacts based on a Noise assessment of Project noise impacts on adjacent conservation areas during

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construction and post development. The MSHCP identifies that Project noise impacts do not exceed the residential standards within the Conservation Areas.

Landscaping Plan. A Landscaping Plan that includes the use of native plant material on the Project site and avoids the use of invasive plant species identified.

Fencing Plan. A Barrier and Fencing Plan that provides specific details designed to minimize unauthorized public access, domestic animal predation, illegal trespass, and dumping in the MSHCP Conservation Area (such as block walls along areas directly adjacent to potential conservation areas).

b) Coachella Valley Multiple Species Habitat Conservation Plan.

CDFW issued Natural Community Conservation Plan Approval and Take Authorization for the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) per Section 2800, et seq., of the California Fish and Game Code on September 9, 2008. The CVMSHCP 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. An assessment of the impacts to the CVMSHCP as a result of this Project is necessary to address CEQA requirements. To obtain additional information regarding the CVMSHCP please go to: <http://www.cvmshcp.org/>.

The proposed Project occurs within the CVMSHCP area and is subject to the provisions and policies of the CVMSHCP. To be considered a covered activity, Permittees should demonstrate that proposed actions are consistent with the CVMSHCP and its associated Implementing Agreement. Regardless of whether take of threatened and/or endangered species is obtained through the CVMSHCP or through a CESA ITP, the DEIR needs to address how the proposed Project will affect the conservation objectives of the CVMSHCP. Therefore, all surveys required by the CVMSHCP to determine consistency should be conducted and results included in the DEIR so that CDFW can adequately assess whether the Project will impact the CVMSHCP.

c) Stephens' Kangaroo Rat Habitat Conservation Plan.

The Project occurs within the Stephens' kangaroo rat (*Dipodomys stephensi*) Habitat Conservation Plan (SKR HCP) fee area boundary, SKR HCP plan area map available here: <https://rchca.us/DocumentCenter/View/200/SKR-Plan-Area>. State and federal authorizations associated with the SKR HCP provide take authorization for Stephens' kangaroo rat within its boundaries, and the MSHCP provides Take Authorization for Stephens' kangaroo rat outside of the boundaries of the SKR HCP, but within the MSHCP area boundaries. The PEIR should identify if any portion of the Project will occur on SKR HCP lands, or on Stephens' kangaroo rat habitat lands outside of the SKR HCP, but within the WRMSHCP. Note that the SKR HCP allows for encroachment into the Stephens' kangaroo rat Core Reserve for public projects, however, there are no provisions for encroachment into the Core Reserve for privately owned projects. If impacts to Stephens' kangaroo rat habitat will occur from the proposed Project, the PEIR should specifically identify the total number of permanent impacts to Stephens' kangaroo rat core habitat and the appropriate mitigation to compensate for those impacts.

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General Comments

- 1) Objectives. Section 15124(b) of the CEQA Guidelines requires that the project description contain a clear statement of the project objectives. It is the policy of the State of California to protect, restore, and enhance the functioning of fish, wildlife, and habitat connectivity in connection with the planning, construction, and improvement of transportation infrastructure throughout the state and, where feasible, the operation and maintenance of transportation infrastructure throughout the state (Assembly Bill No. 2344, 2021-2022 session). CDFW recommends that a PIER should include an objective to protect, restore, and enhance wildlife and habitat connectivity.
- 2) Disclosure. A PEIR should provide an adequate, complete, and detailed disclosure about the effect which a proposed Project is likely to have on the environment (Pub. Resources Code, § 20161; CEQA Guidelines, §15151). Adequate disclosure is necessary so CDFW may provide comments on the appropriateness of proposed avoidance, minimization, or mitigation measures, as well as to assess the significance of the specific impact relative to the species (e.g., current range, distribution, population trends, and connectivity).
- 3) Biological Baseline Assessment. CDFW recommends providing a complete assessment and impact analysis of the flora and fauna within and adjacent to the Project area, with emphasis upon identifying endangered, threatened, sensitive, regionally, and locally unique species and sensitive habitats. Impact analysis will aid in determining any direct, indirect, and cumulative biological impacts, as well as specific mitigation or avoidance measures necessary to offset those impacts. CDFW recommends avoiding any sensitive natural communities found on or adjacent to the Project. The PEIR should include the following information:
 - a) Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region [CEQA Guidelines, § 15125(c)]. The PEIR should include measures to fully avoid and otherwise protect [Sensitive Natural Communities](#) (CDFW 2022d) from Project-related impacts. Project implementation may result in impacts to rare or endangered plants or plant communities that have been recorded adjacent to the Project vicinity;
 - b) A complete floristic assessment within and adjacent to the Project area, with particular emphasis upon identifying endangered, threatened, sensitive, and locally unique species and sensitive habitats. This should include a thorough, recent, floristic-based assessment of special status plants and natural communities;
 - c) Floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at the Project site and within the neighboring vicinity. The Manual of California Vegetation (MCV), second edition, should also be used to inform this mapping and assessment (CNPS 2022). Adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts off-site. Habitat mapping at the alliance level will help establish baseline vegetation conditions;
 - d) A complete, recent, assessment of the biological resources associated with each habitat type on-site and within adjacent areas that could also be affected by the Project. CDFW's CNDDDB in Sacramento should be contacted to obtain current information on

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any previously reported sensitive species and habitat. CDFW recommends that [CNDDB Field Survey Forms](#) (CDFW 2022e) be completed and submitted to CNDDB to document survey results;

- e) A complete, recent, assessment of rare, threatened, and endangered, and other sensitive species on-site and within the area of potential effect, including California SSC and California Fully Protected Species (Fish & G. Code, §§ 3511, 4700, 5050 and 5515). Species to be addressed should include all those which meet the CEQA definition of endangered, rare, or threatened species (CEQA Guidelines, § 15380). 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 CDFW and the USFWS;
 - f) A recent, wildlife and rare plant survey. CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to two years as long as there was not a prevailing drought during the time of the botanical survey. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if build out could occur over a protracted time frame, or in phases; and
 - g) Presence/absence determinations of wildlife and rare plants in the Project area, specifically areas that would be impacted due to Project implementation (e.g., existing facilities), should be determined based on recent surveys. CDFW recommends the PEIR provide any recent survey data.
- 4) Mitigation Measures. Public agencies have a duty under CEQA to prevent significant, avoidable damage to the environment by requiring changes in projects through the use of feasible alternatives or mitigation measures [CEQA Guidelines, §§ 15002(a)(3), 15021]. Pursuant to CEQA Guidelines section 15126.4, an environmental impact report shall describe feasible measures which could mitigate for impacts below a significant level under CEQA.
- a) Level of Detail. Mitigation measures must be feasible, effective, implemented, and fully enforceable/imposed by the lead agency through permit conditions, agreements, or other legally binding instruments (Pub. Resources Code, § 21081.6(b); CEQA Guidelines, §§ 15126.4, 15041). A public agency shall provide the measures that are fully enforceable through permit conditions, agreements, or other measures (Pub. Resources Code, § 21081.6). CDFW recommends that SCAG prepare mitigation measures that are specific, detailed (i.e., responsible party, timing, specific actions, location), and clear in order for a measure to be fully enforceable and implemented successfully via a mitigation monitoring and/or reporting program (CEQA Guidelines, § 15097; Pub. Resources Code, § 21081.6). Adequate disclosure is necessary so CDFW may provide comments on the adequacy and feasibility of proposed mitigation measures.
 - b) Disclosure of Impacts. If a proposed mitigation measure would cause one or more significant effects, in addition to impacts caused by the Project as proposed, the environmental document should include a discussion of the effects of proposed

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mitigation measures [CEQA Guidelines, § 15126.4(a)(1)]. In that regard, the environmental document should provide an adequate, complete, and detailed disclosure about a project's proposed mitigation measure(s). Adequate disclosure is necessary so CDFW may assess the potential impacts of proposed mitigation measures.

- 5) Biological Direct, Indirect, and Cumulative Impacts. To provide a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, the following should be addressed in the PEIR:
- a) A discussion of potential adverse impacts from lighting, noise, human activity, exotic species, and drainage. The latter subject should address Project-related changes on drainage patterns and downstream of the Project site; the 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. The discussion should also address the proximity of the extraction activities to the water table, whether dewatering would be necessary and the potential resulting impacts on the habitat (if any) supported by the groundwater. Mitigation measures proposed to alleviate such Project impacts should be included;
 - b) A discussion regarding indirect Project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (e.g., preserve lands associated with a Natural Community Conservation Plan (NCCP, Fish & Game Code, § 2800 *et seq.*). Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated in the PEIR;
 - c) An analysis of impacts from land use designations and zoning located nearby or adjacent to natural areas that may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the PEIR; and
 - d) A cumulative effects analysis, as described under CEQA Guidelines section 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.
- 6) Lake and Streambed Alteration (LSA) Agreements. As a Responsible Agency under CEQA, CDFW has authority over activities in streams and/or lakes that will divert or obstruct the natural flow, or change the bed, channel, or bank (including vegetation associated with the stream or lake) of a river or stream or use material from a streambed. For any such activities, the Project applicant (or "entity") must provide written notification to CDFW pursuant to Fish and Game Code Section 1600 *et seq.* CDFW's issuance of a Lake and Streambed Alteration (LSA) Agreement for a Project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the environmental document of the local jurisdiction (Lead Agency) for the Project. To minimize additional requirements by CDFW pursuant to section 1600 *et seq.* and/or under CEQA, the environmental document should fully identify the potential impacts

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to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement. Please visit CDFW's Lake and Streambed Alteration Program webpage for information about LSA Notification (CDFW 2022f).

- a) The Project area support aquatic, riparian, and wetland habitats; a preliminary delineation of the streams and their associated riparian habitats should be included in the environmental document. Be advised that some wetland and riparian habitats subject to CDFW's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers' Section 404 permit and Regional Water Quality Control Board Section 401 Certification.
 - b) In Project areas which may support ephemeral or episodic streams, herbaceous vegetation, woody vegetation, and woodlands also serve to protect the integrity of these resources and help maintain natural sedimentation processes. Therefore, CDFW recommends effective setbacks be established to maintain appropriately sized vegetated buffer areas adjoining ephemeral drainages. The environmental document should provide a justification for the effectiveness of the chosen distance for the setback.
 - c) Project-related changes in upstream and downstream drainage patterns, runoff, and sedimentation should be included and evaluated in the environmental document.
- 7) Wetlands Resources. CDFW, as described in Fish and Game Code section 703(a), is guided by the Fish and Game Commission's policies. [The Wetlands Resources policy](#) of the Fish and Game Commission "...seek[s] to provide for the protection, preservation, restoration, enhancement and expansion of wetland habitat in California. Further, it is the policy of the Fish and Game Commission to strongly discourage development in or conversion of wetlands. It opposes, consistent with its legal authority, any development or conversion that would result in a reduction of wetland acreage or wetland habitat values. To that end, the Commission opposes wetland development proposals unless, at a minimum, project mitigation assures there will be 'no net loss' of either wetland habitat values or acreage. The Commission strongly prefers mitigation which would achieve expansion of wetland acreage and enhancement of wetland habitat values. (Ca.gov 2019)"
- a) The Wetlands Resources policy provides a framework for maintaining wetland resources and establishes mitigation guidance. CDFW encourages avoidance of wetland resources as a primary mitigation measure and discourages the development or type conversion of wetlands to uplands. CDFW encourages activities that would avoid the reduction of wetland acreage, function, or habitat values. Once avoidance and minimization measures have been exhausted, the Project must include mitigation measures to assure a "no net loss" of either wetland habitat values, or acreage, for unavoidable impacts to wetland resources. Conversions include, but are not limited to, conversion to subsurface drains, placement of fill or building of structures within the wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether ephemeral, intermittent, or perennial, should be retained and provided with substantial setbacks, which preserve the riparian and aquatic values and functions for the benefit to on-site and off-site wildlife populations. CDFW recommends mitigation measures to compensate for unavoidable impacts be included in the PEIR and these measures should compensate for the loss of function and value.

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- b) The Fish and Game Commission's Water policy guides CDFW on the quantity and quality of the waters of this state that should be apportioned and maintained respectively so as to produce and sustain maximum numbers of fish and wildlife; to provide maximum protection and enhancement of fish and wildlife and their habitat; encourage and support programs to maintain or restore a high quality of the waters of this state; prevent the degradation thereof caused by pollution and contamination; and, endeavor to keep as much water as possible open and accessible to the public for the use and enjoyment of fish and wildlife. CDFW recommends avoidance of water practices and structures that use excessive amounts of water, and minimization of impacts that negatively affect water quality, to the extent feasible (Fish & Game Code, § 5650).
- 8) CESA. CDFW considers adverse impacts to a species protected by CESA to be significant without mitigation under CEQA. As to CESA, take of any endangered, threatened, candidate species, or CESA-listed plant species that results from the Project is prohibited, except as authorized by state law (Fish & G. Code §§ 2080, 2085; Cal. Code Regs., tit. 14, §786.9). Consequently, if the Project or any Project-related activity during the life of the Project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, CDFW recommends that the Project proponent seek appropriate take authorization under CESA prior to implementing the Project. Appropriate authorization from CDFW may include an ITP or a consistency determination in certain circumstances, among other options [Fish & Game Code, §§ 2080.1, 2081, subds. (b) and (c)]. Early consultation is encouraged, as significant modification to a Project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, may require that CDFW issue a separate CEQA document for the issuance of an ITP unless the Project CEQA document addresses all Project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of an ITP. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA ITP.
- 9) Moving out of Harm's Way. The proposed Project may result in impacting habitats on and/or adjacent to the Project site that may support wildlife. To avoid direct mortality, CDFW recommends that a qualified biological monitor approved by CDFW be on-site prior to and during ground and habitat disturbing activities to move out of harm's way special status species or other wildlife of low mobility that would be injured or killed by grubbing or Project related construction activities. It should be noted that the temporary relocation of on-site wildlife does not constitute effective mitigation for the purposes of offsetting Project impacts associated with habitat loss. If the Project requires species to be removed, disturbed, or otherwise handled, we recommend that the PEIR clearly identify that the designated entity shall obtain all appropriate state and federal permits.
- 10) Translocation/Salvage of Plants and Animal Species. Translocation and transplantation is the process of moving an individual from a project site and permanently moving it to a new location. CDFW generally does not support the use of translocation or transplantation as the primary mitigation strategy for unavoidable impacts to rare, threatened, or endangered plant or animal species. Studies have shown that these efforts are experimental and the outcome unreliable. CDFW has found that permanent preservation and management of habitat capable of supporting these species is often a more effective long-term strategy for conserving sensitive plants and animals and their habitats.

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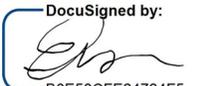
- 11) Compensatory Mitigation. An environmental document should include mitigation measures for adverse Project related direct or indirect impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of project-related impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed. Areas proposed as mitigation lands should be protected in perpetuity with a conservation easement, financial assurance and dedicated to a qualified entity for long-term management and monitoring. Under Government Code, section 65967, the Lead Agency must exercise due diligence in reviewing the qualifications of a governmental entity, special district, or nonprofit organization to effectively manage and steward land, water, or natural resources on mitigation lands it approves.
- 12) Long-term Management of Mitigation Lands. For proposed preservation and/or restoration, an environmental document should include measures to protect the targeted habitat values from direct and indirect negative impacts in perpetuity. The objective should be to offset the project-induced qualitative and quantitative losses of wildlife habitat values. Issues that should be addressed include (but are not limited to) restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, and increased human intrusion. An appropriate non-wasting endowment should be set aside to provide for long-term management of mitigation lands.
- 13) Project Description and Alternatives. To enable CDFW to adequately review and comment on the proposed Project from the standpoint of the protection of plants, fish, and wildlife, we recommend the following information be included in the PEIR:
 - a) A complete discussion of the purpose and need for, and description of, the proposed Project, including all staging areas and access routes to the construction and staging areas; and,
 - b) A range of feasible alternatives to Project component location and design features to ensure that alternatives to the proposed Project are fully considered and evaluated. Potential impacts to wildlife movement areas should also be evaluated, avoided, or mitigated consistent with applicable requirements of region-specific plans, regulations, and ordinances.
- 14) Landscaping. Habitat loss and invasive plants are a leading cause of native biodiversity loss. CDFW recommends that the PEIR stipulate that no invasive plant material be used. Native plants support butterflies, birds, reptiles, amphibians, small mammals, bees, and other pollinators that evolved with those plants. We recommend using native, locally appropriate plant species for landscaping on the Project site. Information on native plants suitable for the Project location and nearby nurseries is available at CALSCAPE: <https://calscape.org/>. Local water agencies/districts and resource conservation districts may be able to provide information on plant nurseries that carry locally native species. Information on drought-tolerant landscaping and water-efficient irrigation systems is available on California's Save our Water website: Around the Yard (saveourwater.com). A list of invasive/exotic plants that should be avoided as well as suggestions for suitable landscape plants can be found [here](#) (CAL IPC 2022).

Ms. Karen Calderon, Senior Regional Planner
Southern California Association of Governments
November 29, 2022
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Conclusion

We appreciate the opportunity to comment on the NOP to assist SCAG in identifying and mitigating Project impacts on biological resources. If you have any questions or comments regarding this letter, please contact Angela Castanon (Ventura County), Environmental Scientist, at Angela.Castanon@wildlife.ca.gov or at 626-513-6308 or Heather Pert (Riverside County), Senior Environmental Scientist Supervisor, at Heather.Pert@wildlife.ca.gov.

Sincerely,

DocuSigned by:

B6E58CFE24724F5...

Erinn Wilson-Olgin
Environmental Program Manager I
South Coast Region

ec: CDFW
Steve Gibson, Los Alamitos – Steve.Gibson@wildlife.ca.gov
Victoria Tang, Los Alamitos – Victoria.Tang@wildlife.ca.gov
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Emily Galli, Fillmore – Emily.Galli@wildlife.ca.gov
Cindy Hailey, San Diego – Cindy.Hailey@wildlife.ca.gov
CEQA Program Coordinator, Sacramento – CEQACommentLetters@wildlife.ca.gov

OPR

State Clearinghouse, Sacramento – State.Clearinghouse@opr.ca.gov

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Ms. Karen Calderon, Senior Regional Planner
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Annaleigh Ekman

From: Sanchez, Jordan@Coastal <Jordan.Sanchez@coastal.ca.gov>
Sent: Wednesday, November 16, 2022 1:30 PM
To: 2024 PEIR
Subject: FW: Coastal Commission Staff Comments on Connect SoCal 2020-2045 RTP SCS
Attachments: Connect SoCal 2020-2045 RTP SCS - Coastal Commission staff comments on NOP.pdf

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Good afternoon Karen,

Please see our comments on the NOP attached.

Thanks,
Jordan



Jordan Sanchez
Senior Transportation Program Analyst
CALIFORNIA COASTAL COMMISSION
Santa Barbara, Ventura, LA, and Orange Counties
301 Ocean Blvd. Suite 300
Long Beach, CA 90802
[\(562\) 590-5071](tel:5625905071)



CALIFORNIA COASTAL COMMISSION

South Coast District Office
301 E. Ocean Blvd, Suite 300
Long Beach, CA, 90802
(562) 590-5071



February 21, 2019

Ping Chang
Southern California Association of Governments
900 Wilshire Boulevard, Suite 1700
Los Angeles, CA 90017

**RE: Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Community Strategy
Comments on Notice of Preparation of Environmental Impact Report (SCH # 2019011061)**

Dear Mr. Chang:

The above referenced Notice of Preparation of an Environmental Impact Report (EIR) for a four year update to the Regional Transportation Plan and Sustainable Communities Strategy (Plan) for the Southern California Association of Governments planning area was received by Coastal Commission staff on via the State Clearinghouse on January 30, 2019. We appreciate the opportunity to comment on the environmental review process for the Regional Plan update. One of the primary tenets of the Coastal Act is to protect and enhance coastal resources and public access to the coast, which requires well-planned residential, commercial, and public infrastructure and an interconnected public transportation system. Several of the policy objective categories of the Plan, including Biological Resources and Open Space Preservation, Hydrology and Water Resources, Recreation, and Population and Housing, create an opportunity to enhance Southern California's transportation system, provide housing and jobs within urban areas well served by the transportation system, and protect coastal resources in a manner that is supportive of the Coastal Act. This update provides an opportunity to enhance those sections of the Plan, considering current infrastructure, planned future infrastructure, and environmental conditions including sea level rise. Given the Coastal Commission's mandate to protect coastal resources through planning and regulation of the use of land and water within the Coastal Zone, staff are providing the following comments and topics that should be analyzed in the EIR.

1) Coastal Transportation Corridor Improvements. Major transportation corridors within the Coastal Zone are Interstate 5 from the southern Orange County line to San Clemente, Pacific Coast Highway (SR 1) from San Clemente to Oxnard, and US 101 through Ventura County. These coastal transportation corridors bisect or are located directly adjacent to sensitive marine resources including coastal lagoon systems, maritime chaparral and coastal sage scrub, and the Pacific Ocean. Impacts to these resources are restricted by Coastal Act policies. Except for specific instances, fill of a wetland or other coastal waters is prohibited (Section 30233), and marine resources (Section 30230), water quality (Section 30231), and environmentally sensitive habitat areas (Section 3024) often associated with the coastal environment are protected. Many of these coastal systems and habitat areas have already significantly deteriorated due to historical transportation infrastructure and residential development. Future transportation improvements in the Coastal Zone (e.g. the regional projects list in the Plan) should seek to upgrade existing infrastructure and reduce impacts to the natural environment. Strategies include development of new highways and bridges with less fill of coastal waters and less coverage of natural habitat than current infrastructure, relocation of highways and other public infrastructure that are threatened by erosion and storm damage, and habitat restoration in areas which have previously been degraded by transportation

infrastructure (e.g. lagoon systems adjacent to Pacific Coast Highway). Please analyze the Plan scenarios for their capacity to avoid adverse impacts to coastal resources and restore and enhance the natural environment.

2) Sea Level Rise. Coastal Act Section 30253 requires that new development minimize risks to life and property from hazards and to assure stability and structural integrity without the use of a shoreline protective device. Thus, understanding the potential impacts of climate change and sea level rise is of critical importance when beginning long-range planning efforts so as to ensure that land use decisions and development projects are not designed in a way that will put investments at risk from coastal hazards. Given the proximity of significant portions of the County's key regional infrastructure to the coast (e.g. highways, airports, power plants), it is imperative that transportation and land use plans carefully anticipate the effects of sea level rise and associated hazards. Ensuring that new coastal infrastructure is designed to adapt to the effects of sea level rise throughout the expected life of the infrastructure is a principal concern of the Coastal Commission. Please review the Commission's Sea Level Rise Policy Guidance (<https://www.coastal.ca.gov/climate/slrguidance.html>), which was based on two reports – the Ocean Protection Council's April 2017 *Rising Seas in California: An Update of Sea-Level Rise Science* and its 2018 *State Sea-Level Rise Guidance*. The 2016 RTP/SCS references climate change and sea level rise (e.g. the 2012 National Research Council Report, *Sea Level Rise for the Coasts of California, Oregon, and Washington*), but 2016 RTP/SCS does not make clear that sea level rise conditions must be modeled for the entirety of the expected life of new infrastructure projects, which in the case of rail and highway bridges is considered to be 100 years. The updated Plan should include policies requiring regional sea level rise planning and coordination. The Plan should also include regional maps showing various sea level rise scenarios (including a severe scenario) and policies requiring new projects in the Coastal Zone undergo specific sea level rise analysis of tidal and fluvial hydraulics as applied to the local area and in the context of storm surge, wave run-up, erosion, and other variables.

If the Plan references key pieces of existing and planned infrastructure that may be temporarily flooded or perpetually inundated by water in the next 75 to 100 years, then the EIR should analyze potential adaptation measures that minimize adverse impacts to coastal resources and enhance public access to the coast. The EIR should analyze whether existing and planned infrastructure will need to be protected from coastal hazards, such as flooding and erosion. Such protection often includes seawalls and revetments, which adversely affect public access because they block access to the beach, accelerate erosion, and result in the loss of public recreational areas. The Plan should anticipate such impacts and prioritize projects which avoid the impacts (e.g. relocation or elevation of vulnerable segments of highways and rail). Additionally, the EIR should analyze options for relocation of vulnerable infrastructure away from hazardous conditions.

3) Public Access and Recreation. A fundamental pillar of the Coastal Act is the protection and provision of public access to and along the coast. Coastal Act sections 30210 and 30212 require that maximum opportunities for public access and recreation be provided in new development projects, consistent with public safety, private property rights, and natural resource protection. Additionally, Section 30252 dictates that new development should maintain and enhance public access through such actions as facilitating transit service, providing non-automobile options, and providing adequate parking.

Accordingly, the EIR should evaluate the Plan scenarios for consistency with the above-mentioned policies. In particular, there should be an analysis of how the Plan would maximize access to the coast (including beaches, parks, and open spaces), including options for public transit, non-motorized vehicles, and pedestrian routes throughout the region. This analysis should identify options to facilitate access to beaches and coastal areas from the inland portions of the region, as well as options for enhancing connections to public transit, the California Coastal Trail, and other visitor-serving recreational opportunities. Improvements to coastal access routes may be planned as coordinated projects which enhance vehicle flow and safety, increase bicycle capacity, increase pedestrian capacity, and restore the natural environment. One area where such a coordinated approach should be analyzed is along Pacific Coast Highway in Orange County and Los Angeles County – this corridor is already heavily utilized by coastal visitors and portions of the corridor are likely to be part of the California Coastal Trail. Bicycle and pedestrian facilities are particularly lacking along Pacific Coast Highway in Northern Los Angeles County, Malibu, and Southern Ventura County.

Importantly, the EIR should also analyze the potential negative impacts to public access and recreation that could arise from the various transportation and land use scenarios identified in the Plan. Scenarios that would lead to additional traffic along critical coastal highways should be analyzed for their potential impacts to public access and recreation, and potential impacts to the natural environment. A transportation capacity analysis of existing and planned transportation infrastructure should be performed for not only peak commuter periods (e.g. morning rush hour) but for peak recreational periods (e.g. a summer weekend with high demand by beach users). Transportation projects which increase capacity to reach the coast by modes other than private automobiles should be prioritized.

4) Concentration of Development. Coastal Act Section 30250 generally requires that new development within the Coastal Zone be located within, contiguous with, or in close proximity to existing developed areas. Coastal Act Section 30253 requires new development to be sited in a manner that will minimize energy consumption and vehicle miles travelled. In this way, the Coastal Act encourages smart growth patterns that recognize a strong urban-rural boundary to ensure protection of coastal resources. Accordingly, the EIR should analyze the extent to which various Plan scenarios, as well as the broader goals of the Sustainable Communities Strategy, would be consistent with Coastal Act goal to concentrate development and reduce vehicle miles travelled. Based on the summary in the scoping notice, the Intensified Land Use Alternative appears to be consistent with Coastal Act policies, to the extent that it prioritizes development in urban areas and around high quality transit corridors, rather than in rural and exurban areas which tends to adversely impact natural habitat and increase vehicle miles travelled.

Finally, the Plan's greenhouse gas emissions targets must be consistent with the Executive Order B-30-15 goal of reducing California's GHG emissions to 40 percent below 1990 levels by 2030 and the Executive Order S-3-05 goal of reducing California's GHG emissions to 80 percent below 1990 levels by 2050. While the 2016 RTP/SCS prioritized investment in transit and active transportation more than any previous RTP, it does not appear to have reduced vehicle miles traveled consistent with Coastal Act Section 30253. The EIR for the Plan update should include additional analysis of transportation and land use scenarios which are most protective of sensitive coastal and environmental resources while at the same time achieving the Plan objectives of improving the transportation system, increasing housing and allowing people to live closer to where they work and play. While there may be existing constraints that

Connect SoCal 2020-2045 RTP/SCS
Coastal Commission Staff Comments on NOP
Page 4 of 4

make the Intensified Land Use scenario difficult to implement today, the RTP/SCS is a long-range planning document and there will likely be changes in policy and funding for transit and housing within its planning horizon – especially if SCAG advocates for such changes. As such, SCAG should place a greater emphasis on the prioritization of public transit and active transportation projects, with increased housing density around such high quality transit areas, and include analysis of such projects in the EIR.

Thank you for the opportunity to comment on the environmental review for the update to the Regional Transportation Plan and Sustainable Communities Strategy. We look forward to future collaboration on improvements to the transportation system and land use synchronization within Southern California, and appreciate the commitment within the current (2016) RTP/SCS to preserve and enhance coastal resources. Coastal Commission staff request notification of any future activity associated with this project or related projects. Please contact me at (562) 590-5071 with any questions.

Sincerely,



Zach Rehm

Senior Transportation Program Analysts

Cc: Tami Grove, Statewide Development and Transportation Program Manager
Steve Hudson, South Central Coast (Ventura County) and South Coast (LA County) District Director
Karl Schwing, South Coast (Orange County) District Director

Annaleigh Ekman

From: Brock, Caleb@DOT <Caleb.Brock@dot.ca.gov>
Sent: Wednesday, November 16, 2022 9:32 AM
To: 2024 PEIR
Cc: Kopulsky, Dan E@DOT; Roberts, Mark B@DOT; Cutter, Seth@DOT; Shelley, Scott@DOT
Subject: RE: CEQA Notice of Preparation of a Draft Program Environmental Impact Report for SCAG's Proposed Connect SoCal 2024
Attachments: NOP_PEIR 2024 Connect SoCal Caltrans Letter.pdf

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Hello Karen,

Thank you for allowing Caltrans to review SCAG's Notice of Preparation of a Draft Program Environmental Impact Report for the Proposed Connect SoCal 2024. Since District 7 is the lead Transportation Planning Division for SCAG coordination we offer the attached comments from Districts 7, 8, 11, and 12.

Please let me know if you have any questions.

Kind regards,

Caleb Brock
Senior Transportation Planner
Chief, Regional Planning Branch
Office of Regional Planning, Transit, and LDR
Caltrans District 7 – Division of Planning
(213) 310-2542

Dear Interested Parties,

The Southern California Association of Governments (SCAG), as the CEQA Lead Agency, has released a Notice of Preparation (NOP) of a Draft Program Environmental Impact Report (PEIR) for Connect SoCal 2024 (2024-2050 Regional Transportation Plan/Sustainable Communities Strategy). Release of the NOP initiates a 30-day public review and comment period from Oct. 17, 2022 and ends Nov. 16, 2022 at 5 p.m. PST to seek input from interested parties on the scope and content of the Connect SoCal 2024 Draft PEIR. The NOP of the Draft PEIR for Connect SoCal 2024 is posted at

<https://scag.ca.gov/peir>. In accordance with Assembly Bill 819, SCAG is primarily using electronic mail to notify interested parties.

Please send your comments on the NOP to Ms. Karen Calderon, Senior Regional Planner, either electronically to: ConnectSoCalPEIR@scag.ca.gov or by standard mail at Southern California Association of Governments, 900 Wilshire Boulevard, Suite 1700, Los Angeles CA 90017.

SCAG will be hosting two virtual public scoping meetings for the NOP, each providing the same information. Information about the scoping meetings is as follows:

Scoping Meeting #1

Date: Wednesday, Nov. 9

Time: 6 - 8 p.m. PST

Scoping Meeting #2

Date: Thursday, Nov. 10

Time: 10 a.m. - noon PST

Join on Zoom: <https://scag.zoom.us/j/81023287939>

Dial by location: +1 669 900 6833 US Toll or +1 669 444 9171 US Toll

Meeting ID: 810 2328 7939

In accordance with the Americans with Disabilities Act and Language Accessibility, SCAG is committed to providing reasonable accommodations to those who are interested in participating in the scoping meetings. SCAG is committed to helping those with disability and/or with limited proficiency in the English language by providing accommodation and/or translation services at the scoping meeting in accordance with Title VI of the Civil Rights Act. Please contact Ms. Karen Calderon at ConnectSoCalPEIR@scag.ca.gov or (213) 236-1983 at least 72 hours (three days) in advance of the scoping meeting to request accommodation or translation services. We ask that you provide which language translation is needed in your request for SCAG to make adequate arrangements for translation services. If you wish to be placed on the mailing list to receive CEQA notices regarding the Connect SoCal 2024 PEIR, have general questions about the PEIR, or need additional information, please contact SCAG staff at ConnectSoCalPEIR@scag.ca.gov.

Sincerely,



Sarah Jepson

Director, Planning & Programs

Tel: (213) 236-1955

jepson@scag.ca.gov

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
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Making Conservation
a California Way of Life.

November 16, 2022

Ms. Karen Calderon
Senior Regional Planner
Southern California Association of Governments
900 Wilshire Blvd., Suite 1700
Los Angeles, CA. 90017

Dear Ms. Calderon:

The California Department of Transportation (Caltrans) wishes to thank the Southern California Association of Governments (SCAG) for the opportunity to review and comment on the Notice of Preparation (NOP) of the Connect SoCal 2024 Program Environmental Impact Report (PEIR).

The NOP was distributed to Caltrans' Districts 7 (Los Angeles and Ventura Counties), 8 (San Bernardino and Riverside Counties), 11 (Imperial County), and 12 (Orange County). Each Regional Planning Office was given the opportunity to review and comment which are included in this letter.

CALTRANS DISTRICT COMMENTS

- Caltrans is looking forward to collaborating with SCAG during the development and implementation process of Connect SoCal 2024 and the PEIR process.
- The PEIR should draw from the California Transportation Plan (CTP) 2050 and be consistent with the goals set in the CTP as it provides safety, economic accessibility, and environmental objectives for the California Transportation System.
- We also encourage document alignment with the Climate Action Plan for Transportation Infrastructure (CAPTI), California Sustainable Freight Action Plan (CSFAP), Interregional Transportation Strategic Plan (ITSP), Caltrans Smart Mobility Framework (SMF), and Local Plans
- Caltrans recognizes our responsibility to assist communities of color and underserved communities by removing barriers to provide a more equitable transportation system for all. The Department firmly embraces racial equity, inclusion, and diversity.

- Please see Caltrans Equity Statement [Caltrans Equity Statement | Caltrans](#) and incorporate where appropriate.
- Ensure that the document complies with federal civil rights requirements (Title VI).

When SCAG starts to develop the RTP/SCS – Connect SoCal 2024, please also consider these topics and coordinate with Caltrans when appropriate:

- Incorporate discussion on the importance of Multimodal Mobility Strategies and Mobility Hubs, places of connectivity where different travel options such as biking, transit, and shared mobility can be integrated into the region's transportation network
- Ensure that Connect SoCal analyzes how to make improvements in goods movement within the county and SCAG region. The RTP/SCS should also address how the SCAG region works to achieve an inter-regional network for longer-distance travel and freight movement.
- Consider including a discussion on connectivity between travel modes and non-automotive mode share.
- Future developments should incorporate multi-modal and complete streets transportation elements that will actively promote alternatives to car use and better manage existing parking assets.
- Consider providing a discussion about bicycle facilities and amenities such as secure storage/parking facilities, showers, and wayfinding signage. These promote the use of Active Transportation.
- We encourage the implementation of new technologies, innovations, and best practices that will enhance the safety of the transportation network
- RTP/SCS should include policies that coordinate with Caltrans and other partners to foster growth of bicycle networks and the improvement of safety of pedestrians and bicyclists, such as Vision Zero.
- Address adaptation strategies to climate change impacts and discuss resiliency efforts which support a sustainable transportation network.
- Include a discussion of CMCPs (Comprehensive Multimodal Corridor Plans) and how these relate to and complement the RTP/SCS. CMCPs are a requirement for SB1 funding programs and enhance the RTP by making transportation solution recommendations at a corridor level.
- Homelessness has become a larger problem in the region. One solution to the lack of housing problem has been the use Caltrans' right-of-way for temporary housing. As the development of the SCAG RTP update moves forward, we encourage SCAG to develop the plan with a focus on ways to encourage high-density infill development.
- Include a discussion of funding opportunities including programs such as the Solutions for Congested Corridors Program (SCCP), Trade Corridor Enhancement Program (TCEP), and Local Partnerships.

Ms. Karen Calderon
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- Please ensure that the Caltrans District 12 I-5 Managed Lanes Project is incorporated into the 2024-2050 RTP/SCS. The purpose of the project is to improve the overall movement of people and goods along the I-5 corridor.
- Imperial County is an important part of the SCAG region due to the Ports of Entry (POE) along the Mexico Border. Please include a discussion of the importance of these POEs for people and goods movement throughout the region
- Review Caltrans District 11 Transportation Concept Reports (TCR) for detailed information about Imperial County highway corridors, including performance, key issues, and future concepts

Should you have any questions regarding the comments, please contact our Regional Planning Branch Chief, Caleb Brock at Caleb.Brock@dot.ca.gov or (213) 310-2542.

Sincerely,



Paul Albert Marquez
Deputy District Director
Transportation Planning, Goods Movement, and Local Assistance

CC: Caleb Brock, District 7
Mark Roberts, District 8
Seth Cutter, District 11
Scott Shelley, District 12

Annaleigh Ekman

From: Karen Calderon
Sent: Tuesday, November 29, 2022 3:34 PM
To: 2024 PEIR
Subject: FW: CA Department of Fish and Wildlife Comments- Connect SoCal 2024 NOP (SCH# 2022100337)

Forwarding email to the official 2024 PEIR email address.



Karen Calderon
Senior Regional Planner
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calderon@scag.ca.gov

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
900 Wilshire Blvd., Ste. 1700, Los Angeles, CA 90017
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From: OPR State Clearinghouse <State.Clearinghouse@opr.ca.gov>
Sent: Tuesday, November 29, 2022 3:12 PM
To: Castanon, Angela@Wildlife <Angela.Castanon@Wildlife.ca.gov>; Karen Calderon <calderon@scag.ca.gov>
Cc: Gibson, Steve@Wildlife <Steve.Gibson@wildlife.ca.gov>; Tang, Victoria@Wildlife <Victoria.Tang@wildlife.ca.gov>; Freeburn, Kim@Wildlife <Kim.Freeburn@wildlife.ca.gov>; Pert, Heather@Wildlife <Heather.Pert@wildlife.ca.gov>; Brandt, Jeff@Wildlife <Jeff.Brandt@wildlife.ca.gov>; Kwan-Davis, Ruby@Wildlife <Ruby.Kwan-Davis@Wildlife.ca.gov>; Galli, Emily@Wildlife <Emily.Galli@Wildlife.ca.gov>; Hailey, Cindy@Wildlife <Cindy.Hailey@wildlife.ca.gov>; Jimenez, Corina@Wildlife <Corina.Jimenez@Wildlife.ca.gov>; Wilson-Olgin, Erinn@Wildlife <Erinn.Wilson-Olgin@wildlife.ca.gov>
Subject: RE: CA Department of Fish and Wildlife Comments- Connect SoCal 2024 NOP (SCH# 2022100337)

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Thank you for your submittal, the SCH is in receipt of your comments.

Mikayla Vaba
State Clearinghouse
(916) 445-0613
mikayla.vaba@opr.ca.gov

From: Castanon, Angela@Wildlife <Angela.Castanon@Wildlife.ca.gov>

Sent: Tuesday, November 29, 2022 2:49 PM

To: calderon@scag.ca.gov

Cc: Gibson, Steve@Wildlife <Steve.Gibson@wildlife.ca.gov>; Tang, Victoria@Wildlife <Victoria.Tang@wildlife.ca.gov>; Freeburn, Kim@Wildlife <Kim.Freeburn@wildlife.ca.gov>; Pert, Heather@Wildlife <Heather.Pert@wildlife.ca.gov>; Brandt, Jeff@Wildlife <Jeff.Brandt@wildlife.ca.gov>; Kwan-Davis, Ruby@Wildlife <Ruby.Kwan-Davis@Wildlife.ca.gov>; Galli, Emily@Wildlife <Emily.Galli@Wildlife.ca.gov>; Hailey, Cindy@Wildlife <Cindy.Hailey@wildlife.ca.gov>; Jimenez, Corina@Wildlife <Corina.Jimenez@Wildlife.ca.gov>; Wilson-Olgin, Erinn@Wildlife <Erinn.Wilson-Olgin@wildlife.ca.gov>

Subject: CA Department of Fish and Wildlife Comments- Connect SoCal 2024 NOP (SCH# 2022100337)

Hello Ms. Calderon,

We appreciate the extension for submission, attached are the California Department of Fish and Wildlife's comments on SCAG's NOP for the Connect SoCal 2024 Regional Transportation Plan DPEIR, (SCH No. 2022100337).

Please let me know if you have any questions.

Angela Castanon

Environmental Scientist

Habitat Conservation and Planning

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State of California – Natural Resources Agency

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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



November 29, 2022

Ms. Karen Calderon
Southern California Association of Governments
900 Wilshire Blvd.
Los Angeles, CA 90017
Calderon@scag.ca.gov

Subject: Notice of Preparation of a Draft Program Environmental Impact Report Connect SoCal 2024 Regional Transportation Plan, Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura County, State Clearinghouse No. 2022100337

Dear Ms. Calderon:

The California Department of Fish and Wildlife (CDFW) has reviewed the Notice of Preparation (NOP) of a Draft Program Environmental Impact Report (PEIR) from the Southern California Association of Governments (SCAG) for the 2024-2050 Regional Transportation Plan and Sustainable Communities Strategy (Connect SoCal 2024; Project). For the purposes of this comment letter, “Applicant” will refer to subsequent project proponents (Applicant) that tier from SCAG’s PEIR. Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. CDFW appreciates the extension to accept comments after the November 16, 2022, deadline. 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’s Role

CDFW is California’s Trustee Agency for fish and wildlife resources and holds those resources in trust for the people of the State [Fish & Game Code, §§ 711.7, subdivision (a) & 1802; Pub. Resources Code, § 21070; California Environmental Quality Act (CEQA) Guidelines, [§ 15386, subdivision (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). CDFW is also directed to provide biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect state fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA (Public Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & Game Code, § 1600 *et seq.*). To the extent implementation of the Project as proposed may result in “take” of any species protected under the California Endangered Species Act (CESA; Fish & Game Code, § 2050 *et seq.*), or CESA-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & Game Code, §1900

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et seq.), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.

Project Description and Summary

Objective: The Southern California Association of Governments (SCAG) is proposing the Connect SoCal 2024 that would provide program-level direction for development of a regional transportation plan. Plans associated with this Project are updated every four years and act as a long-range plan to accommodate an eight-year projection of housing needs and associated transportation networks. No construction was purposed as part of the Project and the PEIR will be used for planning purposes. To determine the framework of potential regional development and transportation patterns, SCAG is in collaboration with 197 local jurisdictions to collect land use data. Considerations to lowering greenhouse gas emission (GHG) are also included within the scope of the Project. The Project will build off the policies established within the Connect SoCal 2020.

Location: The Project area includes 38,000 square miles and spans throughout Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. Within the six counties, 191 cities are included within the Project area.

Comments and Recommendations

CDFW offers the comments and recommendations below to assist SCAG in adequately identifying, avoiding, and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources.

Alternatives Analysis

CDFW recommends the PEIR describe and analyze a range of reasonable alternatives to the Project that are potentially feasible, would "feasibly attain most of the basic objectives of the Project," and would avoid or substantially lessen any of the Project's significant effects (CEQA Guidelines § 15126.6[a]). The alternatives analysis should also evaluate a "no project" alternative (CEQA Guidelines § 15126.6[e]).

COMMENTS AND RECOMMENDATIONS

Specific Comments

- 1) Impacts on Wildlife Corridors and Habitat Connectivity. Within the Project area there are various wildlife corridors and essential habitat blocks. These areas support native biodiversity and areas essential for ecological connectivity between them. By implementing new transportation and development networks across 6 counties the Project could impact the ecological integrity and function of wildlife corridors and steppingstones supporting resident and transient wildlife movement. Habitat fragmentation could threaten the viability of remaining natural resources for wildlife, including sensitive and special status species. Maintaining wildlife corridors and habitat connectivity is essential for wildlife movement and is increasingly important considering habitat loss and climate change. The South Coast Missing Linkages project has developed a comprehensive plan to connect existing corridors and open spaces to aid wildlife movement

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(<http://www.scwildlands.org/reports/scmlregionalreport.pdf>). The California Essential Habitat Connectivity Project provides guidance for mitigating the fragmenting effects of roads and for developing and implementing local and regional connectivity plans (Spencer et al. 2010). SCAG should avoid development within these potential linkage networks when developing their PEIR.

- a) Ventura County. According to the Ventura County GIS viewer, the Santa Monica-Sierra Madre and the Sierra Madre-Castaic wildlife corridors transect Ventura County in multiple areas (Ventura County 2022a). Likewise, there are several critical wildlife passage areas throughout Ventura County including the [Oak View critical wildlife passage area](#), the [Simi Hills critical wildlife passage area](#), and the [Tierra Rejada critical wildlife passage area](#) (CVRMA 2019). Future development of transportation networks through these areas undermine the goal of [Ventura County's non-coastal zoning ordinance](#) to "preserve functional connectivity for wildlife and vegetation throughout the [wildlife corridor] overlay zone by minimizing direct and indirect barriers, minimizing loss of vegetation and habitat fragmentation and minimizing impacts to those areas that are narrow, impacted or otherwise tenuous with respect to wildlife movement." Transportation corridors and roads create extended linear barriers to wildlife. State routes 118 and 23, and the 101 freeway already constitute significant barriers to wildlife movement in Ventura County. Transportation networks can also create "pinch points" and funnel wildlife to unsafe crossing areas or habitat less suitable to wildlife species.
- b) Analysis and Disclosure. CDFW recommends the Applicant analyze whether the Project would impact wildlife corridors and essential connectivity blocks within the entirety of the Project area. Impacts include (but are not limited to) habitat loss and fragmentation, narrowing of a wildlife corridor, and introduction of barriers to wildlife movement. CDFW recommends such an analysis be supported by studies to document wildlife activity and movement through Project area where development is proposed. Further, the PEIR should analyze the cumulative impacts of creating transportation networks within these important movement areas as part of their analysis. The Applicant should consider current, planned, and future wildlife passage projects when analyzing Project impacts. Technical detail such as data, maps, diagrams, and similar relevant information should be provided to permit full assessment of significant environmental impacts by reviewing agencies and members of the public (CEQA Guidelines, §15147).
- c) Avoidance. Future placement of transportation and development patterns should not exacerbate barriers to wildlife movement. The Project should avoid impacts to wildlife corridors, essential connectivity blocks, and potential "least cost" linkage areas. To more effectively avoid passage areas the Applicant should at a minimum consider the following datasets: the Missing Linkages in California's landscape California Natural Diversity Database (CNDDDB) layer (ds420), South Coast Missing Linkages (ds419), and Essential Connectivity Areas (ds620). Based on these datasets, the Applicant should identify areas of possible impact. The Project should also consider the South Coast Missing Linkages projected "least cost" linkage designs for the South Coast Ecoregion (South Coast Wildlands 2008). The Applicant should also review CDFW's Priority Wildlife Movement Barrier locations report (CDFW 2020a). CDFW recommends a minimum half-mile buffer is recommended around wildlife corridors to maintain the integrity of these connectivity areas. Likewise, a minimum 1,000-foot setback should be provided for other passage areas such as essential connectivity blocks to avoid impacts

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from edge effects.

- d) Mitigation. CDFW recommends the Project avoid developing and encroaching onto wildlife corridors, essential connectivity blocks, critical wildlife passage areas, or potential linkage areas. Future transportation and development networks should avoid areas important to wildlife movement to the extent feasible. If avoidance is not feasible, CDFW recommends the PEIR provide measures to minimize and mitigate for the Project's significant impacts on wildlife corridors (see General Comments 10 & 11). If impacts are anticipated to occur within movement areas, the applicant should be required to construct a crossing or passage with wildlife fencing to maintain wildlife movement in the impacted area as part of the Project. The PEIR should provide minimum criterion for design features, dimensions, and locations of potential crossings. The Applicant may also consider acquiring contiguous adjacent land parcels to be protected in perpetuity from encroachment and development. CDFW also recommends the PEIR provide measures where any future development patterns facilitated by the Project mitigates (avoids first if feasible) for project-level impacts on wildlife corridors not previously identified in the PEIR.
- 2) Mountain Lion (*Puma concolor*). Implementation of new transportation networks across multiple counties may impact mountain lion by narrowing or fragmenting movement corridors to suitable habitat units. Mountain lions are currently protected under CESA as a candidate species and are exceptionally vulnerable to human disturbance (Lucas 2020). The biggest threat to mountain lion is fragmentation of movement corridors and habitat loss through conversion of natural vegetation into another land use such as development (e.g., commercial, residential, industrial). Further, Project implementation will include the development of new roads and higher vehicle usage. Increased traffic paired with continuous development could create "pinch points" which can lead mountain lion towards unsafe road crossings, causing vehicle strikes. Habitat loss and fragmentation due to roads and development has driven the southern California mountain lion population towards extinction (Yap et al. 2019).
- a) Protection Status. Mountain lion is a specially protected mammal in the State (Fish and Game Code, § 4800). In addition, on April 21, 2020, the California Fish and Game Commission accepted a petition to list an evolutionarily significant unit (ESU) of mountain lion in southern and central coastal California as threatened under CESA (CDFW 2020b). As a CESA-candidate species, the mountain lion in southern California is granted full protection of a threatened species under CESA.
- b) Analysis and Disclosure. CDFW recommends the Applicant include a discussion on potential impacts to the Southern California Evolutionary Significant Unit (ESU) of mountain lion and each subpopulation under the ESU within the PEIR. Impacts from habitat loss and wildlife movement should be discussed. The Applicant should evaluate the mountain lion territory size and use of habitat within and around the Project vicinity. The Applicant should analyze the change (i.e., increase) in human presence and area of anthropogenic influence that will be in mountain lion habitat and how it may impact mountain lion behavior, reproductive viability, and overall survival success. The Applicant should review datasets related to mountain lion such as CDFW's Mountain Lion Habitat Suitability dataset (ds2916) and California Wildlife Habitat Relationships Mountain Lion Predicted Habitat dataset (ds2616) in addition to datasets previously

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mentioned in Specific Comment 1. CDFW also recommends reviewing National Park Service (NPS) data of collared individuals and assessing potential pinch points through mountain lion strike data.

- c) Avoidance. CDFW recommends the PEIR provide measures where future development patterns facilitated by the Project avoids encroachment into mountain lion habitat and movement corridors. This includes areas of movement, hunting, and denning. The PEIR should include appropriate buffers and setbacks to potential mountain lion habitat and movement corridors.
- d) Mitigation. If impacts cannot be avoided, habitat should be replaced to compensate for the temporal or permanent loss habitat within a Project site (see General Comments 10 & 11). If impacts to movement corridors occur the Project should include plans to implement wildlife crossing structures or passages with directional wildlife fencing to mitigate impacts to mountain lion in impacted areas. The PEIR should provide minimum criterion for design features, dimensions, and locations of potential crossings and associated fencing. The Applicant may also consider acquiring contiguous adjacent land parcels to be protected in perpetuity from encroachment and development.
- a) CESA ITP. If “take” or adverse impacts to mountain lion cannot be avoided either during Project construction and/or over the life of the Project, the Applicant must consult with CDFW to determine if a CESA Incidental Take Permit (ITP) is required (pursuant to Fish & Game Code, § 2080 *et seq.*).

Appropriate take authorization from CDFW under CESA may include an ITP or a Consistency Determination in certain circumstances, among other options [Fish & Game Code, §§ 2080.1, 2081, subds. (b) and (c)]. Early consultation is encouraged, as significant modification to the project and mitigation measures may be required to obtain an ITP. Revisions to the Fish and Game Code, effective January 1998, may require that CDFW issue a separate CEQA document for the issuance of an ITP for the Project unless the Project’s CEQA document addresses all the Project’s impact on CESA endangered, threatened, and/or candidate species. The Project’s CEQA document should also specify a mitigation monitoring and reporting program that will meet the requirements of an ITP. It is important that the take proposed to be authorized by CDFW’s ITP be described in detail in the Project’s CEQA document. Also, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for an ITP. However, it is worth noting that mitigation for the Project’s impact on a CESA endangered, threatened, and/or candidate species proposed in the Project’s CEQA document may not necessarily satisfy mitigation required to obtain an ITP.

- 3) Sensitive Habitats and Open Space. There are various areas of critical habitat, sensitive habitat, and open spaces (parks and reserves) throughout the Project area. Future development patterns and transportation projects should avoid these areas to preserve the sensitive plants, wildlife, and communities.
 - a) Analysis and Disclosure. CDFW recommends the Applicant review online resources to determine the distribution of critical habitats within the Project area. Critical habitat areas should be avoided to reduce impact to Endangered Species Act (ESA-) and CESA-listed

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species present in the various counties (USFWS 2022a). CDFW recommends the Applicant analyze and discuss the Project's direct impacts on critical habitat, sensitive habitats, and open space within the Project area. The Project could result in loss of critical habitat, sensitive habitats, and open space through development of future transportation networks in these areas. PEIR should disclose the acreage of critical habitat, sensitive habitats, and open space that would be lost as a result of any subsequent network designs, including all areas subject to vegetation clearing and grading to accommodate development. CDFW also recommends the Applicant analyze and discuss the Project's potential impacts on conserved lands adjacent to the Project area.

- b) Avoidance. CDFW recommends the Project avoid developing and encroaching onto critical habitat and sensitive habitats/open space. Encroachment onto sensitive habitats/open space creates an abrupt transition between two different land uses. Encroachment onto sensitive habitats/open space could affect environmental and biological conditions and increase the magnitude of edge effects on biological resources. CDFW recommends the PEIR provide alternatives to the Project that would not result in conversion of critical habitat, sensitive habitat, or open space into developed areas. CDFW also recommends the PEIR provide alternatives that would not encroach onto sensitive habitats/open space, particularly conservation easements. Pursuant to CEQA Guidelines section 15126.6, a PEIR "shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasible attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives." Furthermore, a PEIR "shall include sufficient information about alternatives to allow meaningful evaluation, analysis, and comparison with the proposed project" (CEQA Guidelines, § 15126.6) (see General Comment 12).
 - c) Mitigation. If avoidance is not feasible, CDFW recommends the PEIR provide measures to mitigate for impacts to critical habitat, sensitive habitats, and open space. There should be no net loss of sensitive habitats/open space. CDFW recommends the PEIR provide measures where any future development patterns facilitated by the Project mitigates (avoids first if feasible) for project-level impacts on sensitive habitats/open space not previously identified in the PEIR. CDFW recommends the PEIR provide a measure where any future development patterns facilitated by the Project establishes unobstructed vegetated buffers and setbacks. The PEIR should provide standards for an effective buffer and setback; however, the buffer and setback distance should be increased at a project-level as needed. The PEIR should provide justifications for the effectiveness of all proposed mitigation measures. The PEIR should provide sufficient information and disclosure to facilitate meaningful public review, analysis, and comment on the adequacy of proposed mitigation measures to offset Project-related impacts on sensitive habitats/open space.
- 4) Coastal California Gnatcatcher (*Poliophtila californica californica*). Project activities could include the implementation of new transportation patterns in areas currently occupied by coastal California gnatcatcher. Future Projects occurring during the breeding and nesting season could also result in the incidental loss of fertile eggs or nestlings. Placement of roads and associated development in or surrounding occupied habitat may result in permanent impacts to coastal California gnatcatcher through alteration, fragmentation, and/or loss of

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suitable nesting and foraging habitat. Populations of coastal California gnatcatcher have been found to be genetically isolated from other populations within their range. Lack of genetic mixing between other geographical populations is likely due to heightened fragmentation and loss of suitable habitat across their range in southern California (Vandergast 2019). Coastal California gnatcatcher are non-migratory, territorial, and have been found not to disperse far from their natal nests (Bailey 1998; Vandergast 2019). Thus, the preservation of sensitive natural communities which they have been documented to utilize is paramount.

- a) Protection Status. Coastal California gnatcatcher is an ESA-listed species and a California SSC. ESA-listed species are considered endangered, rare, or threatened species under CEQA (CEQA Guidelines, § 15380). Take under the ESA is more broadly defined than CESA. Take under ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. CEQA provides protection not only for State and federally listed species, but for any species including, but not limited to SSC, which can be shown to meet the criteria for State listing. SSC's meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15065). Take of SSC's could require a mandatory finding of significance (CEQA Guidelines, § 15065).
 - b) Disclosure and Analysis. CDFW recommends the PEIR analyze and discuss the Project's potential impacts on coastal California gnatcatcher and their habitat. The Applicant should review the U.S. Fish and Wildlife Service (USFWS) Final Critical Habitat dataset (ds404) on the Biogeographic Information and Observation System (BIOS). The PEIR should have a discussion regarding how the project avoids impacts to coastal California gnatcatcher and associated habitat (see Specific Comment 3). The PEIR should be conditioned to perform project-level surveys for coastal California gnatcatcher in areas of potential impact.
 - c) Avoidance. CDFW recommends the PEIR provide measures where future development patterns facilitated by the Project avoids encroachment or fragmentation of coastal California gnatcatcher habitat and critical habitat. The Project should avoid coastal sage scrub and any associations or alliances that fall under the coastal sage scrub community. Ground disturbance and vegetation clearing should avoid the nesting bird season (see Specific Comment 7).
 - d) Mitigation. If avoidance is not feasible the Applicant should protect or create habitat suitable for coastal California gnatcatcher. Replacement habitat should be protected in perpetuity (see General Comments 10 & 11). CDFW recommends the PEIR be conditioned to provide replacement habitat to ensure no net loss to gnatcatcher habitat. The PEIR should discuss why mitigation measures proposed would be adequate to avoid or offset impacts to gnatcatcher and habitat. If presence is confirmed the Applicant should consult with USFWS and CDFW before ground disturbing activities.
- 5) Crotch's Bumblebee (*Bombus crotchii*). Future transportation patterns developed with the implementation of the Project may cause direct mortality to Crotch's bumblebee or injury of adults, eggs, and larva, burrow collapse, nest abandonment, and reduced nest success. Suitable Crotch's bumblebee habitat is far ranging as they are generalist foragers and can

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utilize many different plant and vegetation communities. Suitable habitat includes areas of grasslands, coastal sage scrub, and arid desertscape that contain requisite habitat elements, such as small mammal burrows.

- b) Protection Status. A petition to list the Crotch's bumble bee as an endangered species under CESA is currently pending before the California Fish and Game Commission (Commission) (Cal. Reg. Notice Register 2018, No. 45-Z, pp. 1986–1987 [November 9, 2018]). The Commission designated the Crotch's bumble bee as a candidate species under CESA in June 2019 (Cal. Reg. Notice Register 2019, No. 26-Z, pp. 954–955 [June 28, 2019]). The Commission's decision to designate the Crotch's bumble bee as a candidate species is the subject of a pending legal challenge (Almond Alliance of California v. Fish and Game Commission [2022] 79 Cal. App. 5th 337, pet. for review pending, S275412). On September 30th, 2022, candidacy was reinstated for the four bumble bee species petitioned for listing—franklin's, Crotch's, western, and suckle cuckoo.
 - c) Disclosure and Analysis. The Applicant should condition the PEIR to perform project-level surveys in areas of impact with suitable habitat for Crotch's bumblebee. Surveys should be performed by a qualified entomologist familiar with the species behavior and life history to determine the presence/absence of Crotch's bumble bee. Surveys should be conducted during flying season when the species is most likely to be detected above ground, between March 1 to September 1 (Thorp et al. 1983).
 - d) Mitigation. If avoidance is not feasible and Crotch's bumblebee is present, the PEIR should be conditioned to mitigate for impacts to Crotch's bumblebee. A qualified biologist should identify and record the locations of all nests in or adjacent to the Project site. CDFW recommends the PEIR be conditioned with a measure where a 50-foot buffer zone should be established around nests where no work should occur. If impacts are unavoidable the Applicant should consult CDFW to see if a CESA ITP is required. Compensatory mitigation should also be provided to offset loss of habitat and vegetation communities associated with Crotch's bumblebee.
- 6) Impacts to Special Status and Sensitive Species. Given the large expanse of area included within the Project area, CDFW is concerned the Project may affect sensitive species that occur within these geographical areas. Grading, vegetation removal, and other ground disturbances could crush and bury listed or sensitive plants and animals, resulting in direct mortality. Likewise, these activities could remove foraging, breeding and nesting habitat for a multitude of species. The Project may also impact specific areas where networks are proposed for placement or modification as well as adjacent habitat through loud noises, lighting, increased human presence and activity, fugitive dust, increased temperatures from asphalt (heat island effect), hydrocarbons from asphalt paving within the floodplain, and spreading invasive weeds, resulting in stress, displacement, and mortality of these species. CDFW recommends to following:
- a) Protection Status. CDFW considers adverse impacts to a species protected by CESA to be significant without mitigation under CEQA. As to CESA, take of any endangered, threatened, candidate species, or CESA-listed rare plant species that results from the Project is prohibited, except as authorized by State law (Fish & Game Code, §§ 2080, 2085; California Code of Regulations, tit. 14, § 786.9). Likewise, CDFW considers State

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listed communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S1, S2, and S3 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDDB and are included in the [Manual of California Vegetation](#) (CNPS 2022).

- b) Analysis and Disclosure. Given this Project is proposed across six counties, the potential for direct and indirect impacts to sensitive, listed, and fully protected species should be thoroughly addressed. The PEIR should include specific information on species locations and specifically how the project will be sited to avoid impacts to this species or vegetation communities. If the Project will impact a sensitive species or vegetation community, specific mitigation to offset the loss of habitat (acreage and type) should be included in the PEIR.
 - c) Avoidance. The PEIR should include measures to fully avoid and otherwise protect special status, sensitive, and rare plant and wildlife species and plant communities from Project-related direct and indirect impacts. The Project should discuss how the Project has been designed to avoid impacts to special status species so that CDFW may assess whether impacts have been lowered to less than significant.
 - d) Mitigation. To mitigate for lost or altered habitat CDFW recommends the PEIR specify that individual projects are conditioned to require to protect or create appropriate habitat for species impacted (see General Comments 10 & 11). The PEIR should specify that individual projects could also use alternatives to hydrocarbon-based asphalt paving to mitigate for potential hydrocarbon and heavy metal contamination.
- 7) Special Status Bird Species. If future Project activities tiering off of the PEIR occur during the breeding season incidental loss of fertile eggs, or nestlings, or nest abandonment may occur in trees and shrubs directly adjacent to the Project. The Project could also lead to the loss of foraging habitat for sensitive bird species.
- a) Protection Status. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (Code of Federal Regulations, Title 50, § 10.13). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the MBTA).
 - b) Analysis and Disclosure. The PEIR should assess the Project's potential impacts on nesting birds and raptors. The environmental document should discuss potential impacts that could occur during construction, ground disturbing activities, and vegetation removal associated with the Project.
 - c) Avoidance. CDFW recommends that measures be taken, primarily, to avoid Project impacts to nesting birds. The PEIR should be conditioned with measures to avoid impacts on special status birds. Proposed Project activities including (but not limited to) staging and disturbances to native and nonnative vegetation, structures, and substrates should occur outside of the avian breeding season which generally runs from February 15 through August 31 (as early as January 1 for some raptors) to avoid take of birds or their eggs.

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- d) Mitigation. If avoidance of the avian breeding season is not feasible, CDFW recommends surveys by a qualified biologist with experience in conducting breeding bird surveys to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 300 feet of the disturbance area (within 500 feet for raptors). Project personnel, including all contractors working on-site, should be instructed on the sensitivity of the area. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.
- 8) Burrowing Owl. Future placement of transportation and development networks may cause direct impacts to burrowing owl. Projects tiered off from the PEIR may remove burrowing owl foraging, breeding, nesting habitat.
- a) Protection Status. Burrowing owl is an SSC. CEQA provides protection not only for CESA-listed species, but for any species including but not limited to Species of Special Concern (SSC) which can be shown to meet the criteria for State listing. Burrowing owl is an SSC that meets the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). Take of individual burrowing owls and their nests is defined by Fish and Game Code section 86, and prohibited by sections 3503, 3503.5 and 3513. Take is defined in Fish and Game Code section 86 as “hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill.”
- b) Analysis and Disclosure. CDFW recommends the PEIR analyze and discuss the Project’s potential impacts on burrowing owl and their habitat. The PEIR should have a discussion regarding how the project avoids impacts to burrowing owl and associated habitat. The PEIR should be conditioned to perform project-level surveys for burrowing owl in areas of potential impact.
- c) Avoidance. The PEIR should be conditioned to avoid impacts to burrowing owl. In areas where burrowing owl may be present ground disturbing should be avoided. If not feasible biological monitors should be present at all times. Burrowing owl are susceptible to impacts year-round as their breeding season extends from February 1 to August 31 and their overwintering period from September 1 to January 31. While overwintering burrowing owl may be less likely to be detected as they overwinter underground in burrows.
- d) Mitigation. In areas where burrowing owl may be present, CDFW recommends that the Applicant follow the recommendations and guidelines provided in the [Staff Report on Burrowing Owl Mitigation](#) (2012 Staff Report; CDFW 2012c). The 2012 Staff Report specifies three steps for project impact evaluations: a habitat assessment; surveys; and an impact assessment. Impact assessments should evaluate the extent to which burrowing owls and their habitat may be impacted, directly or indirectly, on and within a reasonable distance by the Project. If impacts to burrowing owl or their associated habitat are to occur the PEIR should be conditioned such that the Applicant protects or creates habitat appropriate for burrowing owl. Habitat should be secured or created based on site-specific analysis and consideration into the wide variation of natal area, home range, foraging area, and other factors influencing burrowing owls and burrowing owl population persistence in a particular area. Permanent impacts to nesting, occupied,

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and satellite burrows and burrowing owl habitat should be on, adjacent or proximate to the impact site where possible and where habitat is sufficient to support burrowing owls present. If mitigation occurs offsite, it should include (a) permanent conservation of similar vegetation communities (grassland, scrublands, desert, urban, and agriculture) to provide for burrowing owl nesting, foraging, wintering, and dispersal (i.e., during breeding and non-breeding seasons) comparable to or better than that of the impact area, and (b) be sufficiently large acreage with the presence of fossorial mammals. Suitable mitigation lands should be based on a comparison of the habitat attributes of the impacted and conserved lands, including but not limited to type and structure of habitat being impacted or conserved; density of burrowing owls in impacted and conserved habitat; and significance of impacted or conserved habitat to the species range wide.

- 9) Loss of Bird and Raptor Nesting Habitat. Project implementation could result in a significant loss of nesting habitat for passerine and raptor species. The biggest threat to birds is habitat loss and conversion of natural vegetation into another land use such as development (e.g., commercial, residential, industrial). Urban forests and street trees, both native and some non-native species, provide habitat for a high diversity of birds (Wood and Esaian 2020). Some species of raptors have adapted to and exploited urban areas for breeding and nesting (Cooper et al. 2020). For example, raptors (*Accipitridae*, *Falconidae*) such as red-tailed hawks (*Buteo jamaicensis*) and Cooper's hawks (*Accipiter cooperii*) can nest successfully in urban sites. Red-tailed hawks commonly nest in ornamental vegetation such as eucalyptus (Cooper et al. 2020).
- a) Analysis and Disclosure. The Applicant should analyze how forecasted development and transportation networks will impact bird and nesting habitat within the counties. The Applicant should provide a discussion on cumulative impacts due to any current, future, and foreseeable projects.
- b) Avoidance. CDFW recommends the PEIR provide measures where future development patterns facilitated by the Project avoids removal of any native trees, large and dense-canopied native and non-native trees, and trees occurring in high density (Wood and Esaian 2020). CDFW also recommends avoiding impacts to understory vegetation (e.g., ground cover, subshrubs, shrubs, and trees).
- c) Mitigation. If impacts to trees cannot be avoided, trees should be replaced to compensate for the temporal or permanent loss habitat within a Project site. Depending on the status of the bird or raptor species impacted, replacement habitat acres should increase with the occurrence of a California SSC. Replacement habitat acres should further increase with the occurrence of a CESA-listed threatened or endangered species. CDFW recommends planting native tree species preferred by birds. This includes coast live oak (*Quercus agrifolia*) and California sycamore (*Platanus racemosa*) (Wood and Esaian 2020). CDFW recommends Audubon Society's Plants for Birds for more information on selecting native plants and trees beneficial to birds (Audubon Society 2022).
- 10) Bats. Future work tiered off from the PEIR may impact bat species through the introduction of increased noise, vibration, light, and human activity. Accordingly, CDFW recommends the PEIR provide measures where future Projects tiered off from the PEIR avoids potential

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impacts to bats.

- a) Protection Status. Bats are considered non-game mammals and are afforded protection by state law from take and/or harassment (Fish & G. Code, § 4150; Cal. Code of Regs., § 251.1).
 - b) Analysis and Disclosure. CDFW recommends a project-level biological resources survey provide a thorough discussion and adequate disclosure of potential impacts to bats and roosts from Project construction and activities including (but not limited to) ground-disturbing activities (e.g., mobilizing, staging, drilling, and excavating) and vegetation removal. If necessary, to reduce impacts to less than significant, a project-level environmental document should provide bat-specific avoidance and/or mitigation measures [CEQA Guidelines, § 15126.4(a)(1)].
 - c) Avoidance. The Project should be conditioned to avoid impacts to bats. If the Project would impact bats, CDFW recommends the PEIR provide measures to avoid/minimize impacts on bats, roosts, and maternity roosts. Project activities should avoid the maternity season for bat species which generally spans from March 1 to September 30.
 - d) Mitigation. The PEIR should incorporate mitigation measures in accordance with [California Bat Mitigation Measures](#) (Johnston *et al.* 2004).
- 11) Habitat Conservation Plans and Natural Conservation Community Plans. Compliance with approved habitat plans 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. CDFW recommends coordinating with CDFW on each of the Natural Conservation Community Plans (NCCPs) that may be impacted by the proposed Project.
- a) Western Riverside County Multiple Species Habitat Conservation Plan.

CDFW issued Natural Community Conservation Plan Approval and Take Authorization for the Western Riverside County 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. An assessment of the impacts to the MSHCP because 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>.

For CDFW to evaluate any inconsistencies between the proposed Project and the MSHCP, CDFW recommends that the PEIR require that individual projects demonstrates, at a minimum, how projects complies with:

The policies for the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools, set forth in Section 6.1.2 of the MSHCP; the policies for the Protection of Narrow Endemic Plant Species set forth in Section 6.1.3 of the MSHCP; Additional Survey Needs and Procedures as set forth in Section 6.3.2 of

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the MSHCP; the Urban/Wildlands Interface Guidelines as set forth in Section 6.1.4 of the MSHCP; Best Management Practices and the siting, construction, design, operation and maintenance guidelines as set forth in Section 7.0 and Appendix C of the MSHCP.

Applicants for individual projects may be the lead agency but not signatory to the MSHCP, therefore, to participate in the MSHCP they would need to act as a Participating Special Entity (PSE). If the applicant chooses to act as a PSE and obtain take through the MSHCP then all of the MSHCP policies and procedures discussed above in this letter will apply to this Project, and the environmental document for the project should discuss how the project will demonstrate consistency with the MSHCP. If the project is not processed through the MSHCP for covered species, then the project may be subject to the Federal Endangered Species Act (FESA) and/or CESA for threatened, endangered, and/or candidate species.

Regardless of whether take of threatened and/or endangered species is obtained through the MSHCP or through a CESA ITP, individual projects need to address how the proposed project will affect the policies and procedures of the MSHCP. Therefore, all surveys required by the MSHCP policies and procedures listed above to determine consistency with the MSHCP should be conducted and results included in projects so that CDFW can adequately assess whether the project will impact the MSHCP.

To examine how the project might contribute to, or conflict with, assembly of the MSHCP Conservation Area consistent with the reserve configuration requirements, CDFW recommends that the projects identify the specific Area Plan and Area Plan Subunit within which the project is located, and the associated Planning Species and Biological Issues and Considerations that may apply to the projects, further discussed below. The environmental document should also discuss the specific Criteria for Cells within which the project is located and identify the associated Core(s) and/or Linkage(s). Next, the environmental document should identify the vegetation communities toward which conservation should be directed along with the connectivity requirements.

Following this sequential identification of the relationship of the project to the MSHCP the environmental document should then include an in-depth discussion of the project in the context of these aforementioned elements, and as mentioned, examine how the project might contribute to, or conflict with, the conservation criteria of the MSHCP.

Covered Activities

CDFW also recommends that PEIR specify that applicants demonstrate how their project is consistent with Section 7.0 of the MSHCP, if applicable.

Roads. For projects proposed inside the MSHCP Criteria Area, the environmental document should include a discussion of the Project and its consistency with Covered Activities (Section 7.3 of the MSHCP) and specifically Existing Roads Within the Criteria Area (Section 7.3.4) and Planned Roads Within the Criteria Area (7.3.5). Where maintenance of existing roads within the Criteria Area is proposed, CDFW recommends that the SCAG reference MSHCP Section 7.3.4 and Table 7-3, which provides a

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summary of the existing roads permitted to remain in the MSHCP Criteria Area. Planned roads within the MSHCP Criteria Area are discussed in MSHCP Section 7.3.5 and identified on Figure 7-1. Please note that roadways other than those identified in Section 7.3.5 of the MSHCP are not covered without an amendment to the MSHCP in accordance with the procedures described in MSHCP Section 6.10. CDFW recommends that the SCAG review MSHCP Section 7.3.5 and include in the PEIR information that demonstrates that Project-related roads are MSHCP covered activities. The PEIR should also discuss design and siting information for all proposed roads to ensure that the roads are sited, designed, and constructed in a manner consistent with MSHCP conservation objectives.

Allowable Uses in MSHCP Conservation Areas – Trails. CDFW recommends that the PEIR also include a discussion of the Project and MSHCP Allowable Uses (Section 7.4) and Conditionally Compatible Uses (Section 7.4.2) in MSHCP Conservation Area such as trails. For example, if trails are proposed as part of the Project, the PEIR should discuss whether the trail is identified on Figure 7-4, and provide details regarding trail construction (siting and design), and operations and maintenance that demonstrate that the proposed trail is consistent with MSHCP Section 7.4.

Urban/Wildland Interface Guidelines. As the MSHCP Conservation Area is assembled, hardline boundaries are established between development and MSHCP Conservation Areas. Development near MSHCP Conservation Area may result in edge effects that will adversely affect biological resources within the MSHCP Conservation Area. To minimize edge effects and maintain conservation value within the Conservation Areas, Permittees are required to implement the Urban/Wildlands Interface Guidelines (MSHCP Section 6.1.4) for drainage, toxics, lighting, noise, invasives, barriers, and grading/land development. Potential indirect impacts for the Project may include but are not limited to noise, lighting, invasive plants, and possibly toxic materials such as herbicides and pesticides used in landscaping and maintenance, as well as non-hazardous oils and fuels used during project operations. The MSHCP identifies that project review and impact mitigation are provided through the CEQA process to address the Urban/Wildland Interface guidelines. CDFW recommends that potential Project impacts are addressed by including in the PEIR Project specific biological mitigation measures to address the Urban/Wildland Interface guidelines.

The PEIR should include analysis of Project impacts on edge effects such as noise, lighting, trespass, and toxics that have potential indirect impacts from development. The PEIR should include Project specific measures that address Projects impacts to avoid and minimize edge effects. Such measures can include, but are not limited to:

Lighting Plan. A Lighting Plan that identifies existing ambient lighting conditions, analyzes the Project lighting impacts on the adjacent Conservation Area, and demonstrates that the proposed lighting plan will not significantly increase the lighting on the Conservation Area. The Lighting Plan should identify measures that address light and glare from interior and exterior building lighting, safety and security lighting, and vehicular traffic accessing the site at a minimum.

Noise Plan. A Noise Plan to avoid and minimize noise impacts based on a Noise assessment of Project noise impacts on adjacent conservation areas during

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construction and post development. The MSHCP identifies that Project noise impacts do not exceed the residential standards within the Conservation Areas.

Landscaping Plan. A Landscaping Plan that includes the use of native plant material on the Project site and avoids the use of invasive plant species identified.

Fencing Plan. A Barrier and Fencing Plan that provides specific details designed to minimize unauthorized public access, domestic animal predation, illegal trespass, and dumping in the MSHCP Conservation Area (such as block walls along areas directly adjacent to potential conservation areas).

b) Coachella Valley Multiple Species Habitat Conservation Plan.

CDFW issued Natural Community Conservation Plan Approval and Take Authorization for the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) per Section 2800, et seq., of the California Fish and Game Code on September 9, 2008. The CVMSHCP 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. An assessment of the impacts to the CVMSHCP as a result of this Project is necessary to address CEQA requirements. To obtain additional information regarding the CVMSHCP please go to: <http://www.cvmshcp.org/>.

The proposed Project occurs within the CVMSHCP area and is subject to the provisions and policies of the CVMSHCP. To be considered a covered activity, Permittees should demonstrate that proposed actions are consistent with the CVMSHCP and its associated Implementing Agreement. Regardless of whether take of threatened and/or endangered species is obtained through the CVMSHCP or through a CESA ITP, the DEIR needs to address how the proposed Project will affect the conservation objectives of the CVMSHCP. Therefore, all surveys required by the CVMSHCP to determine consistency should be conducted and results included in the DEIR so that CDFW can adequately assess whether the Project will impact the CVMSHCP.

c) Stephens' Kangaroo Rat Habitat Conservation Plan.

The Project occurs within the Stephens' kangaroo rat (*Dipodomys stephensi*) Habitat Conservation Plan (SKR HCP) fee area boundary, SKR HCP plan area map available here: <https://rchca.us/DocumentCenter/View/200/SKR-Plan-Area>. State and federal authorizations associated with the SKR HCP provide take authorization for Stephens' kangaroo rat within its boundaries, and the MSHCP provides Take Authorization for Stephens' kangaroo rat outside of the boundaries of the SKR HCP, but within the MSHCP area boundaries. The PEIR should identify if any portion of the Project will occur on SKR HCP lands, or on Stephens' kangaroo rat habitat lands outside of the SKR HCP, but within the WRMSHCP. Note that the SKR HCP allows for encroachment into the Stephens' kangaroo rat Core Reserve for public projects, however, there are no provisions for encroachment into the Core Reserve for privately owned projects. If impacts to Stephens' kangaroo rat habitat will occur from the proposed Project, the PEIR should specifically identify the total number of permanent impacts to Stephens' kangaroo rat core habitat and the appropriate mitigation to compensate for those impacts.

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General Comments

- 1) Objectives. Section 15124(b) of the CEQA Guidelines requires that the project description contain a clear statement of the project objectives. It is the policy of the State of California to protect, restore, and enhance the functioning of fish, wildlife, and habitat connectivity in connection with the planning, construction, and improvement of transportation infrastructure throughout the state and, where feasible, the operation and maintenance of transportation infrastructure throughout the state (Assembly Bill No. 2344, 2021-2022 session). CDFW recommends that a PIER should include an objective to protect, restore, and enhance wildlife and habitat connectivity.
- 2) Disclosure. A PEIR should provide an adequate, complete, and detailed disclosure about the effect which a proposed Project is likely to have on the environment (Pub. Resources Code, § 20161; CEQA Guidelines, §15151). Adequate disclosure is necessary so CDFW may provide comments on the appropriateness of proposed avoidance, minimization, or mitigation measures, as well as to assess the significance of the specific impact relative to the species (e.g., current range, distribution, population trends, and connectivity).
- 3) Biological Baseline Assessment. CDFW recommends providing a complete assessment and impact analysis of the flora and fauna within and adjacent to the Project area, with emphasis upon identifying endangered, threatened, sensitive, regionally, and locally unique species and sensitive habitats. Impact analysis will aid in determining any direct, indirect, and cumulative biological impacts, as well as specific mitigation or avoidance measures necessary to offset those impacts. CDFW recommends avoiding any sensitive natural communities found on or adjacent to the Project. The PEIR should include the following information:
 - a) Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region [CEQA Guidelines, § 15125(c)]. The PEIR should include measures to fully avoid and otherwise protect [Sensitive Natural Communities](#) (CDFW 2022d) from Project-related impacts. Project implementation may result in impacts to rare or endangered plants or plant communities that have been recorded adjacent to the Project vicinity;
 - b) A complete floristic assessment within and adjacent to the Project area, with particular emphasis upon identifying endangered, threatened, sensitive, and locally unique species and sensitive habitats. This should include a thorough, recent, floristic-based assessment of special status plants and natural communities;
 - c) Floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at the Project site and within the neighboring vicinity. The Manual of California Vegetation (MCV), second edition, should also be used to inform this mapping and assessment (CNPS 2022). Adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts off-site. Habitat mapping at the alliance level will help establish baseline vegetation conditions;
 - d) A complete, recent, assessment of the biological resources associated with each habitat type on-site and within adjacent areas that could also be affected by the Project. CDFW's CNDDDB in Sacramento should be contacted to obtain current information on

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any previously reported sensitive species and habitat. CDFW recommends that [CNDDB Field Survey Forms](#) (CDFW 2022e) be completed and submitted to CNDDB to document survey results;

- e) A complete, recent, assessment of rare, threatened, and endangered, and other sensitive species on-site and within the area of potential effect, including California SSC and California Fully Protected Species (Fish & G. Code, §§ 3511, 4700, 5050 and 5515). Species to be addressed should include all those which meet the CEQA definition of endangered, rare, or threatened species (CEQA Guidelines, § 15380). 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 CDFW and the USFWS;
 - f) A recent, wildlife and rare plant survey. CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to two years as long as there was not a prevailing drought during the time of the botanical survey. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if build out could occur over a protracted time frame, or in phases; and
 - g) Presence/absence determinations of wildlife and rare plants in the Project area, specifically areas that would be impacted due to Project implementation (e.g., existing facilities), should be determined based on recent surveys. CDFW recommends the PEIR provide any recent survey data.
- 4) Mitigation Measures. Public agencies have a duty under CEQA to prevent significant, avoidable damage to the environment by requiring changes in projects through the use of feasible alternatives or mitigation measures [CEQA Guidelines, §§ 15002(a)(3), 15021]. Pursuant to CEQA Guidelines section 15126.4, an environmental impact report shall describe feasible measures which could mitigate for impacts below a significant level under CEQA.
- a) Level of Detail. Mitigation measures must be feasible, effective, implemented, and fully enforceable/imposed by the lead agency through permit conditions, agreements, or other legally binding instruments (Pub. Resources Code, § 21081.6(b); CEQA Guidelines, §§ 15126.4, 15041). A public agency shall provide the measures that are fully enforceable through permit conditions, agreements, or other measures (Pub. Resources Code, § 21081.6). CDFW recommends that SCAG prepare mitigation measures that are specific, detailed (i.e., responsible party, timing, specific actions, location), and clear in order for a measure to be fully enforceable and implemented successfully via a mitigation monitoring and/or reporting program (CEQA Guidelines, § 15097; Pub. Resources Code, § 21081.6). Adequate disclosure is necessary so CDFW may provide comments on the adequacy and feasibility of proposed mitigation measures.
 - b) Disclosure of Impacts. If a proposed mitigation measure would cause one or more significant effects, in addition to impacts caused by the Project as proposed, the environmental document should include a discussion of the effects of proposed

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mitigation measures [CEQA Guidelines, § 15126.4(a)(1)]. In that regard, the environmental document should provide an adequate, complete, and detailed disclosure about a project's proposed mitigation measure(s). Adequate disclosure is necessary so CDFW may assess the potential impacts of proposed mitigation measures.

- 5) Biological Direct, Indirect, and Cumulative Impacts. To provide a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, the following should be addressed in the PEIR:
- a) A discussion of potential adverse impacts from lighting, noise, human activity, exotic species, and drainage. The latter subject should address Project-related changes on drainage patterns and downstream of the Project site; the 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. The discussion should also address the proximity of the extraction activities to the water table, whether dewatering would be necessary and the potential resulting impacts on the habitat (if any) supported by the groundwater. Mitigation measures proposed to alleviate such Project impacts should be included;
 - b) A discussion regarding indirect Project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (e.g., preserve lands associated with a Natural Community Conservation Plan (NCCP, Fish & Game Code, § 2800 et. seq.)). Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated in the PEIR;
 - c) An analysis of impacts from land use designations and zoning located nearby or adjacent to natural areas that may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the PEIR; and
 - d) A cumulative effects analysis, as described under CEQA Guidelines section 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.
- 6) Lake and Streambed Alteration (LSA) Agreements. As a Responsible Agency under CEQA, CDFW has authority over activities in streams and/or lakes that will divert or obstruct the natural flow, or change the bed, channel, or bank (including vegetation associated with the stream or lake) of a river or stream or use material from a streambed. For any such activities, the Project applicant (or "entity") must provide written notification to CDFW pursuant to Fish and Game Code Section 1600 et seq. CDFW's issuance of a Lake and Streambed Alteration (LSA) Agreement for a Project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the environmental document of the local jurisdiction (Lead Agency) for the Project. To minimize additional requirements by CDFW pursuant to section 1600 et seq. and/or under CEQA, the environmental document should fully identify the potential impacts

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to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement. Please visit CDFW's Lake and Streambed Alteration Program webpage for information about LSA Notification (CDFW 2022f).

- a) The Project area support aquatic, riparian, and wetland habitats; a preliminary delineation of the streams and their associated riparian habitats should be included in the environmental document. Be advised that some wetland and riparian habitats subject to CDFW's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers' Section 404 permit and Regional Water Quality Control Board Section 401 Certification.
 - b) In Project areas which may support ephemeral or episodic streams, herbaceous vegetation, woody vegetation, and woodlands also serve to protect the integrity of these resources and help maintain natural sedimentation processes. Therefore, CDFW recommends effective setbacks be established to maintain appropriately sized vegetated buffer areas adjoining ephemeral drainages. The environmental document should provide a justification for the effectiveness of the chosen distance for the setback.
 - c) Project-related changes in upstream and downstream drainage patterns, runoff, and sedimentation should be included and evaluated in the environmental document.
- 7) Wetlands Resources. CDFW, as described in Fish and Game Code section 703(a), is guided by the Fish and Game Commission's policies. [The Wetlands Resources policy](#) of the Fish and Game Commission "...seek[s] to provide for the protection, preservation, restoration, enhancement and expansion of wetland habitat in California. Further, it is the policy of the Fish and Game Commission to strongly discourage development in or conversion of wetlands. It opposes, consistent with its legal authority, any development or conversion that would result in a reduction of wetland acreage or wetland habitat values. To that end, the Commission opposes wetland development proposals unless, at a minimum, project mitigation assures there will be 'no net loss' of either wetland habitat values or acreage. The Commission strongly prefers mitigation which would achieve expansion of wetland acreage and enhancement of wetland habitat values. (Ca.gov 2019)"
- a) The Wetlands Resources policy provides a framework for maintaining wetland resources and establishes mitigation guidance. CDFW encourages avoidance of wetland resources as a primary mitigation measure and discourages the development or type conversion of wetlands to uplands. CDFW encourages activities that would avoid the reduction of wetland acreage, function, or habitat values. Once avoidance and minimization measures have been exhausted, the Project must include mitigation measures to assure a "no net loss" of either wetland habitat values, or acreage, for unavoidable impacts to wetland resources. Conversions include, but are not limited to, conversion to subsurface drains, placement of fill or building of structures within the wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether ephemeral, intermittent, or perennial, should be retained and provided with substantial setbacks, which preserve the riparian and aquatic values and functions for the benefit to on-site and off-site wildlife populations. CDFW recommends mitigation measures to compensate for unavoidable impacts be included in the PEIR and these measures should compensate for the loss of function and value.

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- b) The Fish and Game Commission's Water policy guides CDFW on the quantity and quality of the waters of this state that should be apportioned and maintained respectively so as to produce and sustain maximum numbers of fish and wildlife; to provide maximum protection and enhancement of fish and wildlife and their habitat; encourage and support programs to maintain or restore a high quality of the waters of this state; prevent the degradation thereof caused by pollution and contamination; and, endeavor to keep as much water as possible open and accessible to the public for the use and enjoyment of fish and wildlife. CDFW recommends avoidance of water practices and structures that use excessive amounts of water, and minimization of impacts that negatively affect water quality, to the extent feasible (Fish & Game Code, § 5650).
- 8) CESA. CDFW considers adverse impacts to a species protected by CESA to be significant without mitigation under CEQA. As to CESA, take of any endangered, threatened, candidate species, or CESA-listed plant species that results from the Project is prohibited, except as authorized by state law (Fish & G. Code §§ 2080, 2085; Cal. Code Regs., tit. 14, §786.9). Consequently, if the Project or any Project-related activity during the life of the Project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, CDFW recommends that the Project proponent seek appropriate take authorization under CESA prior to implementing the Project. Appropriate authorization from CDFW may include an ITP or a consistency determination in certain circumstances, among other options [Fish & Game Code, §§ 2080.1, 2081, subds. (b) and (c)]. Early consultation is encouraged, as significant modification to a Project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, may require that CDFW issue a separate CEQA document for the issuance of an ITP unless the Project CEQA document addresses all Project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of an ITP. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA ITP.
- 9) Moving out of Harm's Way. The proposed Project may result in impacting habitats on and/or adjacent to the Project site that may support wildlife. To avoid direct mortality, CDFW recommends that a qualified biological monitor approved by CDFW be on-site prior to and during ground and habitat disturbing activities to move out of harm's way special status species or other wildlife of low mobility that would be injured or killed by grubbing or Project related construction activities. It should be noted that the temporary relocation of on-site wildlife does not constitute effective mitigation for the purposes of offsetting Project impacts associated with habitat loss. If the Project requires species to be removed, disturbed, or otherwise handled, we recommend that the PEIR clearly identify that the designated entity shall obtain all appropriate state and federal permits.
- 10) Translocation/Salvage of Plants and Animal Species. Translocation and transplantation is the process of moving an individual from a project site and permanently moving it to a new location. CDFW generally does not support the use of translocation or transplantation as the primary mitigation strategy for unavoidable impacts to rare, threatened, or endangered plant or animal species. Studies have shown that these efforts are experimental and the outcome unreliable. CDFW has found that permanent preservation and management of habitat capable of supporting these species is often a more effective long-term strategy for conserving sensitive plants and animals and their habitats.

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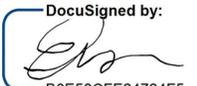
- 11) Compensatory Mitigation. An environmental document should include mitigation measures for adverse Project related direct or indirect impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of project-related impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed. Areas proposed as mitigation lands should be protected in perpetuity with a conservation easement, financial assurance and dedicated to a qualified entity for long-term management and monitoring. Under Government Code, section 65967, the Lead Agency must exercise due diligence in reviewing the qualifications of a governmental entity, special district, or nonprofit organization to effectively manage and steward land, water, or natural resources on mitigation lands it approves.
- 12) Long-term Management of Mitigation Lands. For proposed preservation and/or restoration, an environmental document should include measures to protect the targeted habitat values from direct and indirect negative impacts in perpetuity. The objective should be to offset the project-induced qualitative and quantitative losses of wildlife habitat values. Issues that should be addressed include (but are not limited to) restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, and increased human intrusion. An appropriate non-wasting endowment should be set aside to provide for long-term management of mitigation lands.
- 13) Project Description and Alternatives. To enable CDFW to adequately review and comment on the proposed Project from the standpoint of the protection of plants, fish, and wildlife, we recommend the following information be included in the PEIR:
 - a) A complete discussion of the purpose and need for, and description of, the proposed Project, including all staging areas and access routes to the construction and staging areas; and,
 - b) A range of feasible alternatives to Project component location and design features to ensure that alternatives to the proposed Project are fully considered and evaluated. Potential impacts to wildlife movement areas should also be evaluated, avoided, or mitigated consistent with applicable requirements of region-specific plans, regulations, and ordinances.
- 14) Landscaping. Habitat loss and invasive plants are a leading cause of native biodiversity loss. CDFW recommends that the PEIR stipulate that no invasive plant material be used. Native plants support butterflies, birds, reptiles, amphibians, small mammals, bees, and other pollinators that evolved with those plants. We recommend using native, locally appropriate plant species for landscaping on the Project site. Information on native plants suitable for the Project location and nearby nurseries is available at CALSCAPE: <https://calscape.org/>. Local water agencies/districts and resource conservation districts may be able to provide information on plant nurseries that carry locally native species. Information on drought-tolerant landscaping and water-efficient irrigation systems is available on California's Save our Water website: Around the Yard (saveourwater.com). A list of invasive/exotic plants that should be avoided as well as suggestions for suitable landscape plants can be found [here](#) (CAL IPC 2022).

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Conclusion

We appreciate the opportunity to comment on the NOP to assist SCAG in identifying and mitigating Project impacts on biological resources. If you have any questions or comments regarding this letter, please contact Angela Castanon (Ventura County), Environmental Scientist, at Angela.Castanon@wildlife.ca.gov or at 626-513-6308 or Heather Pert (Riverside County), Senior Environmental Scientist Supervisor, at Heather.Pert@wildlife.ca.gov.

Sincerely,

DocuSigned by:

B6E58CFE24724F5...

Erinn Wilson-Olgin
Environmental Program Manager I
South Coast Region

ec: CDFW
Steve Gibson, Los Alamitos – Steve.Gibson@wildlife.ca.gov
Victoria Tang, Los Alamitos – Victoria.Tang@wildlife.ca.gov
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OPR

State Clearinghouse, Sacramento – State.Clearinghouse@opr.ca.gov

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NATIVE AMERICAN HERITAGE COMMISSION

October 17, 2022

Karen Calderon
Southern California Association of Governments
900 Wilshire Boulevard, Suite 1700
Los Angeles, CA 90017

Re: 2022100337, Connect SoCal 2024 Program Environmental Impact Report Project, Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties

Dear Ms. Calderon:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b) (CEQA Guidelines § 15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

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AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Andrew.Green@nahc.ca.gov.

Sincerely,



Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse

Annaleigh Ekman

From: Ciuffetelli, Anthony <Anthony.Ciuffetelli@ventura.org>
Sent: Tuesday, November 15, 2022 12:26 PM
To: 2024 PEIR
Subject: Ventura County Agency Comments- Connect SoCal 2024
Attachments: RMA 22-032_APCD.pdf; RMA 22-032_Cult_Herit.pdf

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Good Afternoon,

Attached to this e-mail are the following comments regarding the proposed project:

-VC Air Pollution Control District
-VC Cultural Heritage Board

Please feel free to contact me with any questions regarding this submission. Responses to these comments should be sent directly to the commenter with a copy to me.

Regards,

-Tony C.

Anthony Ciuffetelli
Ventura County Planning Division
Planning Programs
(805)654-2443





Ventura County
Air Pollution
Control District

4567 Telephone Rd
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www.vcapcd.org

Ali Reza Ghasemi, PE
Air Pollution Control Officer

**VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT**
Memorandum

TO: Ms. Karen Calderon, Senior Regional Planner

DATE: November 14, 2022

FROM: Nicole Collazo, Air Quality Specialist, VCAPCD Planning Division 

SUBJECT: Notice of Preparation for the SCAG Connect SoCal 2024 (RMA 22-032)

Air Pollution Control District (APCD) staff has reviewed the subject Notice of Preparation (NOP) for the program environmental impact report (PEIR), which will identify any potential environmental impacts upon the adoption of the newly updated Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP) for the six-county SCAG region. The RTP, also known as the Connect SoCal, will outline the region's 2024-2050 goals and policies for meeting current and future mobility needs, provide a foundation for transportation decisions by local/regional/ state officials, and identify the region's transportation needs and issues, including recommending actions, programs, and a list of projects for local and state jurisdictions to consider. The Project Location includes six neighboring Southern California counties, including Ventura County. The Lead Agency for the project is the Southern California Association of Governments (SCAG).

GENERAL COMMENTS

Connect SoCal will address topics and issues pursuant to its regional transportation network since the existing RTP was adopted in 2020. Of the topics listed in the NOP, the Air Quality and Greenhouse Gas Emissions sections will be reviewed by the Ventura County APCD as it pertains to the air quality in its air jurisdiction, as part of the South Central Coast Air Basin.

Air Quality Section

The air quality assessment should consider plan-consistency with the proposed 2022 Air Quality Management Plan (AQMP) and transportation conformity, which is scheduled for adoption on December 13, 2022. The 2022 AQMP presents Ventura County's strategy (including related mandated elements) to attain the 2015 federal 8-hour ozone standard by 2026, as required by the federal Clean Air Act Amendments of 1990 and applicable U.S. EPA clean air regulations. The 2022 AQMP uses an updated 2018 emissions inventory as baseline for forecasting data, SCAG RTP 2020 data, and CARB's EMFAC2017 emission factors for mobile sources. The AQMP can be downloaded from our website at <http://www.vcapcd.org/AQMP-2022.htm>.

The Ventura County Air Quality Assessment Guidelines (AQAG) can also be used to evaluate all potential air quality impacts. The AQAG are also downloadable from our website here: <http://www.vcapcd.org/environmental-review.htm>. Specifically, the air quality assessment should consider reactive organic compound, nitrogen oxide emissions and particulate matter from all project-related motor vehicles, sources not permitted with APCD, and construction equipment that may result from potential buildout, as appropriate to future transportation development policies and implementation measures. We note that the AQAG has not been updated since 2003 and the recommended list of mitigation measures in the AQAG are also limited and outdated. For example, the following template is currently being recommended by APCD as a Commenting Agency for projects that include construction equipment, reflecting state laws adopted since the AQAG was last updated in 2003:

The project applicant shall ensure compliance with the following State Laws and APCD requirements:

- I. Construction equipment shall not have visible emissions greater than 20% opacity, as required by APCD Rule 50, Opacity.
- II. All portable diesel-powered equipment over 50 BHP shall be registered with the State's Portable Equipment Registration Program (PERP) or an APCD Portable Permit.
- III. Off-Road Heavy-Duty trucks shall comply with the California State Regulation for In-Use Off-Road Diesel Vehicles (Title 13, CCR §2449), the purpose of which is to reduce NO_x and diesel particulate matter exhaust emissions.
- IV. On-Road Heavy-Duty trucks shall comply with the California State Regulation for In-Use On-Road Diesel Vehicles (Title 13, CCR §2025), the purpose of which is to reduce NO_x and diesel particulate matter exhaust emissions.
- V. All commercial on-road and off-road diesel vehicles are subject to the idling limits of Title 13, CCR §2485, §2449(d)(3), respectively. Construction equipment shall not idle for more than five (5) consecutive minutes. The idling limit does not apply to: (1) idling when queuing; (2) idling to verify that the vehicle is in safe operating condition; (3) idling for testing, servicing, repairing or diagnostic purposes; (4) idling necessary to accomplish work for which the vehicle was designed (such as operating a crane); (5) idling required to bring the machine system to operating temperature, and (6) idling necessary to ensure safe operation of the vehicle. It is the Permittee's responsibility to have a written idling policy that is made available to operators of the vehicles and equipment and informs them that idling is limited to 5 consecutive minutes or less, except as exempted in subsection a. above.

The following are recommended measures for construction equipment and vehicles:

- I. Diesel powered equipment should be replaced by electric equipment whenever feasible.
- II. Maintain equipment engines in good condition and in proper tune as per manufacturer's specifications.
- III. Lengthen the construction period during smog season (May through October), to minimize the number of vehicles and equipment operating at the same time.
- IV. Use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), or electric, if feasible.

Lastly, VCAPCD will review the PEIR's air quality impact section for the following criteria:

- Conflict with or obstruct implementation of the applicable air quality management plan.
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation.
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors).
- Expose the public (especially schools, day care centers, hospitals, retirement homes, convalescence facilities, and residences) to substantial pollutant concentrations.
- Create objectionable odors affecting a substantial number of people.

Greenhouse Gas Emissions Section

Neither APCD nor the County has adopted a threshold of significance applicable to Greenhouse Gas (GHG) emissions from projects subject to the County's discretionary land use permitting authority. APCD published a report as a request by the Ventura County Air Pollution Control Board to report back on possible GHG thresholds options on November 8, 2011. The District will be looking into what GHG threshold is best suitable for Ventura County in the near future which will undergo a public review process.

The following are recommended guidance documents that could be used to address the impacts of climate change and greenhouse gases in Ventura County as a result of Connect SoCal.

On May 2016, the CARB published a Mobile Source Strategy. In this report, ARB staff is outlining a mobile source strategy that simultaneously meets air quality standards, achieves GHG emission reduction targets, decreases toxics health risk, and reduces petroleum consumption from transportation emissions over the next fifteen years. These goals and targets include These include 1) Attaining federal health-based air quality standards for ozone in 2023 and 2031 in the South Coast and San Joaquin Valley, and fine particulate matter (PM2.5) standards in the next decade; 2) Achieving greenhouse gas (GHG) emission reduction targets of 40 percent below 1990 levels by 2030, with continued progress towards an 80 percent reduction by 2050; 3) Minimizing health risk from exposure to toxic air contaminants; 4) Reducing our petroleum use by up to 50 percent by 2030; and 5) Increasing energy efficiency and deriving 50 percent of our electricity from renewable sources by 2030. The report can be found here: <https://www.arb.ca.gov/planning/sip/2016sip/2016mobsrc.htm>.

On November 2017, the California Air Resources Board published its latest Climate Change Scoping Plan. The Scoping Plan lays out a strategy for achieving California's 2030 Greenhouse Gas target and builds on the state's successes to date, proposing to strengthen major programs that have been a hallmark of success, while further integrating efforts to reduce both GHGs and air pollution. California's climate efforts will 1) Lower GHG emissions on a trajectory to avoid the worst impacts of climate change; 2) Support a clean energy economy which provides more opportunities for all Californians; 3) Provide a more equitable future with good jobs and less

pollution for all communities; 4) Improve the health of all Californians by reducing air and water pollution and making it easier to bike and walk; and 5) Make California an even better place to live, work, and play by improving our natural and working lands. The 2017 Climate Change Scoping Plan can be accessed here https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf.

Finally, on December 2018, the Governor's Office of Planning and Research (OPR) published a Draft Technical Advisory. This document incorporates developments since the June 2008 Technical Advisory publication, including regulatory changes made to the regulations that implement CEQA (commonly known as the "CEQA Guidelines" in late 2018 by the California Natural Resources Agency (Agency). Although this document largely focuses on project-level analyses of greenhouse gas impacts, Section IV briefly addresses community-scale greenhouse gas reduction plans as one pathway to streamline CEQA analyses. This discussion draft is intended to address some common issues and topics that arise in greenhouse gas emissions analyses under CEQA but is not intended to address every single issue and topic. More information on the OPR's Technical Advisory can be found here <http://opr.ca.gov/ceqa/technical-advisories.html>.

One final note on GHG emissions, APCD is concerned as to how the new reliance on VMT for CEQA transportation impacts will affect the required 19% GHG reduction goal needed by the SCAG Region by 2035 (SB 375).

Goods Movement

Ventura County has taken great strides in reducing emissions generated from the movement of goods throughout our county. In 2016, VCAPCD partnered with Channel Islands National Marine Sanctuary, Santa Barbara County Air Pollution Control District, National Marine Sanctuary Foundation and Volgenau Foundation to launch a voluntary Marine Vessel Speed Reduction Incentive Program which has resulted in estimated 825 tons of NOx emissions reductions per season and 30,000 metric tons of regional GHG emissions reductions per season from the speed reduction of marine vessels travelling through the Santa Barbara Channel. In addition, the Port of Hueneme has also agreed to electrify their shipping cargo cranes. As it relates to transportation impacts, in 2018, the American Association of Port Authorities (AAPA) awarded the Port of Hueneme the high accolade "2018 Comprehensive Environmental Management Award"; the Port was selected for its development and execution of a comprehensive plan that seeks to enhance the environment through sustainable, efficient, and green port operations.

The Port of Hueneme is the first California port to receive certification from Green Marine, the preeminent certifier of sustainable maritime facility operations. Green Marine's environmental program assists ports, terminal operators and shipping lines in reducing their environmental footprint through a comprehensive program that addresses key environmental issues and criteria. Being that Green Marine is completely voluntary, it affirms even further Port of Hueneme's commitment to staying on the leading edge of environmental stewardship.

The Port of Hueneme is also part a large regional project which will study the capability of zero and near zero emission technology to move cargo between the Port of Hueneme and the Port of Los Angeles, including considering a hydrogen fuel cell drayage truck.

Finally, the Port of Hueneme is proactively beginning development of a clean air plan in partnership with VCAPCD. PHRESH (**P**ort of **H**ueneme, **R**educing **E**missions, **S**upporting **H**ealth) will be the first time in the State that a port and its air quality regulator have teamed up to write a clean air plan together. PHRESH will assess and address the Port's emissions, air quality requirements and goals for the Port, future growth scenarios, emission control strategies, community involvement, strategy funding, implementation and monitoring.

EV Charging Stations

As part of our incentives programs, APCD has an Electric Vehicle Charging Station Grant program funded by the Clean Air Fund. The Plug-In Electric Vehicle (PEV) Readiness Plan for the California Central Coast was initiated in 2011 as the regional PEV Coordinating Council for Ventura, Santa Barbara, and San Luis Obispo counties. The planning process for Plug-in Central Coast was initiated by the joint efforts of C5 –the Central Coast Clean Cities Coalition, the Community Environmental Council of Santa Barbara, and the Air Pollution Control Districts of Ventura, Santa Barbara, and San Luis Obispo Counties. Key leaders from these organizations formed the Steering Committee of Plug-in Central Coast and obtained grants for tri-county PEV planning from the U.S. Department of Energy (DOE) and the California Energy Commission (CEC). The DOE grant was administered by the Central Coast Clean Cities Coalition (C5) on behalf of the Plug-in Central Coast PEV Coordinating Council, while the CEC grant was administered by the Ventura County Air Pollution Control District (APCD).

The Plug-In Electric Vehicle (PEV) Readiness Plan for the California Central Coast guides the development of PEV charging infrastructure for the tri-counties, Ventura, Santa Barbara and San Luis Obispo. The deployment of PEV Chargers on the Central Coast will encourage local drivers to consider purchasing PEVs, which is the ultimate goal of this planning effort. The major benefits of adopting PEVs include improvement in local air quality, reduction of greenhouse gas emissions that impact climate change, increase in the use of renewable energy such as photo voltaic solar energy, more efficient use of existing grid energy by off-peak PEV charging, and increase in energy security by reducing the use of petroleum fuels, which may be imported from unstable parts of the world. This Plan is intended to encourage and facilitate mass adoption of Plug-in Electric Vehicles (PEVs) in the tri-county Central Coast region. The installation of PEV charging infrastructure near major highways in the tri-counties is a critical factor to support this goal. The development of this plan has coincided with the construction of almost 200 Level 2 charging stations and several DC Fast Charge stations along the Central Coast. This initial infrastructure has not only provided range-extending electrical miles for PEVs, but it also serves to showcase the technology and raise public awareness.

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We look forward to working with SCAG to make sure the 2024-2050 RTP update is consistent with recently adopted air quality regulations and the state's plans to reduce greenhouse gas emissions.

Thank you for the opportunity to comment on the project. If you have any questions, you may contact me at nicole@vcapcd.org.

Annaleigh Ekman

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To: 2024 PEIR
Subject: Ventura County Agency Comments- Connect SoCal 2024
Attachments: RMA 22-032_APCD.pdf; RMA 22-032_Cult_Herit.pdf

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- VC Air Pollution Control District
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Please feel free to contact me with any questions regarding this submission. Responses to these comments should be sent directly to the commenter with a copy to me.

Regards,

-Tony C.

Anthony Ciuffetelli
Ventura County Planning Division
Planning Programs
(805)654-2443





Ventura County
Air Pollution
Control District

4567 Telephone Rd
Ventura, California 93003

tel 805/303-4005
fax 805/456-7797
www.vcapcd.org

Ali Reza Ghasemi, PE
Air Pollution Control Officer

**VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT**
Memorandum

TO: Ms. Karen Calderon, Senior Regional Planner

DATE: November 14, 2022

FROM: Nicole Collazo, Air Quality Specialist, VCAPCD Planning Division 

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Annaleigh Ekman

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To: 2024 PEIR
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-VC Cultural Heritage Board

Please feel free to contact me with any questions regarding this submission. Responses to these comments should be sent directly to the commenter with a copy to me.

Regards,

-Tony C.

Anthony Ciuffetelli
Ventura County Planning Division
Planning Programs
(805)654-2443



Hello,

Cultural Heritage Board (CHB) Staff has reviewed the project description. Following review, CHB Staff offers the following recommendation for consideration in the preparation of the Draft PEIR:

Before altering or otherwise affecting a building or structure 50 years old or older, a project-applicant should retain a qualified architectural historian according to the Secretary of the Interior Standards, to record it on a California Department of Parks and Recreation DPR 523 form or equivalent documentation, if the building or structure has not previously been evaluated. Its significance shall be assessed by a qualified architectural historian, using the significance criteria set forth for historic resources under CEQA Guidelines Section 15064.5.

Thank you,



Dillan Murray | Assistant Planner
Planning Division
Dillan.Murray@ventura.org

Ventura County Resource Management Agency
P. (805) 654-5042 | F. (805) 654-2509
800 S. Victoria Ave., L #1740 | Ventura, CA 93009-1700
Visit our website at vcrma.org

For online permits and property information, visit [VC Citizen Access](#)



Pursuant to the California Public Records Act, email messages retained by the County may constitute public records subject to disclosure.

Annaleigh Ekman

From: Marika Poynter <mpoynter@cityofirvine.org>
Sent: Wednesday, November 16, 2022 3:00 PM
To: 2024 PEIR
Subject: 2024 Connect SoCal NOP Comment Letter - City of Irvine
Attachments: 2022 11 16 2024 Connect SoCal NOP Comment Ltr.pdf

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Please find attached the City of Irvine comment letter for the 2024 Connect SoCal Notice of Preparation. The City would appreciate an email confirming receipt of the comments. Thank you,

Marika

MARIKA A POYNTER, AICP | PRINCIPAL PLANNER | CITY OF IRVINE
949-724-6456 | 1 Civic Center Plaza, Irvine, CA 92606 | mpoynter@cityofirvine.org



Electronic Transmittal: ConnectSoCalPEIR@scag.ca.gov

November 16, 2022

Southern California Association of Governments
Attn: Ms. Karen Calderon
900 Wilshire Boulevard, Suite 1700
Los Angeles, California 90017

**Subject: Comments on the Notice of Preparation of a Draft Program
Environmental Impact Report for Connect SoCal 2024 (2024-2050
Regional Transportation Plan/Sustainable Communities Strategy)
(State Clearinghouse No. TBD)**

Dear Ms. Calderon:

The City of Irvine appreciates the opportunity to provide comments on the Notice of Preparation (NOP) of a Draft Program Environmental Impact Report (PEIR) for Connect SoCal 2024, the Southern California Association of Governments (SCAG)' 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

The City of Irvine respectfully requests the following clarifications and considerations during the preparation of the PEIR.

1. High Quality Transit Areas: Page 8 of the NOP indicates that the Intensified Land Use Alternative will focus on maximizing growth around high quality transit areas (HQTAs). While HQTAs are provided by the County Transportation Commission (CTC), SCAG is encouraged to discuss the accuracy of the HQTAs with the impacted jurisdictions. Additionally, the HQTAs should be based on existing transit routes, not future or hypothetical routes. For example, transit located on highways or freeways should not be identified as a high quality transit corridor. It should also be noted that transit is subject to change depending on need. For example, focusing growth around a non-fixed HQTA may change during the planning period if changes are made to the service route or route timing.
2. Local Jurisdiction Review of TAZ-Level Population, Housing, and Employment Datasets: As all PEIR Alternatives are developed, there could be distinct differences in growth forecast numbers for population, housing, and employment at the local jurisdiction level and traffic analysis zone level, from that submitted by local jurisdictions as part of the Connect SoCal Local Input process.

Southern California Association of Governments
Attn: Ms. Karen Calderon
November 16, 2022
Page 2

The City of Irvine recommends that any shifts in growth that differ from Local Input, are actively coordinated and communicated between SCAG and the applicable local jurisdictions, to ensure that any proposed redistribution of growth is, in fact, reasonable, achievable, and does not require local General Plan or zoning amendments. Furthermore, the final growth forecast should be adopted at a geographic level no less than the county and regional levels to ensure the greatest flexibility for jurisdictions.

Sincerely,



Timothy N. Gehrich
Director of Community Development

cc: Kerwin Lau, Manager of Planning Services
Marika Poynter, Principal Planner

Annaleigh Ekman

From: Palafox, Daniel <DPalafox@riversideca.gov>
Sent: Wednesday, November 16, 2022 6:30 PM
To: 2024 PEIR
Cc: Taylor, Matthew; Watson, Scott
Subject: City of Riverside's SCAG Connect SoCal 2024 Regional Transportation Plan Comment Letter
Attachments: SCAG 2024 RTP Connect SoCal Comment Letter.pdf

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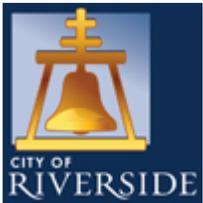
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Good Evening Ms. Calderon,

Please find the attached comment letter from the City of Riverside for the above referenced project.

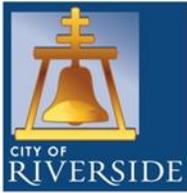
Feel free to let me know if you have any questions. Thank you.



Daniel Palafox | Assistant Planner

City of Riverside | [Planning Division](#)
3900 Main Street, Riverside, CA 92522
E: dpalafox@riversideca.gov
P: 951-826-5985

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Community Development
Department
Planning Division

City of Arts & Innovation

November 16, 2022

Karen Calderon
Senior Regional Planner
Southern California Association of Governments
900 Wilshire Blvd. Ste 1700
Los Angeles, CA 90017

Subject: City of Riverside's Review of a Notice Of Preparation (NOP) of a Program Environmental Impact Report (PEIR) for SCAG Connect SoCal 2024 Regional Transportation Plan

Dear Ms. Calderon:

Thank you for the opportunity to comment on the PEIR for the Connect SoCal 2024 Regional Transportation Plan (RTP/SCS) Project.

The City of Riverside (City) understands that RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic and environmental goals. The City also understands that the plan details how the region will address its transportation and land use challenges and leverage opportunities in order to support attainment of emissions reduction targets.

The City has reviewed the project scope, and we wish to provide the following comments:

Public Works – Traffic Engineering

- Requests the opportunity to review the project scope and traffic analysis.
- Requests that the 2024 RTP/SCS incorporates the City's recently adopted PACT Plan which includes Pedestrian Target Safeguarding Plan (PTS), an Active Transportation Plan (AT Plan), a Complete Streets Ordinance (CSO), and a Trails Master Plan (TMP).
- Requests that a section be included in the PEIR containing relevant analysis in support of the multi-modal transportation in the project.

The City of Riverside appreciates your consideration of the comments provided in this letter. Should you have any questions regarding this letter, please contact Scott Watson, Historic Preservation Officer, at (951) 826-5507, or by e-mail at swatson@riversideca.gov.

We thank you again for the opportunity to provide comments on this proposal and look forward to working with you in the future.

Sincerely,



Matthew Taylor
Principal Planner

cc: Patricia Lock Dawson, Mayor
Riverside City Council Members
Michael D. Moore, Interim City Manager
Rafael Guzman, Assistant City Manager
Chris Christopoulos, Acting Community & Economic Development Director
Gilbert Hernandez, Public Works Director
Phaedra Norton, City Attorney

Annaleigh Ekman

From: Wright, Christopher <WrightC@san-clemente.org>
Sent: Wednesday, November 16, 2022 4:38 PM
To: 2024 PEIR
Cc: Atamian, Adam; Toma, Sara
Subject: SCAG PEIR NOP - San Clemente Comments

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To SCAG
Attn.: Ms. Karen Calderon

Dear Ms. Calderon,

The City of San Clemente is thankful for the opportunity to comment on the Notice of Preparation for the SCAG 2024 RTP PEIR. The following are the City's comments:

Per CEQA guidelines 15082, a NOP must have sufficient information describing the project and potential environmental impacts with a minimum of a: 1) project description, 2) project location, and 3) probable environmental effects. The project description generally describes the purpose of the RTP/SCS.

- What are the major expected RTP/SCS changes with potential environmental effects that will be focus in your analysis? Examples: GHG target changes? Infrastructure funding assumption over horizon year?
- Will the RTP/SCS align with State law that must be based on jurisdictions' General Plans build-out projections and land use designations? An alterative SCS should be used if GHG targets cannot be reached vs. shifting TAZ build-out assumptions to a desired target.

What are the probable environmental effects?

- Currently, the NOP listed environmental effects to be studied. Of those, are there any probable effects that may require mitigation or a statement of overriding consideration?

You are welcome to contact me if you have questions.

Thank you,
Christopher Wright
Associate Planner II
Community Development Department
910 Calle Negocio
City of San Clemente, CA 92673
949-361-6193



City of Temecula

Community Development

41000 Main Street • Temecula, CA 92590
Phone (951) 694-400 • TemeculaCA.gov

November 16, 2022

Ms. Karen Calderon
Southern California Association of Governments
900 Wilshire Boulevard, Suite 1700
Los Angeles, CA 90017

SUBJECT: Connect SoCal (2024-2050) Draft PEIR

Dear Ms. Calderon:

The City of Temecula (City) values and respects its relationship with the Southern California Association of Governments (SCAG). The City appreciates the opportunity to provide comment on the SCAG Draft Programmatic Environmental Impact Report (PEIR), for Connect SoCal (2024-2050) dated October 17, 2022.

The City understands that the project does not analyze any specific transportation project and instead will analyze potential effects of the proposed plan on the environment. The City wishes to provide the following comments:

- Active Transportation – With the increase in micro mobility options, expanded discussion and focus should be placed on non-traditional methods of transportation such as bicycles, electric scooters/tricycles and other micro and/or electric modes of transportation.
- Active Transportation – Regional Trails should be identified on an exhibit to demonstrate the regional role they play, in addition to highlighting the gaps needed to complete various trails
- Riverside County Winchester Community Plan (SCH No. 2019049114) – The Winchester Community Plan is a proposed Community Plan in the unincorporated Riverside County area north of Temecula, commonly referred to as “French Valley.” The plan includes an additional 33,000 residential units to be constructed within the plan area, such a large development should be included in the analysis of impacts.

Again, thank you for the opportunity to provide comments. If you have any further questions, please contact Mark Collins, Assistant Planner, at Mark.Collins@TemeculaCA.gov or (951) 506-5172.

Regards,

Luke Watson
Deputy City Manager

cc: Aaron Adams, City Manager
Kevin Hawkins, Assistant City Manager
Peter Thorson, City Attorney
Patrick Thomas, Director of Public Works

Annaleigh Ekman

From: Karen Calderon
Sent: Monday, October 17, 2022 12:18 PM
To: 2024 PEIR
Subject: FW: CEQA Notice of Preparation of a Draft Program Environmental Impact Report for SCAG's Proposed Connect SoCal 2024

Forwarding scoping comment sent to Connect SoCal staff.



Karen Calderon
Senior Regional Planner
Tel: (213) 236-1983
Mobile: (213) 598-9264
calderon@scag.ca.gov

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
900 Wilshire Blvd., Ste. 1700, Los Angeles, CA 90017
[f](#) [t](#) [in](#) [@](#)

From: Courtney Aguirre <Aguirre@scag.ca.gov>
Sent: Monday, October 17, 2022 10:58 AM
To: Karen Calderon <calderon@scag.ca.gov>
Cc: Sarah Dominguez <dominguezs@scag.ca.gov>
Subject: FW: CEQA Notice of Preparation of a Draft Program Environmental Impact Report for SCAG's Proposed Connect SoCal 2024

Hi Karen,

Not sure if you received this as well? It appears that more information is needed for the PEIR.

Best,
Courtney

From: Tom Williams <ctwilliams2012@yahoo.com>
Sent: Monday, October 17, 2022 10:48 AM
To: Update <Update@scag.ca.gov>; Courtney Aguirre <Aguirre@scag.ca.gov>
Cc: Darrell Clarke <darrell.clarke@sierraclub.org>; Ywatson dslextreme.com <ywatson@dslextreme.com>
Subject: Re: CEQA Notice of Preparation of a Draft Program Environmental Impact Report for SCAG's Proposed Connect SoCal 2024

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Please provide an up-to-date initial study for the proposed ConnectSoCal2024, including draft vision, goals, and performance measures, otherwise I must assume that the Agenda Item 21 Report 070722 may be used as the only available description of the Program for the PEIR.

For Scoping, we must have a Program Description including Goals/Objectives for development of meaningful Alternatives, e.g., Federal AQ Compliance for SCAG by 2040 or California AQ Compliance for SCAG by 2050.

Dr. Tom Williams Pres. Citizens Coalition for A Safe Community
4117 Barrett Rd, LA, Ca 90032-1712 323-5289682 ctwilliams2012@yahoo.com

On Monday, October 17, 2022 at 07:59:45 AM PDT, Sarah Jepson <update@scag.ca.gov> wrote:

Dear Interested Parties,

The Southern California Association of Governments (SCAG), as the CEQA Lead Agency, has released a Notice of Preparation (NOP) of a Draft Program Environmental Impact Report (PEIR) for Connect SoCal 2024 (2024-2050 Regional Transportation Plan/Sustainable Communities Strategy). Release of the NOP initiates a 30-day public review and comment period from Oct.17, 2022 and ends Nov.16, 2022 at 5 p.m. PST to seek input from interested parties on the scope and content of the Connect SoCal 2024 Draft PEIR. The NOP of the Draft PEIR for Connect SoCal 2024 is posted at <https://scag.ca.gov/peir>. In accordance with Assembly Bill 819, SCAG is primarily using electronic mail to notify interested parties.

Please send your comments on the NOP to Ms. Karen Calderon, Senior Regional Planner, either electronically to: ConnectSoCalPEIR@scag.ca.gov or by standard mail at Southern California Association of Governments, 900 Wilshire Boulevard, Suite 1700, Los Angeles CA 90017.

SCAG will be hosting two virtual public scoping meetings for the NOP, each providing the same information. Information about the scoping meetings is as follows:

Scoping Meeting #1

Date: Wednesday, Nov. 9

Time: 6 - 8 p.m. PST

Scoping Meeting #2

Date: Thursday, Nov. 10

Time: 10 a.m. - noon PST

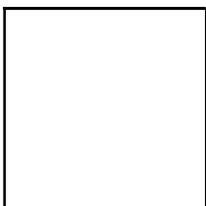
Join on Zoom: <https://scag.zoom.us/j/81023287939>

Dial by location: +1 669 900 6833 US Toll or +1 669 444 9171 US Toll

Meeting ID: 810 2328 7939

In accordance with the Americans with Disabilities Act and Language Accessibility, SCAG is committed to providing reasonable accommodations to those who are interested in participating in the scoping meetings. SCAG is committed to helping those with disability and/or with limited proficiency in the English language by providing accommodation and/or translation services at the scoping meeting in accordance with Title VI of the Civil Rights Act. Please contact Ms. Karen Calderon at ConnectSoCalPEIR@scag.ca.gov or (213) 236-1983 at least 72 hours (three days) in advance of the scoping meeting to request accommodation or translation services. We ask that you provide which language translation is needed in your request for SCAG to make adequate arrangements for translation services. If you wish to be placed on the mailing list to receive CEQA notices regarding the Connect SoCal 2024 PEIR, have general questions about the PEIR, or need additional information, please contact SCAG staff at ConnectSoCalPEIR@scag.ca.gov.

Sincerely,



Sarah Jepson

Director, Planning & Programs
Tel: (213) 236-1955
jepson@scag.ca.gov

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
900 Wilshire Blvd., Ste. 1700, Los Angeles, CA 90017

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▪

Annaleigh Ekman

From: Dan Silver <dsilverla@me.com>
Sent: Monday, November 14, 2022 10:42 AM
To: 2024 PEIR
Subject: Notice of Preparation of PEIR for SCAG Regional Transportation Plan/Sustainable Communities Strategy ("Connect SoCal 2024")
Attachments: EHL-NOP for PEIR for Connect SoCal 2024.pdf

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Gentlepersons:

Please find scoping comments enclosed. If you might confirm receipt, it would be appreciated.

Regards,
Dan

Dan Silver, Executive Director
Endangered Habitats League
8424 Santa Monica Blvd., Suite A 592
Los Angeles, CA 90069-4267

213-804-2750
dsilverla@me.com
<https://ehleague.org>



November 14, 2022

VIA ELECTRONIC MAIL

Southern California Association of Governments (SCAG)
ATTN: Ms. Karen Calderon
900 Wilshire Blvd, Ste. 1700
Los Angeles, CA 90017

RE: Notice of Preparation of PEIR for SCAG Regional Transportation Plan/Sustainable Communities Strategy (“Connect SoCal 2024”)

Dear Ms. Calderon:

Endangered Habitats League (EHL) appreciates the opportunity to comment on this NOP. For your reference, EHL is a Southern California conservation group dedicated to ecosystem protection and sustainable land use.

Initial considerations

Connect SoCal 2024 should not simply replicate the land use patterns currently found in the General Plans of member jurisdictions. Rather, the RPT/SCS PEIR should analyze (and eventually adopt) a “smart growth” pattern of growth, which sites housing proximate to employment and transit. This will reinforce SCAG’s RHNA distribution. A useful metric is vehicle miles traveled.

2024 Priorities

One tool to achieve reduced GHG emissions is “avoided conversion” of natural lands, which sequester carbon, to urban development. Policies to protect natural lands should be featured, such as in the Plan’s Policy Development Framework, which states, “Conserve and restore the region’s natural and agricultural resources.”

Draft Performance Measures

It is imperative that new housing not expand the “wildland-urban interface,” or WUI. Climate-change is only exacerbating fire risk. For this reason, we support the new performance measures, “Housing most vulnerable to impacts” and “Population most vulnerable to impacts” and the associated objectives to lower the share of housing and populations added to hazardous locations.

Mitigation Measures

EHL is concerned that key mitigation measures from the 2020 iteration of the RTP/SCS have not been carried out. As a result, impacts remain unmitigated and persist. For this reason, the 2024 plan should readopt the following measures:

SMM AG-2: SCAG shall expand on the Natural Resource Inventory Database and Conservation Framework & Assessment by incorporating strategic mapping layers to build the database and further refine the priority conservation areas by (1) further investing in mapping and farmland data tracking and (2) working with County Transportation Commissions (CTCs) and SCAG's subregions to support their county-level efforts at data building. SCAG shall encourage CTCs to develop advanced mitigation programs or include them in future transportation measures by (1) funding pilot programs that encourage advance mitigation including data and replicable processes, (2) participating in state-level efforts that would support regional advanced mitigation planning in the SCAG region, and (3) supporting the inclusion of advance mitigation programs at county level transportation measures.

SMM BIO-2: SCAG shall continue to develop a regional conservation strategy in coordination with local jurisdictions and other stakeholders, including the county transportation commissions. The conservation strategy will build upon existing efforts including those at the sub-regional and local levels to identify potential priority conservation areas. SCAG shall develop new regional tools, like the Regional Data Platform and Regional Greenprint to help local jurisdictions identify areas well suited for infill and redevelopment as well as critical habitat and natural lands to be preserved, including natural habitat corridors. SCAG will also collaborate with stakeholders to establish a new Regional Advanced Mitigation Program (RAMP) initiative to preserve habitat.

Thank you for considering these scoping comments.

Yours truly,



Dan Silver
Executive Director

Annaleigh Ekman

From: greenvision@fhbp.org
Sent: Monday, November 14, 2022 9:09 PM
To: 2024 PEIR
Subject: Comments on PEIR Scoping
Attachments: FHBP Comments on SCAG Connect SoCal 2024 FINAL.pdf

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Greetings,

Attached are comments submitted by Friends of Harbors, Beaches and Parks for the 2024 Connect SoCal PEIR.

Please confirm receipt.

Melanie



Melanie Schlotterbeck, CMP
Green Vision Coordinator
Friends of Harbors, Beaches and Parks
GreenVision@FHBP.org

(714) 501-3133 (Cell) ▪ P.O. Box 9256 ▪ Newport Beach, CA 92658
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November 14, 2022

Submitted via email to: ConnectSoCalPEIR@scaq.ca.gov

Southern California Association of Governments (SCAG)
Attn: Ms. Karen Calderon
900 Wilshire Blvd, Ste. 1700
Los Angeles, CA 90017

RE: Notice of Preparation of Connect SoCal 2024 PEIR

Dear Ms. Calderon:

Friends of Harbors, Beaches and Parks (FHBP) is a regional non-profit with the mission to promote, protect, and enhance the harbors, beaches, parks, trails, open spaces, natural preserves, and historic sites in Orange County. We are in receipt of the SCAG Regional Transportation Plan / Sustainable Communities Strategy (collectively "Connect SoCal 2024") Notice of Preparation (NOP) for the Program Environmental Impact Report (PEIR). We respectfully provide the following comments for consideration as the PEIR is drafted:

2024 Priorities

As indicated in the November 9, 2022 NOP Scoping Meeting, Senate Bill 375 sets the target to reduce greenhouse gas emissions through a reduction in vehicle miles travelled for passenger vehicles and light duty trucks. One potential avenue to accomplish this objective is to protect natural lands from conversion to more urban uses. This goal was already featured in the 2020 Connect SoCal Plan as it was identified as one of the priorities in the plan, specifically to "promote conservation of natural and agricultural lands and restoration of habitats."¹ FHBP supports inclusion of the same policy priority in the 2024 Connect SoCal Plan.

Plan's Policy Development Framework

FHBP supports the Plan's Policy Development Framework as it relates to the Environment. Specifically, where it states, "Conserve and restore the region's natural and agricultural resources."²

Plan's Draft Performance Measures

FHBP supports the Plan's Draft Performance Measures: Environment, which states: "Create and *[sic]* healthy region for the people of today and tomorrow."³ We specifically support the new performance measures: "Housing most vulnerable to impacts" and "Population most vulnerable

¹ SCAG. Connect SoCal. 2020. Pg. 9.

² SCAG. Policy Development Framework for Connect SoCal. Pg. 1.

³ SCAG. Draft Performance Measures. March 2022. Pg. 4.

to impacts” and the associated objectives to lower the share of housing and populations added at risky areas like the wildland-urban interface or those vulnerable to sea level rise.

Mitigation Measures

It is our understanding from the Scoping Meeting that SCAG’s Program Environmental Impact Report (PEIR) includes two types of mitigation measures (MM): SCAG Level MM (SMM) and Project Level MM. In the 2020 Connect SoCal Plan, SCAG included two SMM including:

SMM AG-2: SCAG shall expand on the Natural Resource Inventory Database and Conservation Framework & Assessment by incorporating strategic mapping layers to build the database and further refine the priority conservation areas by (1) further investing in mapping and farmland data tracking and (2) working with County Transportation Commissions (CTCs) and SCAG’s subregions to support their county-level efforts at data building. SCAG shall encourage CTCs to develop advanced mitigation programs or include them in future transportation measures by (1) funding pilot programs that encourage advance mitigation including data and replicable processes, (2) participating in state-level efforts that would support regional advanced mitigation planning in the SCAG region, and (3) supporting the inclusion of advance mitigation programs at county level transportation measures.

And,

SMM BIO-2: SCAG shall continue to develop a regional conservation strategy in coordination with local jurisdictions and other stakeholders, including the county transportation commissions. The conservation strategy will build upon existing efforts including those at the sub-regional and local levels to identify potential priority conservation areas. SCAG shall develop new regional tools, like the Regional Data Platform and Regional Greenprint to help local jurisdictions identify areas well suited for infill and redevelopment as well as critical habitat and natural lands to be preserved, including natural habitat corridors. SCAG will also collaborate with stakeholders to establish a new Regional Advanced Mitigation Program (RAMP) initiative to preserve habitat.

To date, SMM AG-2 and SMM BIO-2 have not yet been completed. The Mitigation Monitoring and Reporting Program (MMRP) indicates both MM will occur over the life of the plan.

The fact that SCAG included SMM AG-2 and SMM BIO-2 indicates the projects contained in the 2020 Connect SoCal Plan had significant environmental effects that needed to be mitigated and that these MM were deemed feasible to do. Since SCAG has yet to complete this mitigation, these MM must be included in the 2024 PEIR.

The Public Resource Code §21002.1 states that “Each public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever

feasible to do so.” Further, these MM were imposed by SCAG and are also enforceable by SCAG. We take this opportunity to remind SCAG of this existing commitment and requirement.

FHBP requests that since 2024’s Plan builds on the 2020 Plan and previous plans, the MM should also build on one another. This means SCAG must still complete its legally binding commitment to MM from the 2020 Plan and adopt the same [and potentially additional MM should they be warranted] for the 2024 Plan.

Further to remove confusion and add clarity, the MM should be time bound in the 2024 Plan. If it cannot be time bound it is a significant and unavoidable impact.

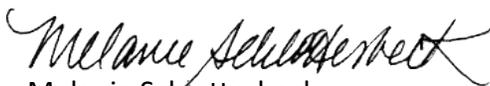
Additional Studies for the PEIR

We first request that housing plans and infrastructure plans be reviewed against the changing landscape. Specifically, wildfires, sea level rise, high heat days, and urban heat islands. For example, fire perimeters should be compared to 2024 roadway projects and if ignitions are consistently occurring along the roadway edges, this impact should be appropriately analyzed and mitigated as roadways are known locations of ignitions.

We also request that because the Governor has set the target of protecting 30% of California’s natural lands and coastal waters by 2030, that SCAG ensure it is using the California Protected Areas Database and California Conservation Easement Database when it develops its base maps. Additional lands get regularly protected throughout the year thereby making them ineligible for housing, transportation, and other uses potentially identified in the Connect SoCal Plan. Ensuring accurate base maps should be a high priority for SCAG as it delineates what is and isn’t possible on the ground.

Should you have any questions, please reach out at (714) 501-3133.

Sincerely,



Melanie Schlotterbeck
Green Vision Project Coordinator

Annaleigh Ekman

From: Richard Lambros <rlambros@southerncaliforniagroup.com>
Sent: Wednesday, November 16, 2022 4:11 PM
To: 2024 PEIR
Cc: Kome Ajise; Darin Chidsey; Sarah J. Jepson; Mike Roos (mike@mroosco.com)
Subject: Southern California Leadership Council Comments regarding Notice of Preparation of a draft PEIR for Connect SoCal 2024
Attachments: SCLC Ltr to SCAG - re Draft PEIR Scope (11-16-2022).pdf

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Ms. Calderon,

On behalf of the Southern California Leadership Council, attached is a comment letter regarding Connect SoCal 2024, and specifically the Notice of Preparation of its draft Program Environmental Impact Report (PEIR). Thank you for the opportunity to comment, and your sincere consideration of our input.

Best,
Rich Lambros

Richard J. Lambros | Managing Director
Southern California Leadership Council
444 S. Flower Street, 37th Floor, Los Angeles CA 90071
T: (213) 236-4810 | M: (909) 225-0095 | F: (213) 622-7100
E: richard.lambros@socalc.org | W: www.socalc.org



Three former Governors and over three dozen Presidents/CEOs of major companies and agencies comprise the Southern California Leadership Council, a nonprofit, nonpartisan organization formed to provide leadership on major public policies critical to economic vitality, job growth and the quality of life in Southern California.



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Gloria Gray
Thomas Priselac

Executive Staff:

Mike Roos
President

Richard Lambros
Managing Director

November 16, 2022

Southern California Association of Governments
Attn: Ms. Karen Calderon, Senior Regional Planner
900 Wilshire Blvd., Ste. 1700
Los Angeles, CA 90017

By electronic mail to ConnectSoCalPEIR@scag.ca.gov

Re: Southern California Leadership Council's Comments Concerning SCAG's October 17, 2022 Notice of Preparation of a Draft Program Environmental Impact Report (PEIR) for Connect SoCal 2024 (2024-2050 Regional Transportation Plan/Sustainable Communities Strategy)

Dear Ms. Calderon and SCAG Executive Staff:

Southern California Leadership Council has been actively involved in the work of the Southern California Association of Governments ("SCAG") related to both regional transportation planning and, since the enactment of California Senate Bill 375 in 2008, SCAG's periodic formulation of its sustainable communities' strategies (each an "SCS"). Continuing with such engagement, we are pleased to provide below our comments concerning SCAG's October 17, 2002, Notice of Preparation of a Draft Program Environmental Impact Report ("PEIR") for SCAG's 2024 regional transportation plan/SCS, called Connect SoCal 2024 (the "Notice").

Specifically, SCAG explains, on page 2 of the Notice, that it was publicized to "allow the public the opportunity to review and comment on the scope and content of the environmental information to be considered and evaluated in the Draft PEIR." Concerning such scope and content of environmental information, we have the concerns set forth below; and we respectfully ask SCAG staff to take the comments into account when fashioning the Draft PEIR for eventual publication for public comment late next year.

Our most urgent comment pertains to the Notice's discussion about alternatives (to the pending, proposed 2024 draft RTP/SCS) which will be analyzed and compared in the eventual Draft PEIR. The discussion in the Notice itself, combined with answers that were provided by SCAG's staff at one of its two public scoping zoom-hearings, indicate that SCAG staff has determined that there will be no alternative considered which aims to best reflect the fulfillment of local governments' general plans, inclusive of their housing elements. Specifically, SCAG staff stated that it has identified only (1) the obligatory "no project" alternative, and (2) an increased intensification alternative, and further stated that it will likely seek some other alternative that might exist between those two; but any third

alternative will not be a growth scenario based solely on the fulfillment of local general plans and their housing elements, nor will it be called a local input alternative.

We urge SCAG staff to reverse this determination and instead undertake to analyze in the Draft PEIR an alternative that attempts to reflect the normal and foreseeable fulfillment of each local government's general plan. Such a comparison is necessary both (i) because each local government's general plan necessarily reflects the direction and will of that local government, and (ii) so that the public can consider the comparative environmental costs and benefits between SCAG's other alternative scenarios and the realization of local general plans.

Moreover, local governments within the SCAG region have been working painstakingly for the last two years to update their respective general plan housing elements to identify and demonstrate the availability of new sites on which to build housing. Such re-planning was based on the very large Regional Housing Needs Assessment (RHNA) allocations to its local governments, which SCAG's Regional Council has approved. Having undertaken such re-planning, many jurisdictions garnered the approval of their resulting new housing elements by the California Department of Housing and Community Development ("HCD"); while others continue to iterate with HCD over highly-evolved, revised land use plans aimed at establishing housing elements that satisfy their RHNA requirements. The local jurisdictions, HCD, and even the State Legislature (through its recent amendments to the Housing Accountability Act) all have been working together to see that the SCAG region's RHNA allocations can be meaningfully accommodated through the identification of specific, properly zoned sites for new housing units.

SCAG should not ignore all of this recent, massive re-planning when considering the proposed RTP/SCS and the alternatives thereto. Therefore, we respectfully urge SCAG to analyze, in the pending draft PEIR for Connect SoCal 2024, an alternative land use scenario that will reflect the relatively normal and foreseeable fulfillment of each local government's general plans including either (i) each jurisdiction's recently HCD-approved housing element, or (ii) where such HCD approval is still pending, the most recent iteration of such local government's general plan, including their proposed RHNA-adjusted housing element. We know that SCAG works hard to identify already approved entitlements, and of course should reflect them in all of their alternative scenarios that are studied in the Draft PEIR. While this is essential, the local input alternative that we are suggesting here must also faithfully include the realization of each local government's full plan and vision for its growth.

Second, our experience in recent RTP/SCS cycles has left us appreciating the need to understand the full extent to which a proposed RTP/SCS might depart from the local governments' respective visions of their own future growth. In order to understand the details of such departures, one needs to have the transportation analysis zone mapping data (called "TAZ maps") that underpin SCAG's regional transportation demand modeling. In the last RTP/SCS cycle, interested stakeholders were surprised to learn that SCAG's underlying TAZ mapping was problematic in a number of different ways, ranging from the surprising omission of already-entitled projects to unrealistic concentrations of future develop in

just a relatively few transportation analysis zones. Concerning the latter point (the over-concentration), the proposed intensification of new development was criticized as problematic in relation to federal housing statutes. Ultimately, SCAG addressed such concerns by expressly including a disclaimer indicating that its TAZ mapping data should not be used to influence or prejudice local land use decision making.

Because of the importance of the need to understand and potentially again disclaim and prevent any abuse of SCAG's TAZ mapping data, we respectfully ask SCAG to supply such data to the public when SCAG releases its proposed Connect SoCal 2024 policy document and the Draft PEIR in which its environmental impacts are analyzed, and to present such information so that it can be easily understood by interested stakeholders.

We look forward to working with SCAG's capable staff in the months ahead to help to assure that Connect SoCal 2024 and the related Draft PEIR are excellent work products. SCLC and its business coalition partners will continue to bring our knowledge and our perspectives into the RTP/SCS process; and we will do so with the direct aim of helping to plan for the growth and development of our region in a way which achieves the best possible future for all Southern Californians.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Lambros".

Richard Lambros
Managing Director
Southern California Leadership Council

CC: Kome Ajise, Executive Director
Darin Chidsey, Chief Operating Officer
Sarah Jepson, Director, Planning and Programs

Annaleigh Ekman

From: Walker Wells <walker@raimiassociates.com>
Sent: Thursday, October 20, 2022 9:31 AM
To: 2024 PEIR
Subject: Suggestions for project description

This Message Is From an External Sender

EXTERNAL: This email message was sent from outside our organization. Proceed with caution when opening links or attachments. Submit as spam if you are not sure it is safe.

Report Suspicious

I am working with several transportation and greenhouse gas consultants on an effort to identify county level VMT and GHG reduction targets.

I suggest that that the county-specific VMT and ghg modeling and county level ghg reduction target setting by sector (land use, transportation, enhanced transit) be included in the project definition for the Connect So Cal LRTP/SCS.

walker wells AICP, LEED AP, EcoDistricts AP
Cell: 1-310-922-8443 | Main: 1-213-599-7670
[706 South Hill Street, 11th Floor, Los Angeles, CA 90014](#)





memorandum

date December 7, 2022

to Karen Calderon, SCAG

cc

from Kimberly Comacho, ESA

subject Connect SoCal 2024 Scoping Meeting Notes – November 9, 2022 (6 p.m. – 8 p.m.)

Speakers

- Andy Henderson
 - Can you explain the assumptions SCAG is bound to adhere to that CARB imposes upon SCAG? In past cycles the SCS has never been allowed to take any credit for improving fleets or fuel standards. Will this be the case again?
 - Looking back at Connect SoCal 2020 TAZ map analysis, it was argued by some that the scenario was legally problematic under federal housing law. Will SCAG be looking at legal infeasibility under federal housing law with respect to SCAG's spatial distribution of housing in the SCS?
 - Will the local input alternative from Connect SoCal 2020 be considered for Connect SoCal 2024?
 - Will the TAZ maps be finalized prior to or at the time of the PEIR release? Can these maps be made available for the public comment period of the PEIR?
- Cesar (last name not provided)
 - Several grants depend on finalized data from Connect SoCal. How will this be addressed?
 - Commenter noted that REAP depends on priority growth areas and TAZs.
 - Where can high resolution versions of the maps in the plan be accessed?
 - Some of these maps are not in line with the local housing element's data (i.e., City of Los Angeles). Either they are using different assumptions or defining the variables differently.
 - For grants evaluated by SCAG, would the housing element data or SCAG data control? It sounds like housing element data is more current. Is this correct?
 - Commenter noted that this cycle, because of AFFH, census tract level is relevant to local jurisdictions.
- Melanie Schlotterbeck
 - How does SCAG handle review of previous MMs? Have these prior MMs been met or will they be built upon?
- John Cadiz
 - Are there considerations on how SCAG will work with unincorporated communities?



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esassoc.com

memorandum

date December 7, 2022

to Karen Calderon, SCAG

cc

from Kimberly Comacho, ESA

subject Connect SoCal 2024 Scoping Meeting Notes – November 10, 2022 (10 a.m. – 12 p.m.)

Speakers

- Reina Kapadia
 - Where can we review the document? Is there a project website?
 - How long will the comment period be once the PEIR is released?
- Sarah Peacock
 - Commenter is having difficulty finding the PEIR web page.
 - You mentioned being able to see comments? Are any there as of yet?
- Joe Alock
 - Will the power point be available?
- Caleb Brock
 - When can we provide comments on the actual Plan?