



# FINAL CENTRAL PARK MASTER PLAN UPDATE REVISION PROGRAM ENVIRONMENTAL IMPACT REPORT







**FINAL**

**Central Park Master Plan Update reVISION  
Program Environmental Impact Report  
State Clearinghouse No. 2019110342**

*Prepared for:*



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## **ABBREVIATIONS AND ACRONYMS**

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BUOW	burrowing owl
CAGN	California gnatcatcher
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
City	City of Rancho Cucamonga
CNDDB	California Natural Diversity Database
CNPS	California Native Plant Society Riverside
CVWD	Cucamonga Valley Water District
DPEIR	Draft Program Environmental Impact Report
EIR	Environmental Impact Report
GPS	global positioning system
IEUA	Inland Empire Utilities Agency
LAPM	Los Angeles pocket mouse
MMRP	Mitigation Monitoring and Reporting Program
NOP	Notice of Preparation
PRC	Public Resource Code
proposed Project	Central Park Master Plan Update reVISION
RAFSS	Riversidean alluvial fan sage scrub
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SBKR	San Bernardino Kangaroo Rat
SCAQMD	South Coast Air Quality Management District
USFWS	United States Fish and Wildlife Service





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# CHAPTER 1

## INTRODUCTION

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### 1.1 OVERVIEW OF THE PROJECT AND ENVIRONMENTAL REVIEW PROCESS

In 1984, the City of Rancho Cucamonga (City) Council acquired approximately 103.4 gross acres of land northwest of the corner of Milliken Avenue and Base Line Road for a park that would serve the whole city and become a major public resource on the order of other great parks in other major cities. A Central Park Master Plan was developed in the late 1980s, however, no revenue was available at the time for plan development. In the early 2000s, the Goldy S. Lewis Community Center and James L. Brulte Senior Center and the Central Park Playground were developed. Negative economic conditions had not allowed for the development of the remainder of the park.

In 2017, the City Council approved efforts for a Central Park Master Plan Update. As part of the Central Park Master Plan Update, the City conducted an extensive community outreach and public input process. This outreach process was intended to highlight the historical design and development efforts to date on Central Park and to seek public input for its future and ultimate development. A combination of local community workshops, online surveys, social networking, and a live Facebook broadcast were conducted to develop the resulting Central Park Master Plan Update reVISION. The Central Park Master Plan Update reVISION reflects the historical design philosophy, is responsive to the past planning efforts, includes modern community inspired recreation elements, and incorporates a phased approach providing for fiscally achievable project segments ranging in size from 1 acre to 11 acres (proposed Project). The proposed Project is composed of recreation areas and elements that relate to the existing open drainage channel spine and is anchored by the Senior and Community Centers to the east and the proposed Recreation Pool, Multi-Purpose Facility, and Tennis Courts to the west. The park will provide a variety of both active and passive zones and uses for groups of all ages. The Universal Accessible Playground will provide access to opportunities for people of all ages and abilities to promote play, physical activity, sociability, and learning. The Adventure Area will promote a unique outdoor experience for personal physical development, leadership, and team building. The park also features the “Great Lawn”, Viticulture Pavilion, a flexible park area for large community event gatherings and celebrations. Implementation of the proposed Project requires the approval of the Central Park Master Plan Update reVISION, Final Site Plans, and certification of the Final Program Environmental Impact Report (EIR).

A complete description of the proposed Project is provided in Chapter 3 of the Draft Program EIR prepared and circulated for public review and comment between October 7, 2020 and November 23, 2020 (State Clearinghouse Number 2019110342).

This Final Program EIR has been prepared to describe the disposition of environmental issues raised in the comments received on the proposed Project’s Draft Program EIR. Evaluating the potential impacts of the proposed Project on the environment and responding to comments is an essential part of the environmental review process required under the California Environmental Quality Act (CEQA) (California Public Resources Code (PRC) Section 21000 et seq.). This Final

Program EIR has been completed in accordance with CEQA and the CEQA Guidelines (Title 14 of Section 15132 of the California Code of Regulations (CCR) (14 CCR Section 15132)).

## 1.2 FINAL ENVIRONMENTAL IMPACT REPORT REQUIREMENTS

This Final Program EIR provides responses to comments received on the Draft Program EIR. Section 15132 of the CEQA Guidelines requires that the Final Program EIR consist of:

- The Draft Program EIR or a revision of the draft;
- Comments and recommendations received on the Draft Program EIR either verbatim or in summary;
- A list of persons, organizations, and public agencies commenting on the Draft Program EIR;
- The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and
- Any other information added by the Lead Agency.

This Final Program EIR for the proposed Project has been prepared to provide responses to comments received on the Draft Program EIR and is to be used in conjunction with, rather than in place of, the Draft Program EIR. Therefore, the information in this Final Program EIR, which incorporates the Draft Program EIR, fulfills state and City CEQA requirements for a complete Program EIR.

Chapter 3 of this Final Program EIR provides revisions for clarification or amplification of information already in the record. In no instances do the errata provide substantial new information or indicate a new impact or increase in the severity of an impact identified in the Draft Program EIR.

## 1.3 USE OF THE PROGRAM ENVIRONMENTAL IMPACT REPORT IN THE DECISION-MAKING PROCESS

The primary purpose of CEQA is to inform the public and decision makers as to the potential impacts of a project and to allow an opportunity for public input to ensure informed decision making. CEQA requires all state and local government agencies to consider the environmental effects of projects over which they have discretionary authority. CEQA also requires each public agency to mitigate or avoid the significant environmental impacts resulting from proposed Projects, when feasible, and to identify a range of feasible alternatives to the proposed Project that could reduce those environmental effects. The Program EIR must include the contents required by CEQA and the *CEQA Guidelines*, and examine all phases of the project, including planning, construction, operation, and any reasonably foreseeable future phases.

The City will use the Final Program EIR, together with economic, social, and technical information, to decide whether to certify the Final Program EIR and adopt the Central Park Master Plan Update reVISION. The City has made this Final Program EIR available prior to hearings on the proposed Project to provide an opportunity for agency and public review of the complete Program EIR before decisions are made. In addition, the City provided each of the commenting agencies an electronic copy of this Final Program EIR at least 10 days before the City Council hearing to consider the proposed Project.



This Program EIR (the Draft Program EIR as revised and augmented by the Final Program EIR) reviews the environmental consequences of the Project, as described in Chapter 4 of the Draft Program EIR. The City will use the Final Program EIR, along with other information, in its consideration of the Project.

Upon review of the Final Program EIR, and before rendering decisions on certification of the Final Program EIR and the adoption of the Central Park Master Plan Update reVISION, the City must certify that:

- The Final Program EIR has been completed in compliance with CEQA.
- The Final Program EIR was presented to the decision-making body of the Lead Agency.
- The information was reviewed and considered before approving the project.

## **1.4 SIGNIFICANT AND UNAVOIDABLE IMPACTS**

The analysis determined that with incorporation of identified regulatory requirements and implementation of project-specific mitigation (for potentially significant impacts), potential impacts would be less than significant. Therefore, the proposed Project would not result in significant unavoidable impacts.



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## **CHAPTER 2**

### **CEQA PUBLIC REVIEW PROCESS**

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#### **2.1 PURPOSE OF PUBLIC REVIEW**

CEQA Guidelines Section 15201 states: *“Public participation is an essential part of the CEQA process. Each public agency should include provisions in its CEQA procedures for wide public involvement, formal and informal, consistent with its existing activities and procedures, in order to receive and evaluate public reactions to environmental issues related to the agency’s activities. Such procedures should include, whenever possible, making environmental information available in electronic format on the Internet, on a web site maintained or utilized by the public agency.”*

The City has invited public input during the Program EIR preparation process, including providing opportunities to review and comment during the scoping process and during Draft Program EIR circulation, as discussed further in Section 2.2, below.

CEQA (PRC Section 21082.2(b)) explains that, “Statements in an environmental impact report and comments concerning an environmental impact report shall not be determinative of whether the project may have a significant effect on the environment.” According to CEQA, it is the responsibility of the Lead Agency decision makers to “determine whether a project may have a significant effect on the environment based on substantial evidence in the record.” Substantial evidence is defined as facts, fact-related reasonable assumptions, and expert opinion. “Substantial evidence” does not include arguments, speculation, unsubstantiated opinion or narrative, clearly erroneous evidence, or socioeconomic impacts not related to the physical environment (PRC Section 21080, 21082.2(a), 21082.2(c), and CEQA Guidelines Section 15384).

#### **2.2 PUBLIC REVIEW PERIOD AND NOTIFICATIONS**

In accordance with both the specific requirements and the intent of CEQA, the environmental review process for the proposed Project has included substantial opportunities for public and agency review and comment on the environmental evaluations. The Draft Program EIR was prepared following input from the public, responsible agencies, and affected agencies through the Program EIR scoping process, which included the following:

- In accordance with the CEQA Guidelines, a Notice of Preparation (NOP) was prepared and distributed to responsible agencies, affected agencies, and other interested parties on November 17, 2020.
- The NOP was posted in the County Clerk’s office for 30 days. The NOP was submitted to the State Clearinghouse to officially solicit participation from interested public agencies in determining the scope of the Program EIR.
- Information requested and input provided during the 30-day public review period, regarding the contents of the NOP and the scope of the Program EIR, were incorporated in the Draft Program EIR.



- A Notice of Completion for the Draft Program EIR was filed with the State of California Clearinghouse and a Notice of Completion / Notice of Availability was posted on the City's internet website, and published in the local paper, and mailed to organizations and agencies that previously expressed interest in the proposed Project during the public scoping period.
- The Draft Program EIR was circulated for review and comment between October 7, 2020 and November 23, 2020.
- The Draft Program EIR was made available for public review at City of Rancho Cucamonga City Clerk's Office, located at 10500 Civic Center Drive, Rancho Cucamonga, CA, during weekdays Monday through Thursday between the hours of 10:00 a.m. and 4:00 p.m.
- The Draft Program EIR was made available to download for public review from the following sites:
  - City of Rancho Cucamonga Website: <https://www.cityofrc.us/current-projects>
  - CEQAnet Web Portal: <https://ceqanet.opr.ca.gov/2019110342/2>
- Copies of the Draft Program EIR were provided, upon request, to responsible, trustee, and other federal, state, and local agencies expected or known to have expertise or interest in the resources that the Project may affect.
- Copies of the Draft Program EIR or notices of the Draft Program EIR's availability were sent to organizations and individuals with special expertise on environmental impacts and/or who had previously expressed an interest in this Project or other activities.

This Final Program EIR has been provided to commenting agencies, organizations, and individuals prior to Project hearings before City decision-makers. Notice of the availability of this Final Program EIR was also provided to agencies, organizations, and the public who have previously expressed an interest in the Project but did not comment on the Draft Program EIR.

## 2.3 SUMMARY OF PUBLIC INPUT

### 2.3.1 Notice of Preparation Review of Period Public Input

Three comment letters were received in response to the NOP for this Program EIR. The primary areas of concern identified by the public and agencies include impacts on air quality, biological resources including special-status species, cultural resources and Native American Tribal resources, and greenhouse gas emissions. A copy of each comment letter was included in Appendix A of the Draft Program EIR.

### 2.3.2 Draft Environmental Impact Report Review Period Public Input

Four comment letters were received in response to the public review of the Draft Program EIR. Comments addressing the adequacy of the Program EIR or issues relevant to the environmental review included the following topics:

- Refinement of water and wastewater information
- Comments on analysis of biological resources
- Comments on mitigation for open channel

## 2.4 APPROACH TO RESPONSES

The Draft Program EIR was circulated to numerous agencies having jurisdiction over natural resources that could be affected by the proposed Project or having expertise or interest in environmental resources. In addition, interested organizations and individuals received the documents or were notified of their availability. Three individual agencies and one organization submitted specific comments or opinions based on review of the Draft Program EIR. The comments required clarification on specific points addressed. Comments from the agencies and the organization are responded to in Chapter 4 of this Final Program EIR.



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## CHAPTER 3

# DRAFT ENVIRONMENTAL IMPACT REPORT CLARIFICATIONS AND MODIFICATIONS

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### 3.1 OVERVIEW

In reviewing and responding to comments on the Draft Program EIR, the City determined that minor revisions to portions of the Draft Program EIR text were warranted to provide clarification or amplification of certain information. CEQA Guidelines Section 15088 provides that where the response to comments makes important changes in the information contained in the text of the Draft Program EIR, the Lead Agency should either revise the text in the body of the Program EIR or include marginal notes showing that the information is revised in the response to comments.

Section 3.2 of this Final Program EIR provides revisions to the Draft Program EIR as deemed necessary based on consideration of issues raised in comments on the Draft Program EIR. Revisions to the Draft Program EIR text are shown as *errata*, consisting of an excerpt of the Draft Program EIR text with changes represented with added text shown in underline (example) and deleted text shown in strikethrough (~~example~~).

The City Council recognizes the Final Program EIR incorporates technical information obtained and produced after the Draft Program EIR was completed, and that the Final Program EIR contains additions, clarifications and modifications related to that new information. The information is provided in the errata and identified through interlineation of the Draft Program EIR for clarity and was provided to the Planning Commission and to the public in the Planning Department staff report.

The foregoing new information provided in the Final Program EIR does not include any changes to the proposed Project or the environmental setting in which the proposed Project is undertaken, and no additional discretionary approvals are required as a result of the changes. Rather, the new information merely clarifies, amplifies, or makes insignificant modifications reflected in the Draft Program EIR.

The City Council has independently reviewed and considered the Final Program EIR and all of its information. The Final Program EIR does not add significant new information to the Draft Program EIR that would require recirculation of the Final Program EIR under CEQA. The new information added to the Final Program EIR does not involve any new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation measure or alternative considerably different from others previously analyzed that the Project Applicant declines to adopt that would clearly lessen the significant environmental impacts of the proposed Project. No information indicates that the Draft Program EIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the Draft Program EIR. Thus, recirculation of the Final Program EIR is not required.

The City Council finds that the changes and modifications made to the Final Program EIR after the Draft Program EIR was circulated for public review and comment do not individually or collectively constitute significant new information within the meaning of PRC Section 21092.1 or CEQA Guidelines Section 15088.5.

## 3.2 CLARIFICATIONS AND MODIFICATIONS

### 3.2.1 Section 3.5.5, Utilities

Page 3-22: In the sixth paragraph after the heading Utilities, the following edits have been made:

**CVWD collects and conveys wastewater generated within the CVD service area through the sewer collection system which is conveyed to the Inland Empire Utilities Agency (IEUA) wastewater treatment facilities for treatment.** ~~Wastewater conveyance is handled by the City and CVWD, and wastewater is processed by CVWD and the Inland Empire Utilities Agency (IEUA).~~ A sewer line is located on the west side of Milliken Avenue. Another sewer line extends northwest from the northwest corner of Base Line Road and Spruce Avenue to the western boundary of the proposed Project site and continues north. The sewer line servicing the senior and community centers extends from this line at Central Park Drive and Base Line Road. As shown in Figure 3.5-9, the pick-up points for subsequent Project development will be located from the line located on the western boundary or from the line servicing the senior and community center facilities.

### 3.2.2 Section 3.8, PROJECT IMPLEMENTATION SCHEDULE

Page 3-27: In the second paragraph after the heading Project Implementation Schedule, the following edits have been made:

Construction of Element A – Pacific Electric Trail Head, Element B – Terraced Gardens, and Element C – Water Conservation/Demonstration Garden is expected to begin within the next couple of years and be completed in 2024. Construction of Element J – Dog Park is expected to begin **second quarter 2021** ~~early 2020~~ and be completed in 2022. Construction of Element L – Recreation Pool is expected to begin within the next couple of years and be completed by 2024.

### 3.2.3 Section 4.2.1, Land Cover

Page 4.16: Table 4.2-1, Acreage of Mapped Land Cover within the Draft Program EIR has been revised. The “Preliminary Descriptions of the Terrestrial Communities of California” column and the “A Manual of California Vegetation” column have been removed to reduce confusion with plant community names. The word “alliance” has been added to “California buckwheat scrub” and “California sagebrush scrub” plant communities. The acreages remain the same. Updated table is below:

**Table 4.2-1. Acreage of Mapped Land Cover**

Mapped Land Cover Category	Community Name by Reference		California Natural Community Code (CaCode)	Global Rank and State Rank	Mapped Acreage
	Preliminary Descriptions of the Terrestrial Communities of California	A Manual of California Vegetation			
California buckwheat scrub <b>alliance</b>	Riversidean sage scrub (Element Code: 32700)	<i>Eriogonum fasciculatum</i> shrubland alliance (California buckwheat scrub)	32.040.02	G5, S5	37.70
California sagebrush scrub <b>alliance</b>	Riversidean sage scrub (Element Code: 32700)	<i>Artemisia californica</i> shrubland alliance (California sagebrush scrub)	32.010.01	G4, S4	6.62
Drainage feature	N/A	N/A	N/A	N/A	0.30
Ruderal/disturbed habitat	N/A	N/A	N/A	N/A	15.14

Mapped Land Cover Category	Community Name by Reference		California Natural Community Code (CaCode)	Global Rank and State Rank	Mapped Acreage
	Preliminary Descriptions of the Terrestrial Communities of California	A Manual of California Vegetation			
Developed land	N/A	N/A	N/A	N/A	1.16
<p><b>Notes:</b></p> <p><b>Global Rank:</b> the global rank (G-rank) reflects the overall status of an element throughout its global range.</p> <p><b>G4 = Apparently Secure:</b> Uncommon but not rare; some cause for long-term concern due to declines or other factors.</p> <p><b>G5 = Secure:</b> Common; widespread and abundant.</p> <p><b>State Rank:</b> the state rank (S-rank) refer to the imperilment status only within California's state boundaries.</p> <p><b>S4 = Apparently Secure:</b> Uncommon but not rare in the state; some cause for long-term concern due to declines or other factors.</p> <p><b>S5 = Secure:</b> Common, widespread, and abundant in the state.</p>					

### 3.2.4 Section 4.2.5, Impact Analysis

Page 4-38: Table 4.2-5. Acreage of Anticipated Direct Impacts on Land Cover by Project Element Area within the Draft Program EIR has been revised slightly. The word "Alliance" has been added to the "California Buckwheat Scrub" and "California Sagebrush Scrub" columns. The acreages remain the same. Updated table is below:

**Table 4.2-5. Acreage of Anticipated Direct Impacts on Land Cover by Project Element Area**

Project Element Area	Mapped Land Cover Category Acreage				
	California Buckwheat Scrub Alliance	California Sagebrush Scrub Alliance	Developed Land	Ruderal/ Disturbed Habitat	Drainage Feature
A: Pacific Electric Trail Head	0.79	-	0.14	1.67	-
B: Terraced Gardens	4.29	-	0.01	0.38	0.02
C: Water Conservation/Demonstration Garden	2.50	-	0.50	1.37	0.03
E: Universal Accessible Playground	3.81	-	0.26	0.62	-
F: Viticulture Pavilion and Vineyards	4.65	-	-	2.05	-
G: Upper Picnic and Event Area	2.33	-	0.10	0.17	-
H: Event Parking Area	2.89	0.41	-	1.10	-
I: Adventure Area Parking and Event/Picnic Area	4.24	1.97	-	3.18	0.11
J: Dog Park	3.19	-	-	1.21	-
K: Multi-purpose Facility and Parking	3.45	1.51	-	0.44	-
L: Recreation Pool	0.98	1.64	-	0.06	0.01
M: Tennis Courts	1.30	1.09	0.14	0.56	0.02
N: Maintenance Yard	0.76	-	-	0.84	-
O: Deer Creek Chanel Trail:	2.51	-	-	1.49	0.10
<b>Total</b>	<b>37.70</b>	<b>6.62</b>	<b>1.16</b>	<b>15.14</b>	<b>0.30</b>



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## CHAPTER 4 COMMENTS AND RESPONSES

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### 4.1 OVERVIEW

This chapter of the Final Program EIR provides specific responses to each issue raised in comment letters received on the Draft Program EIR during the public review period. The public comment period for the Draft Program EIR began October 7, 2020 and ended November 23, 2020. A total of four comment letters were received. These are listed in *Table 4-1: Comment Letters Received on the Draft Program EIR* and are identified by a number. Individual comments within each letter are identified with a unique numeric indicator. For example, the comment letter from Cucamonga Valley Water District, is Letter 1. The letter contains six comments identified as Comment 1-1 through Comment 1-6; responses are respectively numbered Response 1-1 through Response 1-6.

### 4.2 LIST OF COMMENTERS

Representative agencies and organizations who submitted written comments on the Draft Program EIR are presented below in Table 4-1.

**Table 4-1. Comment Letters Received on the Draft Program EIR**

Letter	Name	Date on Letter
1	Cucamonga Valley Water District Gidit Ludesirishoti, PE	11/20/2020
2	California Department of Fish and Wildlife Scott Wilson, Environmental Program Manager	11/23/2020
3	Regional Water Quality Control Board	11/23/2020
4	California Native Plant Society Arlee Montalvo, PhD, Conservation Co-Chair	11/28/2020

### 4.3 COMMENTS AND RESPONSES TO COMMENTS

This section excerpts those comments received that specifically pertain to the scope and content of the Draft Program EIR. Copies of the comment letters are included in Appendix A.

#### 4.3.1 Comment Letter No. 1

**Gidit Ludesirishoti, PE, Cucamonga Valley Water District**

##### Comment 1-1

The existing property for the proposed Central Park project is located within the District's Pressure Zone 3. The actual location is at the bottom of the zone and pressure throughout the park will

range from 125 psi to 145 psi. The District does have 12" potable waterlines in Milliken Avenue and Base Line Road that are adequate to provide water services to the site. Under section 3.5.5, Utilities (Page 3-22), it has indicated that the irrigation system will be designed for future reclaimed water, which aligns with the District's supply strategy to offset the irrigable potable demand by recycled water. However, the existing waterline is potable and not recycled line (purple line) as indicated on Figure 3.5-9. As such the proposed waterline will be connected to the potable 8" waterline in Central Park Drive with the provision provided to connect the irrigable area to the recycled water system when it becomes available.

Response 1-1

Comment noted.

Comment 1-2

Under the same section it mentions that "Wastewater conveyance is handled by the City and CVWD, and wastewater is processed by CVWD and the Inland Empire Utilities Agency (IEUA)". This sentence should be corrected as follows; "the District collects and conveys wastewater generated within the CVWD service area through the sewer collection system, and is conveyed to IEUA's wastewater treatment facilities for treatment.

Response 1-2

Comment noted. See Section 3.2.1 for modifications to this Final Program EIR.

Comment 1-3

Section 5.1.15 (Page 5-134) references the Water Supply Assessment (WSA) requirement of "500 dwelling units or equivalent". There are other types of projects which may trigger the requirement for a WSA under SB610. However, this project does not appear to meet those requirements at this time.

Response 1-3

Comment noted.

Comment 1-4

The proposed bio-retention basins located throughout the park are not within the proximity of any District wells but will provide a recharge element to the Chino Basin aquifer. Any productive capture and use of runoff water is always a good element.

Response 1-4

Comment noted.

#### Comment 1-5

The proposed Water Conservation Garden is a great opportunity for a joint City/District collaborative effort. The District has had been promoting conservation gardens throughout the City and actually has a small garden at the District's Environmental Learning Center where conservation activities are shared and taught to the elementary age children from the local schools. With the proposed garden adjacent to the community trail it may open opportunities for regional partnerships with other agencies where they can display their gardens adjacent to the trail as well thus promoting conservation gardens throughout the region.

#### Response 1-5

Comment noted.

#### Comment 1-6

The District's Engineering Department should be included in the final design coordination. Our staff will need adequate time to perform our standard plan check. Designs of facilities connecting to our systems, or construction which have potential to impact our existing facilities, must be formally submitted prior to construction. Our Development Guidelines are available on our website at [www.cvwddwater.com/Development](http://www.cvwddwater.com/Development).

#### Response 1-6

Comment noted. The City will coordinate with the District's Engineering Department to include the District in the final design coordination and provide the District adequate time to perform the standard plan check.

### **4.3.2 Comment Letter No. 2**

**Scott Wilson, Environmental Program Manager, California Department of Fish and Wildlife**

#### Comment 2-1

CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species (i.e., biological resources). CDFW is concerned about the adequacy of the mitigation measures proposed in the DPEIR to reduce potentially significant impacts, including cumulative impacts, to state designated sensitive natural communities and state-sensitive species.

#### ***State Designated Sensitive Natural Communities***

As CDFW recommended in our comment letter to the Notice of Preparation (NOP), focused biological assessments and surveys should be conducted throughout the Project site to identify the presence of scale broom (*Lepidospartum squamatum*). Scale broom is an indicator that the site may support a state designated S3 sensitive natural community, *Lepidospartum* alliance (scale broom scrub). The DPEIR includes the following discussion on the presence of scale broom within the Project site:



*Scale broom was found on-site, which can be an indicator/pioneer plant species found with RAFSS habitats. However, is [sic] was primarily observed along the western boundary of the project site and in sparse patches throughout the site. Further, the site lacks the hydrologic scouring regimes associated with RAFSS habitats due to surrounding development and historical land uses. Therefore, the plant communities onsite were not considered RAFSS habitat.*

Although the DPEIR discussed the existence of scale broom within the Project site, the DPEIR dismissed the relevance of this sensitive natural community based on a lack of hydrology, and therefore did not quantify or assess the loss of habitat. However, the California Native Plant Society Riverside (CNPS) mapped 14.1 acres of scale broom scrub along the western edge of the Project site (see Figure 1: Central Park Sensitive Vegetation). Given the City's oversight in identifying and mapping this sensitive natural community, CDFW recommends the City incorporate the results of the survey by CNPS and requires a mitigation measure to reduce Project impacts to less than significant. CDFW suggests the City adopt the following mitigation measure to reduce the level of impacts to scale broom scrub and incorporate permanent conservation of habitat at a 1:1 mitigation ratio:

**BIO-4: State Designated Sensitive Natural Communities.** The Applicant shall mitigate impacts to the state designated S3 sensitive natural community, scale broom scrub by the acquisition, conservation, and perpetual management of 14.1 acres of scale broom scrub habitat at a CDFW-approved location within the City of Rancho Cucamonga or southwest San Bernardino County. Habitat shall be conserved in perpetuity via conveyance of a conservation easement to a CDFW-approved conservation entity. A management fund (endowment) shall be established by the Applicant consisting of an interest-bearing account. It shall have the amount of capital necessary to generate sufficient interest and/or income to fund all monitoring, management, and protection of the conservation area(s). This includes but is not limited to: reasonable administrative overhead, biological monitoring, invasive species and trash removal, fencing and signage replacement and repair, law enforcement measures, long term management reporting (as described below), and other actions designed to maintain and improve the habitat of the conserved land(s), in perpetuity. A Property Analysis Record, or substantially equivalent analysis, shall be conducted to determine the management needs and costs described above. It shall then be used to calculate the capital needed for the management of the fund. Except for uses appropriate to a habitat conservation area, the public shall not have access to the mitigation area(s). No activities shall be permitted within the site, except maintenance of habitat, including the removal of nonnative plant species, trash, and debris, and the installation of native plant materials.

Alternately, if the DPEIR does not wish to adopt the results of the survey by CNPS, the DPEIR should incorporate the results of an appropriate analysis (botanical field survey) into the DPEIR prior to certification, along with the above mitigation measure. CDFW recommends, as part of the botanical field survey, the City record the following information for locations of sensitive natural communities detected on the Project site (CDFW, 2018):

- Specific geographic locations where the sensitive natural communities are found. Preferably this will be done by use of global positioning system (GPS) and include the datum in which the spatial data was collected and any uncertainty or error associated with the data. If GPS is not available, a detailed map (1:24,000 or larger) showing locations and boundaries of each sensitive natural community in relation to the project area is acceptable. Mark occurrences and boundaries as accurately as possible;
- Site-specific characteristics of occurrences, such as associated species, habitat and microhabitat, structure of vegetation, topographic features, soil type, texture, and soil parent material;
- Density of sensitive natural communities, identifying areas of relatively high, medium and low density in the Project site;
- Digital images of sensitive natural communities in the Project site, with diagnostic features.

The data collected from these surveys will more accurately disclose the level of impacts that could occur to scale broom scrub and inform a more refined mitigation measure based on actual botanical survey data. If the City chooses this approach, CDFW strongly recommends the DPEIR be recirculated to disclose the survey data, impact analysis, and proposed mitigation measures.

#### Response 2-1

A habitat assessment was conducted for the Project site and included identification of existing vegetation communities and the presence of scale broom. A description of the existing Project site biological conditions was presented in the Draft Program EIR, Section 4.2.1 and in Appendix C Biological Resources Reports.

As described within the Draft Program EIR, Section 4.2.1, during the 2019 biological resources surveys, Project biologists observed and documented scale broom patches along the western boundary of the Project site and sparsely throughout the Project site. After receiving comments for the Draft Program EIR, they conducted a follow up field survey within the Project site on December 2, 2020 and took a GPS coordinate for each scale broom observed within the Project site. Please see Figure 4.3-1 of this Final Program EIR. Individual scale broom plants are shown on the figure as an orange dot. Based on the data gathered for the Draft Program EIR and confirmed with the recent field survey, Project biologists confirm their original plant community mapping and habitat descriptions. The Project site contains California buckwheat scrub and California sagebrush and not Riversidean alluvial fan sage scrub (RAFSS) habitats. Though scale broom exists within the Project site, the existing onsite plant communities do not function as an “alluvial” plant community and is therefore, not considered a RAFSS plant community.

As discussed in the Draft Program EIR, Section 4.6, the habitats within the Project site have resulted from the City seeding the Project site with a coastal sage scrub plant mix and decades of onsite disturbances. The Central Park property was once a grape vineyard. Agricultural activities occurred within the Project since the early 1900s and ceased in the 1980s. As described within the Draft Program EIR and Sections 4.5 and 4.6 of the biological resources report (Appendix C of the Draft Program EIR), the Project site has been subject to a variety of direct and indirect human-related disturbances from historical agricultural activities, historic and modern extensive grading and plowing activities, adjacent development, mountain bike and walking trails, weed abatement, City storage activities, and local refuse dumping. These activities are described below.

During the initial literature review, biologists reviewed historic aerial photographs of the Project site and Project vicinity. The following is a short description of how the land within the Project site and vicinity changed:

- The earliest aerial available was from 1938. The aerial shows that agricultural crops existed within the Project site and the surrounding lands. The aerial also showed Deer Creek as a natural vegetated creek west of the Project site.
- The 1948 aerial shows initial signs that engineered channelization of Deer Creek had begun (e.g., portions of the channel have been straightened, and flow movement limited). Such channelization confines flow to the engineered channel and limits the potential for natural alluvial fan processes of erosion and deposition to occur outside of channel proper.
- The 1980 aerial shows active agriculture was still employed within and around the Project site. In addition, Deer Creek channelization appears to have progressed to a graded, straight, and earthen trapezoidal channel, further confining flows and reducing the natural effects of erosion and deposition to the land outside of the channel. Finally, all native vegetation within the creek appears to have been removed.
- Between 1980 and 1994 all land surrounding the Project site was transformed by residential and commercial developments. All the areas to the north, south, east, and west were suburbanized, completely isolating the Project site from any undeveloped open space and natural habitats. Additionally, during this time, the Deer Creek channelization process culminated with a concrete lined channel, now part of a regional stormwater collection and management system. Implementation of a regional stormwater management system essentially eliminates all natural processes of erosion and deposition (i.e. scouring events) to the alluvial fan surfaces and the habitats surrounding the creek. The “floodplain” associated with Deer Creek no longer received hydrologic flows during storm events and without this scouring, the natural floodplain habitats associated with Deer Creek no longer functioned in their natural state.
- In 1984, the City purchased the Central Park property (approximately 103.4 acres). As described within Section 4.6 of the Draft Program EIR, the City decided to provide a landscape groundcover within the property to reduce the occurrence of blowing sand and dust during the City’s frequent wind events. To provide this groundcover the City chose to seed the property with a native coastal sage scrub mix for dust reduction and to eliminate the need for costly irrigation. From that seed mix, both coastal sage scrub species and invasive vegetation took hold. Over the years, the vegetation has grown to maturity and is now a mostly continuous cover of shrubs and herbs.
- In 2003, the City graded and developed the eastern portion of the Central Park property (approximately 30.4 acres) with the Goldy S. Lewis Community Center, James L. Brulte Senior Center, and Freedom Courtyard. In addition, an earthen stormwater conveyance was installed within the Project site that extended from the northeast to southwest corners of the Project site. The channel was constructed to accommodate local runoff associated with the development of the eastern third of Central Park.
- Maintenance of the Project site by the City over the last few decades has consisted of mowing and disking of large sections of the Project site for weed abatement, allowing sections of the Project site to fill in with primarily California buckwheat (*Eriogonum fasciculatum*) and secondarily with California sagebrush (*Artemisia californica*).





City of Rancho Cucamonga  
Central Park

Figure 4.3-1  
Existing Project Site  
Vegetation

San Bernardino County, CA





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In addition to the surveys conducted for the Project, two other southern California reputable biological consulting firms previously mapped the Project site as “coastal sage scrub” and not as “Riversidean alluvial fan sage scrub” or “scale broom scrub.”

- As described in Attachment 4 of the Biological Resources Report, Appendix C, of the Draft Program EIR, LSA Associates, Inc. mapped most of the undeveloped portions of the Project site as “coastal sage scrub” and described it as disturbed. They also mapped portions of the site as “non-native grassland, remnant vineyards, drainage feature, staging storage area, graded/disked areas, and developed.”
- BonTerra Consulting ecologists conducted biological reconnaissance surveys and plant community mapping throughout the City of Rancho Cucamonga for the *Rancho Cucamonga 2010 General Plan Update Draft Program EIR*. BonTerra Consulting ecologists mapped the open space habitats north of the Project site within the Etiwanda fan and east of the Project site within Day Creek as “scale broom scrub.” These areas are separated from the Project site by urban development. BonTerra Consulting ecologists did not map the Project site as scale broom scrub. They mapped the undeveloped portion of the Central Park property as “mixed sage scrub.” See Exhibit 4.4-1H within the *Rancho Cucamonga 2010 General Plan Update Draft Program EIR*.

The vegetation within the Project site is now very dense, greater than 70 percent cover, and does not provide the open habitat found in alluvial plant communities. Today the site supports a California buckwheat scrub alliance and California sagebrush scrub alliance.

Scale broom does not occupy over 14 acres of the Project site (see Figure 4.3-1 of this Final Program EIR) and is not the dominate plant shrub within 14 acres of the Project site. Most of the scale broom occurs along the immediate western boundary of the Project site; however, California buckwheat, not scale broom, is the dominant plant species. An approximate 2-acre, not 14-acre, portion of the Project site contains scale broom which has integrated into the California buckwheat scrub alliance.

As described within the Draft Program EIR, Section 4.2.1, the Central Park site historically supported a RAFSS plant community along its western boundary in association with Deer Creek prior to agricultural activities. The scale broom plants located onsite are most likely relicts of the former alluvial habitats. Scale broom is a sturdy plant that adapts to its native floodplain habitats by having deep roots that will resprout when the above ground portion of the plant is impacted or removed, usually by naturally occurring flood events. It is likely that the grading of the Project site in preparation for the early development phases of Central Park, or the mowing and disking of the Project site for weed abatement, allowed the scale broom plants that once occurred along the western boundary to resprout even after decades of grape vineyard cultivation.

RAFSS occurs in washes and on gently sloping alluvial fans and requires infrequent, but severe flood events. There are three different stages of RAFSS based on stages of growth, flooding frequency, and distance from the floodplain channel: pioneer, intermediate, and mature. RAFSS begins in the pioneer stage and is a direct result of a major flood event that has thinned or cleared out vegetation. This phase contains minimal, widely spaced, shrubs. Pioneer RAFSS usually transforms into intermediate RAFSS years after a flood event. Vegetation density, height, and variety increases. After several years without a substantial flood event, intermediate RAFSS changes into mature RAFSS. In this stage, the perennial plants in the RAFSS community start to



mature and different plant species from the surrounding chaparral community start to colonize the RAFSS community. A mature RAFSS plant community develops in an alluvial floodplain environment but occurs on higher bench habitat areas that receive infrequent flood waters that occur only during major storm events. None of these conditions occur on the Project site. In addition, mature RAFSS plant communities are usually dominated by large, woody chaparral type plant species such as mountain mahogany (*Cercocarpus betuloides*), holly leaved cherry (*Rhus ilicifolia*), spiny redberry (*Rhamnus crocea*), chamise (*Adenostoma fasciculatum*) and toyon (*Heteromeles arbutifolia*). The Project site is not connected to, nor is located near mature chaparral habitats and none of the characteristic mature RAFSS or chaparral plant species are present on the Project site.

The development surrounding the Central Park property has been in place for decades and the floodplain environment was eliminated from the site with the channeling of Deer Creek. Currently, there is no potential for flooding or scouring events to support a RAFSS plant community onsite. Even though portions of the Project site contain scale broom plants and sandy coarse soils, flood and scouring events must also be possible for a site to support RAFSS. Though the Project is located on a gently sloping alluvial fan from the San Gabriel Mountains, through development of an engineered stormwater management system it currently has been cut off from this major fan and is completely surrounded by development and roadways. Both the removal of native floodplain habitat and the concurrent Deer Creek channelization has severely limited fluvial processes which cause the scour needed to maintain alluvial type habitats. Without restoring all of the ecological elements (e.g., scouring regimes associated with natural fluvial processes) needed to develop and maintain an alluvial plant community, the onsite scale broom plants do not comprise a scale broom alliance. It will remain a transitional/disturbance plant community and will not convert back into the alluvial scrub habitat that historically occupied this area.

As discussed in the Draft Program EIR, Section 4.2.8, the City of Rancho Cucamonga, including the proposed Project site, is predominantly developed and surrounded by urban development to the south, east, and west. The proposed Project site does not contain sensitive biological resources and the potential cumulative projects in other developed areas of the City would not be expected to impact areas that contain significant biological resources. Additionally, the proposed Project and any future development in the City would be required to comply with existing regulations for the protection of biological resources. Therefore, impacts to biological resources would not be cumulatively significant.

The Draft Program EIR correctly identified, mapped, and evaluated the existing onsite habitats and vegetation. The onsite plant communities do not function as an alluvial scrub plant community, do not contain scale broom scrub, are not considered mature RAFSS, and therefore are not considered sensitive. As concluded in the Draft Program EIR, Section 4.2.5, the proposed Project is not anticipated to have direct or indirect impacts on sensitive plant communities and mitigation is not required.

In addition, as detailed above and in the Draft Program EIR, the City was proactive and elected to use a native seed mix for ground cover until Central Park could be developed. By requesting mitigation for removal of this man-made and maintained ground cover, California Department of Fish and Wildlife (CDFW) is taking away the incentive for the City to use native plants for landscaping in the future, or to encourage applicants to do the same due to the risk that any changes to landscaping involving native plants would result in expensive mitigation.



## Comment 2-2

### **State-Sensitive Species**

The Project is within the Etiwanda alluvial fan, which occurs within the southwest corner of San Bernardino County in the foothills of the San Gabriel Mountains and north of the City of Rancho Cucamonga. It is estimated that 75% to 90% of all coastal sage scrub habitats have been extirpated from Southern California (SBCM, 2005). The Etiwanda Fan is one of three remaining expanses that multiple endangered, threatened, and sensitive species depend on. The Project is located within one of the last islands of California buckwheat scrub (*Eriogonum fasciculatum*), totaling about 75 acres, that is critical habitat for the state-sensitive species California gnatcatcher (*Polioptila californica*) and Los Angeles pocket mouse (*Perognathus longimembris brevinasus*). Both have known occurrences throughout the Etiwanda fan.

### **Los Angeles Pocket Mouse**

The Central Park Master Plan Update Habitat Assessment (Attachment 1 of the Draft Program EIR) states:

*Northwestern San Diego pocket mouse, San Diego desert woodrat, and Los Angeles [sic] pocket mouse were not captured onsite during the 2008 San Bernardino kangaroo rat trapping study. As a result, they are presumed absent from the project site and no impacts will occur to these species.*

CDFW disagrees with the presumption that the Los Angeles pocket mouse (LAPM) is absent from the site. The trapping study done in 2008 was designed to capture the San Bernardino kangaroo rat (*Dipodomys merriami parvus*; SBKR), not LAPM. These two species vary both in the habitat they utilize, and the trapping methods used to capture them. Because the survey methods were likely inappropriate for LAPM, and performed over a decade ago, CDFW believes the results, and associated impact analysis, are unreliable and should be repeated using appropriate methods.

In addition to the concerns raised regarding unreliable data, there are multiple known occurrences of LAPM reported within a mile of the Project site and throughout the surrounding area (see Figure 2: LAPM Reports; CNDDB, 2020). While none were incidentally captured in 2008 during SBKR surveys, the species could have established populations within the Project site or begun utilizing the habitat for movement corridors or food caches. The permanent impacts from the Project may have direct, indirect, and cumulative impacts on LAPM that the City needs to minimize and mitigate for.

Overall, CDFW is concerned that potential impacts to LAPM are not identified or discussed within the DPEIR and strongly suggests the City evaluate the direct, indirect, and cumulative impacts to this species before approval and certification of the DPEIR. Appropriate analysis would include conducting LAPM-focused trapping sessions within suitable habitat during appropriate periods. However, if the City chooses to forego additional surveys, CDFW suggests the City adopts the mitigation measure BIO-5 (provided below) to offset the potential impacts to LAPM. The DPEIR identifies 37.70 acres of California buckwheat scrub and 6.62 acres of California sagebrush scrub within the Project site. This measure assumes approximately 44.32 acres of the Project site could

be utilized by LAPM for breeding and foraging and incorporates permanent conservation of habitat at a 2:1 mitigation ratio.

### Response 2-2

The Project site is completely surrounded by development and roadways and is not connected to suitable intact LAPM or SBKR occupied habitat. The Project site was once part of the Etiwanda alluvial fan of the San Gabriel Mountains; however, the site has been cut off from the Etiwanda alluvial fan for several decades as described above in Response 2-1. In addition, the natural habitats, vegetation, and soils that once existed within the Project site were disturbed/removed decades ago for the agriculture industry that once existed within the City. It is reasonable to believe that LAPM would not have occurred within the Project site when it was used for agriculture. It wasn't until the City seeded the Project site in the 1980s with coastal sage scrub, that native vegetation existed, but by that time, development already surrounded the Project site, cutting it off from the Etiwanda alluvial fan and possible LAPM occupied habitat.

The literature review and field surveys determined that LAPM is not expected to occur within the Project site based on the following reasons:

- LSA Associates, Inc. conducted protocol SBKR surveys in 2008. The site was trapped according to standard protocols developed for small mammals. Three traplines were set within the Project site. Two traplines were placed within the main drainage that transects the property (Drainage 1) and the remaining trapline was set within Drainage 2. Drainage 2 flows in a north to south direction converging with Drainage 1. Both drainages are ephemeral in nature and receives water during storm events and from nuisance flows from adjacent development. The results of those protocol surveys were negative for SBKR and LAPM. SBKR and LAPM are both small rodents that live in sandy soils in alluvial habitats. As CDFW did not provide any information as to how they believe SBKR and LAPM habitat utilization and trapping methods differ between the species, Project biologist Tom McGill, PhD communicated with Steve Montgomery, a small mammal expert with 40 years of experience with SBKR and LAPM, including within the Etiwanda Fan, on December 23, 2020. Dr. McGill confirmed with Mr. Montgomery that the trapping methodologies for SBKR and LAPM are essentially the same. Both species occupy alluvial fan habitats, usually in areas associated with a creek or streambed. These areas provide open habitat needed for foraging and areas with deep sandy soils needed for burrowing. The Project does not provide open alluvial habitats but instead support dense vegetation dominated by California buckwheat that would preclude foraging opportunities for both species. The City has maintained open trails and fire breaks on the Project site, but the soils are highly compacted within the designated trails and are subject to routine disking and mowing in the fire breaks. Neither condition favors the presence of LAPM or SBKR. Conditions have not changed since the trapping was done in 2003, which had negative results. The surrounding properties were fully developed prior to the 2003 trapping and would not support a population of either species that could act as a feeder population for repopulating the site. A new trapping program is very unlikely to trap either species and is not recommended.
- There are no documented (California Natural Diversity Database [CNDDDB]) LAPM sightings within the Project site. The LAPM records that CDFW discusses are within the Day Creek Channel located approximately 1.0 mile east of the Project site separated by urban development. Day Creek Channel is still connected, in parts, to the Etiwanda alluvial

fan of the San Gabriel Mountains in the north. The Project site is located approximately 1.3 miles south of the fan separated by urban development. Roadways and development that surrounds the Project site prevents wildlife movement from the occupied LAPM habitat in Day Creek to the Project site.

- The Project site does not support suitable open habitats that are needed by LAPM. As described within Draft Program EIR and Response 2-1, suitable LAPM habitat no longer exists on the Project site. The habitat of LAPM includes lower elevation grassland, open alluvial sage scrub, and open coastal sage scrub. While the Project site supports coastal sage scrub, soil characteristics must also be appropriate for a site to support LAPM. LAPM inhabits open ground of fine, sandy soils. Sandy gravelly soils do exist within the Project, but within limited areas of the site, mostly within the drainages. Soils within the Project site have been mechanically disturbed and heavily compacted from historic land uses (i.e., agricultural, clearing/grading, and storage activities). The Central Park property once contained a grape vineyard and these agricultural activities occurred onsite from before the 1930s and ceased in the 1980s. Afterwards, the City decided to provide vegetation ground cover to reduce the occurrence of blowing sand and dust during the City's frequent wind events. The City seeded the Project site with a coastal sage scrub plant mix. LAPM prefer areas of sparse vegetation cover for ease of movement and foraging. Over the years, the vegetation has matured and is mostly a continuous cover of dense shrubs, primarily California buckwheat scrub and California sagebrush. LAPM are not normally found in dense coastal sage scrub with limited open habitats.
- Deer Creek is no longer in its native condition in the Project area and the alluvial floodplain associated with Deer Creek no longer exists. Instead, Deer Creek has been channelized and now exists as a concrete box flood control channel with no vegetation (see Response 4-1).

For the reasons mentioned above, LAPM is not expected to occur within the Project site; therefore, it is anticipated that there would be no impacts on LAPM from site development, focused LAPM surveys are not recommended, and mitigation is not required.

Comment 2-3

**California Gnatcatcher**

The DPEIR states:

*The California buckwheat scrub and California sagebrush plant communities on-site have been isolated from occupied sage scrub habitats in the region by surrounding development and have only recently established after agricultural activities ceased (ELMT 2019, 2020b). In addition, these communities have been degraded from existing anthropogenic disturbances (ELMT 2019, 2020b). Based on these conditions, it was determined that the proposed Project site does not provide the requisite Primary Constituent Elements which are needed by CAGN to be present; therefore, it was determined that CAGN is absent from the site (ELMT 2019, 2020b).*

CDFW disagrees with this determination. Since the City did not perform California gnatcatcher (CAGN) protocol surveys in 2019 and since the biological assessment did not meet the USFWS protocol level, CDFW is concerned that the analysis provided is insufficient. Furthermore, CDFW does not agree that the habitat “does not provide the requisite Primary Constituent Elements.” As discussed above, the Project site is a part of approximately 75 acres of buckwheat scrub and it is adjacent to contiguous habitat at Deer Creek. The habitat also has the potential to support foraging and dispersal events.

Overall, CDFW is concerned that potential impacts to CAGN are not identified or discussed within the DPEIR and strongly suggests the City evaluate the direct, indirect, and cumulative impacts to this species before approval and certification of the DPEIR. Appropriate analysis would include conducting focused CAGN surveys within suitable habitat during appropriate periods. However, if the City chooses to forego additional surveys, CDFW suggests the City adopt the mitigation measure BIO-5 to offset potential impacts to CAGN. The DPEIR identifies 37.70 acres of California buckwheat scrub and 6.62 acres of California sagebrush scrub within the Project site. This measure assumes approximately 44.32 acres of the Project site could be utilized by CAGN for breeding and foraging and incorporates permanent conservation of habitat at a 2:1 mitigation ratio:

**BIO-5: The Applicant shall mitigate impacts to CAGN and LAPM by creating 88.64 acres of suitable breeding and foraging habitat at a CDFW-approved location within the City of Rancho Cucamonga or southwest San Bernardino County. Habitat shall be conserved in perpetuity via conveyance of a conservation easement to a CDFW approved conservation entity. A management fund (endowment) shall be established by the Applicant consisting of an interest-bearing account. It shall have the amount of capital necessary to generate sufficient interest and/or income to fund all monitoring, management, and protection of the conservation area(s). This includes but is not limited to: reasonable administrative overhead, biological monitoring, invasive species and trash removal, fencing and signage replacement and repair, law enforcement measures, long term management reporting (as described below), and other actions designed to maintain and improve the habitat of the conserved land(s), in perpetuity. A Property Analysis Record, or substantially equivalent analysis, shall be conducted to determine the management needs and**

**costs described above. It shall then be used to calculate the capital needed for the management of the fund. Except for uses appropriate to a habitat conservation area, the public shall not have access to the mitigation area(s). No activities shall be permitted within the site, except maintenance of habitat, including the removal of nonnative plant species, trash, and debris, and the installation of native plant materials.**

Alternately, if the DPEIR does not wish to assume presence on the Project site, the DPEIR should provide the results of appropriate analysis (protocol-level surveys) in order to more accurately disclose the level of impacts that could occur to CAGN and LAPM and inform more refined mitigation measures based on actual occupancy and use data. If the City chooses this approach, CDFW strongly recommends the DPEIR be recirculated to disclose the survey data, impact analysis, and proposed mitigation measures.

### Response 2-3

Central Park is not located within a designated or proposed critical habitat for listed plant or wildlife species. In addition, the literature review and field surveys determined that CAGNs are not expected to occur within the Project site now or in future, based on the following reasons:

- As described within the biological resources report (Appendix C of the Draft Program EIR), biologist have visited the Project site 24 times from 2007 to 2019 to conduct several different types of biological surveys and site visits. In addition, ELMT biologists conducted a recent field visit on December 2, 2020. During nine of the original visits, LSA Associates, Inc. conducted protocol CAGN surveys. The results of those protocol surveys were negative. In addition, not during any of the other site visits were CAGNs observed or detected within the Project site. The Project site contains no areas of significant topographic relief (terrain) except for a drainage feature that flows from the northeast to the southwest along the southern portion of the site. Biologists would most likely have detected CAGNs had they occurred within the Project site.
- The portion of Deer Creek located in the Project area does not support suitable CAGN habitats. Deer Creek is no longer in its native conditions in the Project area and the alluvial floodplain associated with Deer Creek no longer exists. Instead, Deer Creek has been channelized and now exists as a concrete box flood control channel with no vegetation.
- CAGN's preferred habitat is coastal sage scrub dominated by California sage brush. CAGN prefer relatively open stands of coastal sage scrub (Bontrager 1991). They occur in high frequencies and densities in scrub with an open or broken canopy while it is absent from scrub dominated by tall shrubs and occurs in low frequencies and densities in low scrub with a closed canopy (Weaver 1998). Two alliances are found on the Project site: 1) an *Eriogonum fasciculatum* alliance; and 2) an *Artemisia californica* alliance that could be used by CAGN; however, the vegetation within both of these alliances within the Project site is very dense and does not have the open canopy which CAGN prefers. The habitats present within the Project site are not considered suitable CAGN habitat; therefore, CAGNs are not expected to establish a breeding territory within the Project site due to the lack of suitable CAGN habitat within the Project site.
- The Project site has an elevation range of 1,324 to 1,377 feet above mean sea level (amsl) which is above the designated elevations range for CAGN. Although CAGN have been

found up to 1,500 feet in coastal sage scrub habitat in inland areas, 99 percent of all CAGN observations occur below 950 feet amsl (Atwood 1990).

- There are no documented (CNDDDB) CAGN sightings within the Project site. The nearest record of CAGN (CNDDDB) was over 100 years ago off-site approximately 1.5 miles east of the Project site and east of Day Creek Blvd (1918). The more recent sightings occurred east of Day Creek and the Interstate 15 Highway, not within the vicinity of the Project site, but within an area that is now developed.
- The Project site is completely surrounded by development and roadways and is not connected to suitable intact high-quality CAGN occupied habitat. Potential CAGN habitat within the Etiwanda alluvial fan of the San Gabriel Mountains is located approximately 1.3 miles north of the Project site separated by urban development; and within Day Creek Channel approximately 1.0 mile east of the Project site separated by urban development; however, generally CAGN disperses short distances through contiguous undisturbed habitat.

For the reasons mentioned above, CAGN is not expected to occur on the Project site; therefore, it is anticipated that there would be no impacts on CAGNs from site development, protocol CAGN surveys are not recommended, and mitigation is not required.

#### Comment 2-4

#### **MITIGATION**

When considering mitigation, it is important that the land conserved for mitigation has the same or better resource value than the resource value being impacted. Mitigation lands should be enhanced and managed in perpetuity to mitigate for the impact and loss of habitat. If the mitigation land would require restoration, it would be important to consider the time it will take for the sites to fully establish, whether there will be a temporary loss of function and value, and whether some types of biological resources cannot be restored or recreated within a reasonable period (e.g., 1–3 years).

CDFW recommended mitigation, including the permanent conservation of lands, for several species presumed present that would be potentially significantly impacted by the Project. If mitigation lands identified will meet species requirements for some or all of the species requiring mitigation, the mitigation may be co-located on a single property (i.e., separate mitigation parcels for each requirement may not be necessary).

#### Response 2-4

As concluded in the Draft Program EIR, Section 4.2.5, and further discussed above, the Project is not anticipated to have direct or indirect impacts on sensitive plant communities, LAPM, or CAGN, and mitigation is not required.

#### Comment 2-5

#### **ENVIRONMENTAL DATA**

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or



supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link:

[http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB\\_FieldSurveyForm.pdf](http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf).

The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: [http://www.dfg.ca.gov/biogeodata/cnddb/plants\\_and\\_animals.asp](http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp).

#### Response 2-5

Comment noted. Appropriate forms will be filed.

#### Comment 2-6

### **FILING FEES**

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

#### Response 2-6

Comment noted. Fees will be paid by the Lead Agency.

#### Comment 2-7

### **CONCLUSION**

CDFW stresses the importance of the Final Program EIR including supporting documents used to identify or analyze impacts to inform CDFW and the public. This includes any additional biological survey reports and habitat assessments performed. In addition, CDFW recommends that the City include in the Final Program EIR the recommended new or revised avoidance, minimization and mitigation measures offered by CDFW to reduce project impacts.

#### Response 2-7

See Response to Comments 2-1 through 2-6. In addition, Appendix C of the Draft Program EIR contains all the previous biological studies (four reports and three letters) that have been prepared for this Project.

### 4.3.3 Comment Letter No. 3

#### Regional Water Quality Control Board

##### Comment 3-1

JD for remnant open channel and 3 ephemeral drainages overall- crossing the proposed park on isolated alluvial fan scrub- finds 0.30 Ac permanent impacts to waters of state only. No federal waters/wetland. ROWD to come, thank you. Too big for WQO 2004- 0004-DWQ small sites permit. P 4-36 says that 'the proposed Project will permanently impact and remove all habitats within the footprint' incl scrub for sensitive species that could transit channel such as Blainville's horned lizard, CA glossy snake, orange throated whiptail etc. Yet p 4-39 says no direct impacts to juris areas, no mitigation required. Comment: Please have EIR state mitigation by avoiding channels or planting in open channel as mentioned, and/or propose program for loss of beneficial uses in channels, fan habitat.

##### Response 3-1

Existing native vegetation will be removed from the Project site during construction; however, the City has committed to use of native vegetation for landscaping where feasible and appropriate for each element. Although there are no federal Waters of the U.S. (federal jurisdictional areas), there are 0.6 acres of Waters of the State (state jurisdictional areas). Since no federal Waters of the U.S. are present, there will be no impact of federal jurisdictional areas. However, there are 0.6 acres of Waters of the State, of which 0.3 acres will be impacted by site development. As described in the Draft Program EIR, Impact 4.2-3 indicates that the loss of the 0.3 acres is an impact to Waters of the State and that Mitigation Measure BIO-3 will require permits, including a Waste Discharge permit from the Regional Water Quality Control Board (RWQCB). The 0.3 acres of drainage that will be impacted are small ephemeral erosional features that convey storm runoff from the paved bike path at the northern boundary into the Project site. These ephemeral drainages will be filled during development. Loss of the ephemeral drainages, including the loss of beneficial use of these drainage channels, will be mitigated through compensatory mitigation developed as part of acquiring a Waste Discharge permit from the RWQCB. As stated in Mitigation Measure BIO-3, prior to any impacts on jurisdictional Waters of the State, the City would obtain Waste Discharge Requirements (WDRs) from the RWQCB pursuant to Porter-Cologne. The permit will mandate best management practices, avoidance and protection measures, and/or compensatory mitigation measures for impacts on jurisdictional Waters of the State. Compliance with the RWQCB's WDRs and implementation of the measures required by the permit would offset the loss of jurisdictional Waters of the State and mitigate the Project's impacts to less than significant levels.

This permit will be limited to those Project Elements supporting Waters of the State. The mitigation measure will address and mitigate for the loss of beneficial uses in the channels, where avoidance and minimization are not possible.

As discussed in the Draft Program EIR, Section 4.2.5, impacts to sensitive wildlife species were analyzed and would be considered less than significant for the following reasons:

- Blainville's horned lizard, Belding's orange-throated whiptail, coastal whiptail, and California glossy snake are widespread in California and have low sensitivity statuses.



- The loss of one or a few individual sensitive species would not substantially reduce or threaten the regional or local populations of these common species below self-sustaining levels.
- Any loss of foraging habitat is unlikely to create a significant, permanent impact because the Project site hosts no special foraging habitat (e.g., large healthy riparian courses) and there is identical foraging habitat outside of the site (north of Central Park).
- The Project would result in the loss of low quality, degraded, and disturbed California buckwheat scrub and California sagebrush habitats that are surrounded by development. The state of the habitats makes them less valuable as habitat to support wildlife diversity or special-status species.

Due to these reasons, impacts on sensitive wildlife species that could utilize channels on a local or regional level would be considered less than significant.

#### 4.3.4 Comment Letter No. 4

**Arlee Montalvo, PhD, Conservation Co-Chair, California Native Plant Society**

##### Comment 4-1

##### **Scale Broom Scrub**

DEIR Table 4.2-1(copied below) identifies acreages of land cover types that will be impacted by the project, identifying California buckwheat scrub and California sagebrush scrub as the only two native plant communities present. The DEIR correctly states that these vegetation communities are not designated as sensitive vegetation communities and do not hold special status protection in their own right. The DEIR Impact Analysis (*Section 4.2.5, Impact 4.2-2*) states that impacts to natural vegetation, totaling 44.32 acres, were determined to be less than significant. Section 4.2-2 reads:

*No sensitive vegetation communities were observed within or adjacent to the proposed Project site; therefore, no direct or indirect impacts on sensitive vegetation communities are anticipated as a result of the implementation of the proposed Project and mitigation is not required.*

However, the information put forward in the DEIR in the above is false; the project site does contain sensitive vegetation. We identified approximately 14 acres of the project area that is occupied by a very obvious large stand of Scale broom scrub (*Lepidospartum squamatum* shrubland alliance) (rank S3, G3) and included on the California Sensitive Natural Communities List<sup>1</sup> (see our figure 2 below indicating location). Scale broom scrub is characterized by having "*Lepidospartum squamatum* {scale broom} >1% cover in alluvial environments"<sup>2</sup>, which is clearly satisfied (see photos below). In fact, throughout much of the 14-acre area that we identified on our Figure 2 below, *Lepidospartum squamatum* is the dominant shrub. Scale broom is a somewhat uncommon plant with a limited range and perhaps its identification or its vegetation membership rule escaped the biological consultant. In any case, the sensitive vegetation community present within the project area needs to be correctly identified in subsequent

<sup>1</sup> <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=153609&inline>

Further, under Holland 1986 (*Preliminary Descriptions of the Terrestrial Communities of California*) this 44.32 acres.02

<sup>2</sup> A Manual of California Vegetation Online, California Native Plants Society. <https://vegetation.cnps.org/alliance/226>

environmental documents and appropriate mitigation or avoidance measures need to be developed. Impacts to sensitive vegetation types constitute a significant impact, requiring mitigation. The required mitigation ratio for scale broom scrub is typically 3:1, which in this case would require the City to conserve 42 acres of scale broom scrub or implement alternative avoidance or restoration measures.

#### Response 4-1

A habitat assessment was conducted for the Project site and included identification of existing vegetation communities and the presence of scale broom. A description of the existing Project site biological conditions were presented in the Draft Program EIR, Section 4.2.1 and in Appendix C Biological Resources Reports.

ELMT biologists are qualified biologists. Tom McGill, PhD, the lead biologist for ELMT, and his staff biologists are familiar with scale broom and have worked with RAFSS habitats and alliances for decades. As described within the Draft Program EIR, Section 4.2.1, during the 2019 biological resources surveys, Project biologists observed and documented scale broom patches along the western boundary of the Project site and sparsely throughout the Project site. After receiving comments for the Draft Program EIR, they conducted a follow up field survey within the Project site on December 2, 2020 and took a GPS coordinate for each scale broom observed within the Project site. Please see Figure 4.3-1 of this Final Program EIR. Individual scale broom plants are shown on the figure as an orange dot. Based on the data gathered for the Draft Program EIR and confirmed with the recent field survey, Project biologists confirm their original plant community mapping and habitat descriptions. The Project site contains California buckwheat scrub and California sagebrush and not RAFSS habitats. Though scale broom exists within the Project site, the existing onsite plant communities do not function as an “alluvial” plant community and is therefore, not considered a RAFSS plant community.

As discussed in the Draft Program EIR, Section 4.6, the habitats within the Project site have resulted from the City seeding the Project site with a coastal sage scrub plant mix and decades of onsite disturbances. The Central Park property was once a grape vineyard. Agricultural activities occurred within the Project since the early 1900s and ceased in the 1980s. As described within the Draft Program EIR and Sections 4.5 and 4.6 of the biological resources report (Appendix C of the Draft Program EIR), the Project site has been subject to a variety of direct and indirect human-related disturbances from historical agricultural activities, historic and modern extensive grading and plowing activities, adjacent development, mountain bike and walking trails, weed abatement, City storage activities, and local refuse dumping. These activities are described below.

During the initial literature review, biologists reviewed historic aerial photographs of the Project site and Project vicinity. The following is a short description of how the land within the Project site and vicinity changed:

- The earliest aerial available was from 1938. The aerial shows that agricultural crops existed within the Project site and the surrounding lands. The aerial also showed Deer Creek as a natural vegetated creek west of the Project site.
- The 1948 aerial shows initial signs that engineered channelization of Deer Creek had begun (e.g., portions of the channel have been straightened, and flow movement limited).

Such channelization confines flows to the engineered channel and limits the potential for natural alluvial fan processes of erosion and deposition to occur outside of channel proper.

- The 1980 aerial shows active agriculture was still employed within and around the Project site. In addition, Deer Creek channelization appears to have progressed to a graded, straight, and earthen trapezoidal channel, further confining flows and reducing the natural effects of erosion and deposition to the land outside of the channel. Finally, all native vegetation within the creek appears to have been removed.
- Between 1980 and 1994, all land surrounding the Project site was transformed by residential and commercial developments. All the areas to the north, south, east, and west were suburbanized, completely isolating the Project site from any undeveloped open space and natural habitats. Additionally, during this time, the Deer Creek channelization process culminated with a concrete lined channel, now part of a regional stormwater collection and management system. Implementation of a regional stormwater management system essentially eliminates all natural processes of erosion and deposition (i.e. scouring events) to the alluvial fan surfaces and the habitats surrounding the creek. The “floodplain” associated with Deer Creek no longer received hydrologic flows during storm events and without this scouring, the natural floodplain habitats associated with Deer Creek no longer functioned in their natural state.
- In 1984, the City purchased the Central Park property (approximately 103.4 acres). As described within Section 4.6 of the Draft Program EIR, the City decided to provide a landscape groundcover within the property to reduce the occurrence of blowing sand and dust during the City’s frequent wind events. To provide this groundcover the City chose to seed the property with a native coastal sage scrub mix for dust reduction and to eliminate the need for costly irrigation. From that seed mix, both coastal sage scrub species and invasive vegetation took hold. Over the years, the vegetation has grown to maturity and is now a mostly continuous cover of shrubs and herbs.
- In 2003, the City graded and developed the eastern portion of the Central Park property (approximately 30.4 acres) with the Goldy S. Lewis Community Center, James L. Brulte Senior Center, and Freedom Courtyard. In addition, an earthen stormwater conveyance was installed within the Project site that extended from the northeast to southwest corners of the Project site. The channel was constructed to accommodate local runoff associated with the development of the eastern third of Central Park.
- Maintenance of the Project site by the City over the last few decades has consisted of mowing and disking of large sections of the site for weed abatement, allowing sections of the site to fill in with primarily California buckwheat and secondarily with California sagebrush.

In addition to the surveys conducted for the Project, two other southern California reputable biological consulting firms previously mapped the Project site as “coastal sage scrub” and not as “Riversidean alluvial fan sage scrub” or “scale broom scrub.”

- As described in Attachment 4 of the Biological Resources Report, Appendix C, of the Draft Program EIR, LSA Associates, Inc. mapped most of the undeveloped portions of the Project site as “coastal sage scrub” and described it as disturbed. They also mapped portions of the site as “non-native grassland, remnant vineyards, drainage feature, staging storage area, graded/disked areas, and developed.”

- BonTerra Consulting ecologists conducted biological reconnaissance surveys and plant community mapping throughout the City of Rancho Cucamonga for the *Rancho Cucamonga 2010 General Plan Update Draft Program EIR*. BonTerra Consulting ecologists mapped the open space habitats north of the Project site within the Etiwanda fan and east of the Project site within Day Creek as “scale broom scrub.” These areas are separated from the Project site by urban development. BonTerra Consulting ecologists did not map the Project site as scale broom scrub. They mapped the undeveloped portion of the Central Park property as “mixed sage scrub.” See Exhibit 4.4-1H within the *Rancho Cucamonga 2010 General Plan Update Draft Program EIR*.

The vegetation within the Project site is now very dense, greater than 70 percent cover, and does not provide the open habitat found in alluvial plant communities. Today the site supports a California buckwheat scrub alliance and California sagebrush scrub alliance.

Scale broom does not occupy over 14 acres of the Project site at greater than 1 percent cover in alluvial habitats (see Figure 4.3-1 of this Final Program EIR). Scale broom is not the dominate plant shrub within 14 acres of the Project site. Most of the scale broom occurs along the immediate western boundary of the Project site; however, California buckwheat, not scale broom, is the dominant plant species. An approximate 2-acre, not 14-acre, portion of the Project site contains scale broom which has integrated into the California buckwheat scrub alliance.

As described within the Draft Program EIR, Section 4.2.1, the Central Park site historically supported a RAFSS plant community along its western boundary in association with Deer Creek prior to agricultural activities. The scale broom plants located onsite are most likely relicts of the former alluvial habitats. Scale broom is a sturdy plant that adapts to its native floodplain habitats by having deep roots that will resprout when the above ground portion of the plant is impacted or removed, usually by naturally occurring flood events. It is likely that the grading of the Project site in preparation for the early development phases of Central Park, or the mowing and disking of the Project site for weed abatement, allowed the scale broom plants that once occurred along the western boundary to resprout even after decades of grape vineyard cultivation.

RAFSS occurs in washes and on gently sloping alluvial fans and requires infrequent, but severe flood events. There are three different stages of RAFSS based on stages of growth, flooding frequency, and distance from the floodplain channel: pioneer, intermediate, and mature. RAFSS begins in the pioneer stage and is a direct result of a major flood event that has thinned or cleared out vegetation. This phase contains minimal, widely spaced, shrubs. Pioneer RAFSS usually transforms into intermediate RAFSS years after a flood event. Vegetation density, height, and variety increases. After several years without a substantial flood event, intermediate RAFSS changes into mature RAFSS. In this stage, the perennial plants in the RAFSS community start to mature and different plant species from the surrounding chaparral community start to colonize the RAFSS community. A mature RAFSS plant community develops in an alluvial floodplain environment but occurs on higher bench habitat areas that receive infrequent flood waters that occur only during major storm events. None of these conditions occur on the Project site. In addition, mature RAFSS plant communities are usually dominated by large, woody chaparral type plant species such as mountain mahogany, holly leaf cherry, spiny redberry, chamise and toyon. The Project site is not connected to, nor is located near mature chaparral habitats and none of the characteristic mature RAFSS or chaparral plant species are present on the Project site. CNPS stated that the Project site contains valley lessingia and leather spineflower and that these species

are almost exclusively found in RAFSS. Valley lessingia is in Project's biological resources plant compendium; however, leather spineflower was not observed within the Project site by biologists. Both plant species are common native plant species found throughout California that grow in several types of habitats including coastal sage scrub and chaparral plant communities. These two plant species are not found "almost exclusively" in RAFSS habitat (Calflora.org).

The development surrounding the Central Park property has been in place for decades and the floodplain environment was eliminated from the site with the channeling of Deer Creek. Both the removal of native floodplain habitat and the concurrent Deer Creek channelization has severely limited fluvial processes that cause the scour needed to maintain open alluvial habitats. Currently, there is no potential for flooding or scouring events to support a RAFSS plant community onsite. Even though portions of the Project site contain scale broom plants and sandy coarse soils, flood and scouring events must also be possible for a site to support RAFSS. Though the Project is located on a gently sloping alluvial fan from the San Gabriel Mountains, through development of an engineered stormwater management system it currently has been cut off from this major fan and is completely surrounded by development and roadways. Both the removal of native floodplain habitat and the concurrent Deer Creek channelization has severely limited fluvial processes which cause the scour needed to maintain alluvial type habitats. Without restoring all of the ecological elements (e.g., scouring regimes associated with natural fluvial processes) needed to develop and maintain an alluvial plant community, the onsite scale broom plants do not comprise a scale broom alliance. It will remain a transitional/disturbance plant community and will not convert back into the alluvial scrub habitat that historically occupied this area.

As discussed in the Draft Program EIR, Section 4.2.8, the City of Rancho Cucamonga, including the proposed Project site, is predominantly developed and surrounded by urban development to the south, east, and west. The proposed Project site does not contain sensitive biological resources and the potential cumulative projects in other developed areas of the City would not be expected to impact areas that contain significant biological resources. Additionally, the proposed Project and any future development in the City would be required to comply with existing regulations for the protection of biological resources. Therefore, impacts to biological resources would not be cumulatively significant.

The Draft Program EIR correctly identified, mapped, and evaluated the existing onsite habitats and vegetation. The onsite plant communities do not function as an alluvial scrub plant community, do not contain scale broom scrub, are not considered mature RAFSS, and therefore are not considered sensitive. As concluded in the Draft Program EIR, Section 4.2.5, the proposed Project is not anticipated to have direct or indirect impacts on sensitive plant communities and mitigation is not required.

#### Comment 4-2

##### **Riversidean Alluvial Fan Sage Scrub**

While we have identified errors of the DIER in vegetation stand identification above according to vegetation type designations of *A Manual of California Vegetation, Second Edition* (MCV2) the DIER identifies impacts to 44.32 acres of Riversidean sage scrub ("RSS") under Holland's *Preliminary Descriptions of the Terrestrial Communities of California* ("PDTCC") (DEIR Table 4.2-1 below). Under the PDTCC, the vegetation throughout the project area should have



been characterized as Riversidean Alluvial Fan Sage Scrub (“RAFSS”) (Element Code 32720), which is also designated as a sensitive vegetation type. The soils throughout the project site are clearly alluvial in origin, consisting almost entirely of granitic alluvial gravel and sand (See photos below) and there are several indicator plant species of alluvial habitats including Scale broom, leather spineflower (*Lastarriaea coracea*), and *Lessingia glandulifera*. These species, among others, are almost exclusively found in RAFSS as opposed to RSS in our geographical region.

#### Response 4-2

See Response 4-1 and 4-3 (1). In order to reduce confusion and moving forward, plant communities will only be classified in accordance with CDFW’s California Natural Community List (2020). Therefore, the plant communities mapped within the Project site include California buckwheat scrub alliance (32.040.02) and California sagebrush scrub alliance (32.010.01). Though scale broom exists within the Project site, the existing onsite plant communities do not function as an “alluvial” plant community and are therefore, not considered a RAFSS plant community. The habitats within the Project site have resulted from the City seeding the Project site with a coastal sage scrub plant mix and decades of onsite disturbances as described below. Even though the Project is located on a gently sloping alluvial fan from the San Gabriel Mountains, through development of an engineered stormwater management system it currently has been cut off from this major fan and is completely surrounded by development and roadways. Soils throughout the Project site have been mechanically disturbed from historic land uses (i.e., agricultural, clearing/grading, weed abatement, and storage activities). The lack of RAFSS habitat was discussed in the Draft Program EIR, Section 4.2.1. Scattered scale broom plants have been able to regrow from their roots; however, these plants are not within an area that is subjected to the hydrologic influences needed to maintain a viable RAFSS habitat, and therefore are not in an area that supports RAFSS habitat. Today the site supports a California buckwheat alliance, a transitional/disturbance plant community that is not a viable/functioning alluvial plant community.

#### Comment 4-3

There was also an attempt within the DEIR to rationalize away the presence of scale broom scrub and RAFSS in *Section 4.7.1*, wherein the DEIR states:

*Scale broom was primarily observed along the western boundary of the project site and in sparse patches throughout the site (ELMT 2019, 2020b). Scale broom, while it can be an indicator of a sensitive plant community known as Riversidean alluvial fan sage scrub (RAFSS), on the Project site, it does not (ELMT2019, 2020b). The Central Park site historically supported a RAFSS plant community along its western boundary in association with Deer Creek prior to agricultural activities; however, Deer Creek was channelized several decades ago and now exists as an open concrete channel with no vegetation (ELMT2019, 2020b). In addition, the Central Park site had been under active agriculture as a vineyard prior to its purchase by the City for the development of Central Park and maintenance of the site has primarily been disking for weed abatement for the last twenty years and now the site is dominated by buckwheat scrub (ELMT 2019, 2020b).*

To address this point we provide the following:

1. The writers of this section flow incoherently in and out of using different sources of vegetation nomenclature referencing both PDTCC and MVC2 together to misleading conclusions. As we stated above, under PDTCC this area is clearly RAFSS and under MCV2 the western area is Scale broom scrub. If the claim is that the area historically supported RAFSS (PDTCC nomenclature), then the current vegetation type should also be described in terms of PDTCC.
2. The lack of active hydrology in RAFSS environments does not preclude the present RAFSS vegetation from being characterized as such. *Alluvial Scrub Vegetation in Coastal Sothern California* by Hanes by T.L., et al. (1988) identifies stages of ecological succession of alluvial scrub and separation from hydrologic regimes. The eventual climax community of RAFSS when disjunct from the active flooding regime is a more mature RAFSS community; typically composed of more mature chaparral species but retaining (obviously) its alluvial soils which give rise to unique shrub and herbaceous combinations.
3. This entire discussion is somewhat moot for the reason that speculation about what a plant community may look like in the future, does not negate its presence at the time of the site survey; the impacts to the present community need to be adequately addressed. If the above “what will happen in the future” string of reasoning were to be tolerated, one could theoretically argue away any number of impacts on theoretical grounds. To put it simply, a project must mitigate for what is present. The “hydrology fallacy” or the “transition fallacy” is simply not an acceptable or an honest way to interpret the vegetation that is present and the biological resources which it supports. Scale broom occupies over 14 acres of the site at greater than 1% cover, therefore this vegetation type is present under the MCV2.

#### Response 4-3

See Responses 4-1 and 4-2.

1. In order to reduce confusion and moving forward, plant communities will only be classified in accordance with CDFW’s California Natural Community List (2020). Therefore, the plant communities mapped within the Project site include California buckwheat scrub alliance (32.040.02) and California sagebrush scrub alliance (32.010.01).
2. The lack of RAFSS habitat was discussed in the Draft Program EIR, Section 4.2.1. RAFSS occurs in washes and on gently sloping alluvial fans and requires infrequent, but severe flood events. There are three different stages of RAFSS based on stages of growth, flooding frequency, and distance from the floodplain channel: pioneer, intermediate, and mature. RAFSS begins in the pioneer stage and is a direct result of a major flood event that has thinned or cleared out vegetation. This phase contains minimal, widely spaced, shrubs. Pioneer RAFSS usually transforms into intermediate RAFSS years after a flood event. Vegetation density, height, and variety increases.

After several years without a substantial flood event, intermediate RAFSS changes into mature RAFSS. In this stage, the perennial plants in the RAFSS community start to mature and different plant species from the surrounding chaparral community start to colonize the RAFSS community. A mature RAFSS plant community develops in an alluvial floodplain environment but occurs on higher bench habitat areas that receive infrequent flood waters

that occur only during major storm events. None of these conditions occur on the Project site. In addition, mature RAFSS plant communities are usually dominated by large, woody chaparral type plant species such as mountain mahogany, holly leaved cherry, spiny redberry, chamise and toyon. None of these characteristic mature RAFSS or chaparral plant species are present on the Project site. In addition, the Project site is not located near mature chaparral habitats.

Even though portions of the Project site contain scale broom plants and sandy coarse soils, flood and scouring events must also be appropriate for a site to support RAFSS. In addition, the three stages of RAFSS never occurred on the Project site. As described earlier and within the Draft Program EIR, the Central Park property: 1) was used for agriculture for decades; 2) was cut off from the Etiwanda fan by the surrounding development; 3) was cut off from the Deer Creek floodplain when it was channelized; 4) no longer experiences severe flood events; 5) was mechanically graded; and 6) was then directly seeded with a coastal sage scrub mix. The onsite plant communities do not function as a viable alluvial scrub plant community, are not considered mature RAFSS, and have no long-term conservation value.

See Response 4-1 regarding soils.

3. The discussion does not involve speculation. The Draft Program EIR, Section 4.2, does account for the vegetation that is present and the biological resources which it supports. As discussed, the onsite California buckwheat alliance does not function as a viable alluvial scrub plant community. It is also not speculative to conclude that the natural geomorphic processes that occur on an undisturbed alluvial fan surface, including hydraulic scour associated with channel flood events, no longer occur because Deer Creek has been converted into a concrete, stormwater channel. It would be highly speculative to assume Deer Creek could be converted back to a natural state such that flooding events would be allowed to occur on the Project site.

#### Comment 4-4

##### **Acreage Discrepancies**

Table 7 of the Appendix C Biological Resources Report (below) indicates that **44.23** acres of California buckwheat scrub will be impacted, whereas Table 4.2-1 of the DEIR (above) indicates that only **37.70** acres of California buckwheat scrub is present. Please explain/correct this discrepancy. The tables from the respective documents have been copied above and below.

#### Response 4-4

There is no discrepancy. As described within Section 2.1 of the Draft Program EIR, Master Plan Element D was analyzed under a separate CEQA document. Therefore, the impacts attributed to Element D are not included with the Project impacts.

The Biological Resources Report (Appendix C of the Draft Program EIR) and the ELMT's biological resources report (Attachment 1 to the Biological Resources Report, Appendix C of the Draft Program EIR) describes the plant communities within the entire undeveloped portions of the



Central Park property, which include the Element D site. Total acreage of California buckwheat alliance within the entire Central Park property is 44.23. Total acreage of California buckwheat alliance within the Project site is 37.70 which does not include the Element D acreage.

Please see Sections 3.2.2 and 3.2.3 of this Final Program EIR to see the revisions and slight alterations to *Table 4.2-1, Acreage of Mapped Land Cover* and *Table 4.2-5, Acreage of Anticipated Direct Impacts on Land Cover by Project Element Area*. Acreages of both tables remain the same from the Draft Program EIR.

#### Comment 4-5

#### **Thresholds of Significance**

In determining what constitutes a “significant impact” under the language of CEQA, the City has used the Appendix G Checklist<sup>3</sup> for determination of thresholds of significance for potential environmental impacts identified during the preparation of the DEIR (DEIR Appendix C Section 5, *DIER Section 4.2.4*). To clarify the function of Appendix G, the checklist’s intended purpose is to assist lead agencies in preparing an initial study and to determine whether to adopt a negative declaration or to prepare an EIR. Appendix G criteria should not necessarily be appealed to in rationalizing thresholds of significance; *Romnger v. County of Colusa* (2014) 229 Ca4th 690, 713. *San Francisco Baykeeper, Inc. v State Lands Comm’n* (2015)242 CA4th2020,227.

Significance standards are subject to reasonable and science based approaches and in this case significance can be determined as a function of:

- The project may locally eliminate a sensitive vegetation type. 14 CCR §15065(a)(1); See *Sierra Club v Gilroy City Council* (1990) 222 Ca3rd 30, 41.
- The projects impacts may be individually limited but cumulatively considerable. In this case, cumulative impacts associated with removal of a sensitive vegetation type; 14 CCR §15065(a)(3)

If there is substantial evidence in the record to support that the project would have a substantial impact and a fair argument can be made, then the impact is considered significant.

We contend that despite the presence of sensitive vegetation communities across the project area which was curiously omitted from the DEIR, the removal of over 40 acres of native plant communities (rare or not) still constitute a significant environmental impact for the following reasons:

1. Several sensitive animal species are known to use the Project Site (DEIR Tale 4.2-2) including Blainville’s horned lizard, California glossy snake, and Cooper’s hawk among others. Because the project site is a ‘habitat island’ with no natural area in proximity to act as refugia, these populations would be locally eliminated.

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<sup>3</sup> CEQA Appendix G, <https://resources.ca.gov/CNRALegacyFiles/ceqa/docs/ab52/final-approved-appendix-G.pdf>

2. Habitat islands act as important components of region wide gene flow patterns which contribute to the resilience of natural communities in the face of an ever changing environment.
3. This project clearly has cumulative biological impacts in light of the above and in recognition of the vast landscape changes that have occurred over the Etiwanda fan environments over the past 20 years.

Using too narrow of or too arbitrary a version of a standard of significance with respect to biological impacts has already been determined to be adequate grounds for legal challenge and should be avoided in the preparation of the DEIR for this project; *Endangered Habitats League v County of Orange* (2005) 131 CA4th 777, 793.

#### Response 4-5

The Draft Program EIR does not omit analysis of the potential for sensitive vegetation communities or sensitive wildlife to occur on the Project site. See Response 4-1.

As discussed in the Draft Program EIR, Section 4.2.5, impacts to sensitive wildlife species were analyzed and would be considered less than significant for the following reasons:

- Blainville's horned lizard, Belding's orange-throated whiptail, coastal whiptail, California glossy snake, rufous hummingbird, California gull, white-tailed kit, sharp-shinned hawk, and Cooper's hawk are widespread in California and have low sensitivity statuses.
- The loss of one or a few individual sensitive species would not substantially reduce or threaten the regional or local populations of these common species below self-sustaining levels.
- California gulls are not anticipated to use the proposed Project site for foraging or breeding and are anticipated to use the site only for short time periods.
- Rufous hummingbird, white-tailed kit, sharp-shinned hawk, and Cooper's hawk would most likely only use the proposed Project site for foraging purposes. Breeding habitats are absent.
- Any loss of foraging habitat is unlikely to create a significant, permanent impact because the proposed Project site hosts no special foraging habitat (e.g., large healthy riparian courses) and there is identical foraging habitat outside of the site (north of Central Park).
- The proposed Project would result in the loss of low quality, degraded, and disturbed California buckwheat scrub habitats that is surrounded by development. The state of the habitats makes them less valuable as habitat to support wildlife diversity or special-status species.
- Because of the low quality, degraded and disturbed habitats, the removal of potential sensitive bird foraging habitat would be considered a less than significant impact under CEQA.
- The sensitive birds are highly mobile and would most likely be able to avoid direct contact with construction vehicles, equipment, and personnel.

Due to these reasons, impacts on sensitive wildlife species on a local or regional level would be considered less than significant.

As discussed in the Draft Program EIR, Section 4.2.5, the proposed Project site was determined not to function as a wildlife movement corridor and no native wildlife nursery sites were observed within or adjacent to the proposed Project site; therefore, implementation of the proposed Project would not be expected to significantly impact important components of region wide gene flow patterns.

As discussed in the Draft Program EIR, Section 4.2.8, the City of Rancho Cucamonga, including the proposed Project site, is predominantly developed and surrounded by urban development to the south, east, and west. The proposed Project site does not contain sensitive biological resources and the potential cumulative projects in other developed areas of the City would not be expected to impact areas that contain significant biological resources. Additionally, the proposed Project and any future development in the City would be required to comply with existing regulations for the protection of biological resources. Therefore, impacts to biological resources would not be cumulatively significant.

A Lead Agency does not have to use the Appendix G of the CEQA Guidelines and is free to devise its own significance thresholds, however, the use of Appendix G for determination of thresholds of significance is an accepted practice when preparing CEQA documents including Program EIRs. Because Initial Studies typically rely on the State CEQA Guidelines Checklist (Appendix G), the checklist questions serve as the thresholds by which impacts are evaluated and may also be used in Program EIRs. Since the City used these accepted thresholds of significance (Appendix G), the City did not, as the comment contends, arbitrarily establish thresholds to either create or avoid significant impacts. This is consistent with Program EIRs prepared for City projects in the past, including the Rancho Cucamonga 2010 General Plan Update Draft Program EIR.

Furthermore, the thresholds of significance found in Appendix G and utilized in the Program EIR are more protective of biological resources than the thresholds suggested by the commenter. Instead of merely analyzing whether the Project would “eliminate” a sensitive vegetation type, the Program EIR considered whether the Project would have a “substantial adverse effect,” either directly or indirectly, on sensitive vegetation. And the Program EIR, as required by CEQA, did consider cumulative biological impacts. Finally, the commenter misstates the standard of review applied to the lead agency’s determination of a significant impact in an EIR. The determinative factor is whether the EIR’s conclusions are supported by substantial evidence in the record. Based on the surveys, research, and analysis described above, the Program EIR’s conclusions are supported by substantial evidence.

#### Comment 4-6

### **Conclusion and Recommendations**

It is clear that biological resources over the Project Area have incorrectly and inadequately been evaluated and therefore any mitigation concept, or lack thereof, that has been developed in the DEIR biological findings will logically be insufficient. We recommend that the City reevaluate site vegetation communities according to our comments above and incorporate adequate mitigation or avoidance measures for sensitive vegetation into the EIR. If the City does not take this necessary step, the EIR will be vulnerable to being invalidated.

#### Response 4-6

See Responses 4-1 through 4-5. As concluded in the Draft Program EIR, Section 4.2.5, the proposed Project is not anticipated to have direct or indirect impacts on sensitive plant communities and mitigation is not required.

#### Comment 4-7

We would also like to suggest that the City seek a Central Park alternative that leaves at least 50% of the native plant communities in-tact including the sensitive vegetation stands at the west end. These native plant communities with the incorporation of trails, signage, additional native landscaping, and many of the features of the Central Park Plan can create a very vibrant Central Park that retains some of its natural character as well as the flora and fauna that natively exist there. Central Park is already a place where citizens go to listen to birds, see flying butterflies, and find occasional wildlife such as the Blainville's horned lizard. We encourage the City to incorporate these recreational uses into the plan to a greater extent than has been proposed and pay some homage to the natural alluvial fan plant communities that Rancho Cucamonga was built on.

#### Response 4-7

See Responses 4-1 through 4-6.

Central Park has a long history of planning and development as described within Section 2.1 of the Draft Program EIR. The City of Rancho Cucamonga acquired the Central Park Project site in 1984 with the intent of constructing a very large park and recreation complex. Soon after purchase, a Central Park Task Force was organized to develop a conceptual Master Plan for the park. Over the decades, the design of Central Park has gone through several revisions and updates due to different factors, such as the elimination of redevelopment agencies, the great recession, and drought conditions. In addition, the recreation needs, resources, and desires of the community changed over the years.

As part of the Central Park Master Plan Update, the City conducted an extensive community outreach and public input process to solicit community feedback on the development of the Central Park Master Plan. Outreach methods used to seek public input for the park's future and ultimate development included: focus groups, online surveys, community workshops, a live Facebook broadcast event, City Council meetings, flash votes, and other reach out events. These methods were also used with the Central Park Master Plan Update reVISION. Central Park is intended to be among the City's premier park and recreation facilities providing the variety of recreational opportunities requested by the residents of Rancho Cucamonga.

CEQA requires that a Program EIR describe a range of reasonable alternatives to the project, or to the location of the project, which could feasibly avoid or lessen any significant environmental impacts while substantially attaining the basic objectives of the project. As discussed in the Draft Program EIR Section 3.4, in order to ensure that the proposed Project is characterized by community inspired recreation elements, functional integrity, dynamic economic responsiveness, environmental sensitivity, and aesthetic quality, the following objectives have been identified for the proposed Project:

1. To develop a comprehensive planning document that will establish the preliminary land use development for the balance of the Central Park area.
2. To create a unique recreational facility in the City with a variety of active and passive recreational opportunities and amenities accessible within the community and offering multiple options for pedestrian mobility and non-vehicular access.
3. To identify a variety of recreational opportunities designed to be implemented in small (1 to 11 acres) buildable sections in Central Park responsive to evolving, economic conditions and City-wide recreational needs.
4. To implement a landscape concept that features drought-tolerant plant materials that create an aesthetically pleasing, thematically coherent outdoor environment while minimizing demand for water resources.

Alternatives were described within Chapter 6 of the Draft Program EIR.

Under the Buckwheat Scrub Habitat Border Alternative, Element O: Deer Creek Channel Trail would not be developed. Bordering the west side of Central Park, this element involves landscaping and improvements to this portion of the Deer Creek Channel Trail in a 4.1-acre area. Instead of developing this element, the Element O area would retain the existing approximately 2.51 acres of buckwheat scrub vegetation. This alternative would achieve most of the objectives of the proposed Project. However, the number of recreational amenities (Project Objective No. 2) would be reduced compared to the proposed Project. Nevertheless, the City Council will be presented with this alternative when it considers the Final Program EIR.

Per Section 15126.6 of the CEQA Guidelines, a Program EIR need not consider alternatives which fail to meet most of the basic project objectives, are infeasible, or do not avoid significant environmental impacts.

As described in the Draft Program EIR, Section 3.5, the proposed Project defines the development of the Central Park land located west of the existing Senior and Community Centers at Central Park in small (1 to 11 acres) buildable sections comprised of financially responsible amenities, so that when funding becomes available, park development can continue within the framework of a comprehensive community inspired vision. As shown in Figure 3.5-1 of the Draft Program EIR, a large amount of the Project site would be landscaped, featuring drought-tolerant plant materials. Plant types and species will be selected based on hydro zones (water use requirements) and include trees and understory planting. In addition, the open channel will include riparian type planting. In addition, the City has committed to use of native vegetation for landscaping where feasible and appropriate for each element.

The Project site currently contains low quality, degraded, and disturbed California buckwheat scrub habitat that is surrounded by development and continues to be disturbed by ongoing anthropogenic influences. The wildlife occurring in the Project site would be tolerant of urban disturbances. With the amount of landscaping provided by the Project, it is expected to be used by urban tolerant wildlife species and therefore provide a place for park patron to view and hear wildlife.

The alternative as proposed by CNPS would not achieve some of the Project objectives. In order to retain 50 percent of the existing vegetation intact as proposed by CNPS, 50 percent of the Project site could not be graded. This would result in either half of the proposed Project Elements

being eliminated or the gradable area within each Project Element would be reduced by half. Eliminating half of the Project Elements would significantly reduce the amount and variety of recreational opportunities created and would reduce or eliminate achieving Project Objectives 2 and 3. Reducing the gradable area within each Element by 50 percent would result in eliminating most of the Elements as they could not be constructed in the significantly reduced area.

## **CHAPTER 5**

### **MITIGATION MONITORING AND REPORTING PROGRAM**

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#### **5.1 INTRODUCTION**

Public Resources Code, Section 21081.6 (Assembly Bill 3180) requires that mitigation measures identified in environmental review documents prepared in accordance with CEQA are implemented after a project is approved; therefore, this Mitigation Monitoring and Reporting Program (MMRP) has been prepared to ensure compliance with the mitigation measures adopted for the Central Park Master Plan Update reVISION Project. Rancho Cucamonga is the CEQA Lead Agency and the City of Rancho Cucamonga Community Services Department will be responsible for implementing the mitigation measures identified in the Draft Program EIR.

This MMRP provides the Community Services Department with a convenient mechanism for quickly reviewing all the mitigation measures including the ability to focus on select information such as timing. The MMRP includes the following information for each mitigation measure:

- The phase of the project during which the required mitigation measure must be implemented;
- The phase of the project during which the required mitigation measure must be monitored; and
- The responsible/monitoring agency.

Monitoring is generally an ongoing or periodic process of project oversight. Reporting generally consists of a written compliance review that is presented to the decision-making body or authorized staff person. The MMRP includes a checklist to be used during the mitigation monitoring period. The checklist will verify the name of the monitor, the date of the monitoring activity, and any related remarks for each mitigation measure.

As discussed in Chapter 4 of the Draft Program EIR, environmental issue areas requiring mitigation include the following listed below. These environmental issue areas are included within the MMRP.

- Air quality.
- Biological resources.
- Cultural resources.
- Geology and soils.
- Hazards and hazardous materials.
- Noise.
- Tribal Cultural Resources.

As described within Section 5.1 of the Draft Program EIR, environmental effects found not to be significant include the following listed below. These environmental issue areas are not included within the MMRP.

- Aesthetics.
- Agriculture resources.
- Energy.
- Greenhouse gas emissions.
- Hydrology and water quality.
- Land use and planning.
- Mineral resources.
- Population and housing.
- Public services.
- Recreation.
- Transportation.
- Utilities and service systems.
- Wildfire.

## **5.2 RESPONSIBILITIES, AUTHORITY, AND MONITORING PERSONNEL**

The City is responsible for ensuring that the mitigation measures in this Final Program EIR are implemented. The City reserves the right to hire technical experts and professionals to help in evaluating compliance. These may include but are not limited to biologists, archaeologists and planning professionals.

For impacts related to construction of the proposed Project, the project planner or responsible City department has the authority to stop the work of construction contractors if compliance with any aspects of the MMRP are not occurring after written notification has been issued.

## **5.3 MITIGATION MONITORING AND REPORTING PROGRAM**

The MMRP is shown below in Table 5-1.



Table 5-1. Mitigation and Monitoring Reporting Program (MMRP)

Mitigation Measure Number	Mitigation Measure	Timeframe		Responsible/ Monitoring Agency	Compliance Verification		
		Implementation Phase	Monitoring Phase		Status/Notes	Name	Date
Air Quality							
AIR-1	<p><b>Reducing Air Pollutant Emissions</b></p> <p>The Project will be required to comply with regional rules that assist in reducing air pollutant emissions. South Coast Air Quality Management District (SCAQMD) Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. In addition, SCAQMD Rule 402 requires implementing dust suppression techniques to prevent fugitive dust from creating a nuisance off site. Implementing these dust suppression techniques will reduce the fugitive dust generation (and thus the PM<sub>10</sub> component). Compliance with these rules will reduce impacts on nearby sensitive receptors. Standard requirements and Best Management Practices include the following:</p> <ul style="list-style-type: none"><li>• Equipment/vehicles shall not be left idling for periods in excess of five minutes.</li><li>• Engines shall be maintained in good working order to reduce emissions.</li><li>• On-site electrical power connections shall be made available where feasible.</li><li>• Low-sulfur diesel fuel shall be utilized.</li></ul>	Construction	Construction	City of Rancho Cucamonga			



Mitigation Measure Number	Mitigation Measure	Timeframe		Responsible/ Monitoring Agency	Compliance Verification		
		Implementation Phase	Monitoring Phase		Status/Notes	Name	Date
	<ul style="list-style-type: none"> <li>Electric and gasoline powered equipment shall be substituted for diesel powered equipment where feasible.</li> <li>Exposed soils and haul roads shall be watered at a minimum of twice per day to reduce fugitive dust during grading/construction activities, if necessary.</li> <li>Street sweeping shall be conducted when visible soil accumulations occur along site access roadways to remove dirt dropped by construction vehicles.</li> <li>Site access driveways and adjacent streets shall be washed daily, if there are visible signs of any dirt track-out at the conclusion of any workday.</li> <li>Construction vehicle tires shall be cleaned prior to leaving the project site.</li> <li>All trucks hauling dirt away from the site shall be covered, and speeds on unpaved roads shall be reduced below 15 miles per hour.</li> <li>During high wind conditions (i.e., sustained wind speeds exceeding 20 miles per hour), areas with disturbed soil shall be watered hourly and activities on unpaved surfaces shall cease until wind speeds no longer exceed 20 miles per hour.</li> <li>Storage piles that are to be left in place for more than three working days shall either be sprayed with a non-toxic soil binder, covered with plastic or revegetated.</li> </ul>						



Mitigation Measure Number	Mitigation Measure	Timeframe		Responsible/Monitoring Agency	Compliance Verification		
		Implementation Phase	Monitoring Phase		Status/Notes	Name	Date
	<ul style="list-style-type: none"> <li>Areas of disturbance shall be limited to 5 acres per day.</li> </ul>						
<b>Biological Resources</b>							
<b>BIO-1</b>	<p><b><i>Pre-Construction Burrowing Owl and Breeding Bird Survey within 14 Days Prior to Construction</i></b></p> <p>A qualified biologist shall conduct a 14-day pre-construction focused burrowing owl (BUOW) survey and breeding bird survey. The pre-construction BUOW survey (Take Avoidance Survey) shall be conducted in accordance with the <i>Staff Report on Burrowing Owl Mitigation</i> (CDFG 2012) no less than 14 days prior to initiating ground disturbance activities. The survey may detect changes in BUOW presence such as colonizing BUOWs that have recently moved onto the site, migrating BUOWs, resident BUOWs changing burrow use, or young of the year that are still present and have not dispersed (CDFG 2012).</p> <p>Following the completion of the survey, the biologist shall prepare a memo summarizing the results of the survey. The memo shall be submitted to the City and California Department of Fish and Wildlife (CDFW) prior to initiating any ground disturbance activities.</p> <p>If no BUOWs, signs of BUOWs, or breeding birds are observed during the survey and concurrence is received from CDFW, project</p>	Pre-Construction	Pre-Construction	City of Rancho Cucamonga.			



Mitigation Measure Number	Mitigation Measure	Timeframe		Responsible/ Monitoring Agency	Compliance Verification		
		Implementation Phase	Monitoring Phase		Status/Notes	Name	Date
	<p>activities may begin, and no further mitigation would be required.</p> <p>If BUOWs or signs of BUOWs are observed during the survey, the site shall be considered occupied. The biologist shall contact the City and CDFW to assist in the development of avoidance, minimization, and mitigation measures, prior to commencing project activities.</p> <p>If an active bird nest (not a BUOW nest) is located during the pre-construction survey and potentially would be disturbed, a no-activity buffer zone shall be delineated on maps and marked (flagging or other means) up to 500 feet for special-status avian species and raptors, or 100 feet for non-special status avian species. The limits of the buffer shall be demarcated to not provide a specific indicator of the location of the nest to predators or people. Materials used to demarcate the nests shall be removed as soon as work is complete, or the fledglings have left the nest. The biologist shall determine the appropriate size of the buffer zone based on the type of activities planned near the nest and bird species because some bird species are more tolerant than others to noise and other disturbances. Buffer zones shall not be disturbed until a qualified biologist determines that the nest is inactive. Additionally, the area shall also not be disturbed until the young have fledged, the young are no longer being fed by the parents,</p>						

Mitigation Measure Number	Mitigation Measure	Timeframe		Responsible/Monitoring Agency	Compliance Verification		
		Implementation Phase	Monitoring Phase		Status/Notes	Name	Date
	<p>the young have left the area, or the young would no longer be impacted by project activities.</p> <p>The results of the 14-day pre-construction BUOW survey will be valid for 14 days. If construction is delayed more than 14 days, then the 14-day pre-construction BUOW survey must be repeated.</p>						
<b>BIO-2</b>	<p><b>Pre-Construction BUOW and Breeding Bird Survey within 24 Hours Prior to Construction</b></p> <p>In addition to the 14-day pre-construction BUOW survey, a 24-hour pre-construction BUOW survey and breeding bird survey shall be conducted following the same measures described above in Mitigation Measures BIO-1. The results of the 24-hour pre-construction BUOW survey shall be valid for 24 hours. If construction is delayed more than 24 hours, then the 24-hour pre-construction BUOW survey shall be repeated.</p>	Pre-Construction	Pre-Construction	City of Rancho Cucamonga.			
<b>BIO-3</b>	<p><b>Permits for Impacts on Jurisdictional Areas</b></p> <p>Impacts on jurisdictional areas will require permits; therefore, the City shall need to obtain the following permits for the development of Project Elements B, C, E, I, K, M, and O:</p> <ul style="list-style-type: none"> <li>Waste Discharge Requirements (WDRs) from the RWQCB.</li> <li>Lake or Streambed Alteration Agreement with CDFW.</li> </ul>	Pre-Construction	Pre-Construction	City of Rancho Cucamonga.			



Mitigation Measure Number	Mitigation Measure	Timeframe		Responsible/ Monitoring Agency	Compliance Verification		
		Implementation Phase	Monitoring Phase		Status/Notes	Name	Date
	<p>To follow Porter-Cologne and the California Fish and Game Code, the City shall obtain these permits prior to the issuance of grading or building permits for the Project Elements B, C, E, I, K, M, and O, and prior to any impacts on jurisdictional areas. These permits and approvals would mandate best management practices, avoidance and protection measures, and/or compensatory mitigation measures for impacts on sensitive biological resources and jurisdictional areas. The amount of mitigation required, and specific mitigation details would be determined through the permitting process with the regulatory agencies. All measures to protect waters, water quality, fish, and wildlife resources would be incorporated into the project design as appropriate. Compliance with the requirements of the regulatory agency programs and implementation of the mitigation measures required by the permits would offset the loss of jurisdictional areas and mitigate the project's impacts to less than significant levels.</p> <p>Copies of permits including any extensions and amendments, approvals, and biological reports and plans shall be available to all persons who will be working on the project. These documents shall be available at the work site during periods of work and shall be presented upon request by any resource agency personnel with a reasonable reason for making such a request. Resource agency personnel may enter the Project site at any time to verify</p>						





Mitigation Measure Number	Mitigation Measure	Timeframe		Responsible/ Monitoring Agency	Compliance Verification		
		Implementation Phase	Monitoring Phase		Status/Notes	Name	Date
	<p>compliance with the permits, approvals, reports, and plans.</p> <p>Central Park is in an area of San Bernardino County that is under the jurisdiction of the following resource agencies' field offices:</p> <ul style="list-style-type: none"> <li>• CDFW: Inland Desert Region 6.</li> <li>• RWQCB: Regional Board 8 - Santa Ana Region.</li> </ul> <p><u>Waste Discharge Requirements (WDRs)</u></p> <p>Project Elements B, C, E, I, K, M, and O contain Waters of the State that will be unavoidably impacted by the proposed Project; therefore, the City will need to obtain authorization from the RWQCB. The City will need to apply for and obtain Waste Discharge Requirements (WDRs) from the RWQCB prior to impacting the drainages.</p> <p>Section 13260 of the California Water Code states that persons discharging or proposing to discharge waste that could affect the quality of Waters of the State, other than into a community sewer system, will file a ROWD with RWQCB. The City will prepare and submit an application permit package to the RWQCB. The application permit package constitutes a ROWD pursuant to California Water Code section 13260. The package will be used to start the application process for all WDRs.</p> <p>Prior to any impacts on jurisdictional Waters of the State, the City would obtain WDRs from the</p>						



Mitigation Measure Number	Mitigation Measure	Timeframe		Responsible/Monitoring Agency	Compliance Verification		
		Implementation Phase	Monitoring Phase		Status/Notes	Name	Date
	<p>RWQCB pursuant to Porter-Cologne. The permit will mandate BMPs, avoidance and protection measures, and/or compensatory mitigation measures for impacts on jurisdictional Waters of the State. Compliance with the RWQCB's WDRs and implementation of the measures required by the permit would offset the loss of jurisdictional Waters of the State and mitigate the Project's impacts to less than significant levels.</p> <p><u>Lake or Streambed Alteration Agreement</u></p> <p>Project Elements B, C, E, I, K, M, and O contain CDFW jurisdictional areas that will be unavoidably impacted by the Project; therefore, the Project shall require a permit from CDFW pursuant to sections 1600–1616 of the California Fish and Game Code. CDFW generally regulates waters, wetlands, and riparian areas through its Lake and Streambed Alteration Program that requires execution of an agreement with CDFW before any activity substantially modifies a river, stream or lake. It is not legal to alter the bed or bank of a stream or lake or their natural water flow without a CDFW Lake or Streambed Alteration Agreement. The California Fish and Game Code section 1602 requires an entity to notify CDFW of any proposed activity that may substantially modify a perennial, intermittent, and ephemeral river, stream, or lake in the state. The notification requirement applies to any work undertaken in or near a river, stream,</p>						



Mitigation Measure Number	Mitigation Measure	Timeframe		Responsible/ Monitoring Agency	Compliance Verification		
		Implementation Phase	Monitoring Phase		Status/Notes	Name	Date
	or lake that flows at least intermittently through a bed or channel. This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water. It is anticipated that the City will need a standard Streambed Alteration Agreement for the project.						



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## CHAPTER 6 REFERENCES

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- Atwood, J. 1990. Status review of the California gnatcatcher (*Polioptila californica*). Manomet Bird Observatory, Manomet, Mass.
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## **CHAPTER 7 LIST OF PREPARERS**

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## **APPENDIX A    Comments Received**



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**John Bosler**  
Secretary/General Manager/CEO

November 20, 2020

Mr. Jeff Benson, Management Analyst II  
City of Rancho Cucamonga  
Community Services Department  
10500 Civic Center Drive  
Rancho Cucamonga, CA 91730

RE: Written Comments for the Draft PEIR - Central Park Master Plan

Dear Mr. Benson,

Thank you for providing Cucamonga Valley Water District (District) the opportunity to respond to the Central Park Master Plan Draft Program Environmental Impact Report (PEIR). The following comments will primarily assist with the planning and design for the park.

1. The existing property for the proposed Central Park project is located within the District's Pressure Zone 3. The actual location is at the bottom of the zone and pressure throughout the park will range from 125 psi to 145 psi. The District does have 12" potable waterlines in Milliken Avenue and Base Line Road that are adequate to provide water services to the site. Under section 3.5.5, Utilities (Page 3-22), it has indicated that the irrigation system will be designed for future reclaimed water, which aligns with the District's supply strategy to offset the irrigable potable demand by recycled water. However, the existing waterline is potable and not recycled line (purple line) as indicated on Figure 3.5-9. As such the proposed waterline will be connected to the potable 8" waterline in Central Park Drive with the provision provided to connect the irrigable area to the recycled water system when it becomes available.
2. Under the same section it mentions that "Wastewater conveyance is handled by the City and CVWD, and wastewater is processed by CVWD and the Inland Empire Utilities Agency (IEUA)". This sentence should be corrected as follows; "the District collects and conveys wastewater generated within the CVWD service area through the sewer collection system, and is conveyed to IEUA's wastewater treatment facilities for treatment."
3. Section 5.1.15 (Page 5-134) references the Water Supply Assessment (WSA) requirement of "500 dwelling units or equivalent". There are other types of projects which may trigger the requirement for a WSA under SB610. However, this project does not appear to meet those requirements at this time.
4. The proposed bio-retention basins located throughout the park are not within the proximity of any District wells but will provide a recharge element to the Chino Basin aquifer. Any productive capture and use of runoff water is always a good element.
5. The proposed Water Conservation Garden is a great opportunity for a joint City/District collaborative effort. The District has had been promoting conservation gardens throughout the City and actually has a small garden at the District's Environmental Learning Center where conservation activities are shared and taught to the elementary age children from the local schools. With the proposed garden adjacent to the community trail it may open opportunities for regional partnerships with other agencies where they can display their gardens adjacent to the trail as well thus promoting conservation gardens throughout the region.

6. The District's Engineering Department should be included in the final design coordination. Our staff will need adequate time to perform our standard plan check. Designs of facilities connecting to our systems, or construction which have potential to impact our existing facilities, must be formally submitted prior to construction. Our Development Guidelines are available on our website at [www.cvwdwater.com/Development](http://www.cvwdwater.com/Development).

The District staff thank you for this opportunity to respond to the draft PEIR. If you have any questions or should need us to further elaborate on our responses, please contact me at (909) 987-2591 or e-mail at [Gidtil@cvwdwater.com](mailto:Gidtil@cvwdwater.com).

CUCAMONGA VALLEY WATER DISTRICT

Sincerely,

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*Gidti Ludesirishoti*  
Gidti Ludesirishoti, PE  
Cucamonga Valley Water District

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Copy to:

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Praseetha Krishnan, CVWD





November 23, 2020

Governor's Office of Planning & Research

Jeff Benson  
City of Rancho Cucamonga  
10500 Civic Center Drive  
Rancho Cucamonga, CA 91730

Nov 23 2020

## STATE CLEARINGHOUSE

Subject: Central Park Master Plan Update reVISION Project  
SCH# 2019110342

Dear Jeff Benson:

The California Department of Fish and Wildlife (CDFW) received a Draft Program Environmental Impact Report (DPEIR) from the City of Rancho Cucamonga (City; the CEQA lead agency) for the Central Park Master Plan Update reVISION Project (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

### CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

### PROJECT DESCRIPTION SUMMARY

The Project is a comprehensive planning document which defines the development of approximately 62 acres of undeveloped land. It identifies smaller (1-11 acre), buildable sections so that when funding becomes available park development could continue within the framework. The proposed Project is composed of recreation areas and elements that relate to the existing open drainage channel spine and is anchored by the Senior and Community Centers to the east and the proposed Recreation Pool, Multi-Purpose Facility, and Tennis Courts to the west.

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<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

## COMMENTS AND RECOMMENDATIONS

CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species (i.e., biological resources). CDFW is concerned about the adequacy of the mitigation measures proposed in the DPEIR to reduce potentially significant impacts, including cumulative impacts, to state designated sensitive natural communities and state-sensitive species.

### *State Designated Sensitive Natural Communities*

As CDFW recommended in our comment letter to the Notice of Preparation (NOP), focused biological assessments and surveys should be conducted throughout the Project site to identify the presence of scalebroom (*Lepidospartum squamatum*). Scalebroom is an indicator that the site may support a state designated S3 sensitive natural community, *Lepidospartum* alliance (scalebroom scrub). The DPEIR includes the following discussion on the presence of scalebroom within the Project site:

*Scalebroom was found on-site, which can be an indicator/pioneer plant species found with RAFSS habitats. However, is [sic] was primarily observed along the western boundary of the project site and in sparse patches throughout the site. Further, the site lacks the hydrologic scouring regimes associated with RAFSS habitats due to surrounding development and historical land uses. Therefore, the plant communities onsite were not considered RAFSS habitat.*

Although the DPEIR discussed the existence of scalebroom within the Project site, the DPEIR dismissed the relevance of this sensitive natural community based on a lack of hydrology, and therefore did not quantify or assess the loss of habitat. However, the California Native Plant Society Riverside (CNPS) mapped 14.1 acres of scalebroom scrub along the western edge of the Project site (see Figure 1: Central Park Sensitive Vegetation). Given the City's oversight in identifying and mapping this sensitive natural community, CDFW recommends the City incorporate the results of the survey by CNPS and requires a mitigation measure to reduce Project impacts to less than significant. CDFW suggests the City adopt the following mitigation measure to reduce the level of impacts to scalebroom scrub and incorporate permanent conservation of habitat at a 1:1 mitigation ratio:

**BIO-4: State Designated Sensitive Natural Communities. The Applicant shall mitigate impacts to the state designated S3 sensitive natural community, scalebroom scrub by the acquisition, conservation, and perpetual management of 14.1 acres of scalebroom scrub habitat at a CDFW-approved location within the City of Rancho Cucamonga or southwest San Bernardino County. Habitat shall be conserved in perpetuity via conveyance of a conservation easement to a CDFW-approved conservation entity. A management fund (endowment) shall be established by the Applicant consisting of an interest-bearing account. It shall have the amount of capital necessary to generate sufficient interest and/or income to fund all monitoring, management, and protection of the conservation area(s). This includes but is not limited to: reasonable administrative overhead, biological monitoring, invasive species and trash removal, fencing and signage replacement and repair, law enforcement measures, longterm management reporting (as described below), and other actions designed to maintain and improve the habitat of the conserved land(s), in perpetuity. A Property Analysis Record, or substantially equivalent analysis, shall be conducted to determine the management needs and costs described above. It shall then be used to calculate the capital needed for the management of the fund. Except for uses appropriate to a habitat conservation area, the public shall not have access to the mitigation area(s). No activities shall be permitted within the site, except**

**maintenance of habitat, including the removal of nonnative plant species, trash, and debris, and the installation of native plant materials.**

Alternately, if the DPEIR does not wish to adopt the results of the survey by CNPS, the DPEIR should incorporate the results of an appropriate analysis (botanical field survey) into the DPEIR prior to certification, along with the above mitigation measure. CDFW recommends, as part of the botanical field survey, the City record the following information for locations of sensitive natural communities detected on the Project site (CDFW, 2018):

- Specific geographic locations where the sensitive natural communities are found. Preferably this will be done by use of global positioning system (GPS) and include the datum in which the spatial data was collected and any uncertainty or error associated with the data. If GPS is not available, a detailed map (1:24,000 or larger) showing locations and boundaries of each sensitive natural community in relation to the project area is acceptable. Mark occurrences and boundaries as accurately as possible;
- Site-specific characteristics of occurrences, such as associated species, habitat and microhabitat, structure of vegetation, topographic features, soil type, texture, and soil parent material;
- Density of sensitive natural communities, identifying areas of relatively high, medium and low density in the Project site;
- Digital images of sensitive natural communities in the Project site, with diagnostic features.

The data collected from these surveys will more accurately disclose the level of impacts that could occur to scalebroom scrub and inform a more refined mitigation measure based on actual botanical survey data. If the City chooses this approach, CDFW strongly recommends the DPEIR be recirculated to disclose the survey data, impact analysis, and proposed mitigation measures.

*State-Sensitive Species*

The Project is within the Etiwanda alluvial fan, which occurs within the southwest corner of San Bernardino County in the foothills of the San Gabriel Mountains and north of the City of Rancho Cucamonga. It is estimated that 75% to 90% of all coastal sage scrub habitats have been extirpated from Southern California (SBCM, 2005). The Etiwanda Fan is one of three remaining expanses that multiple endangered, threatened, and sensitive species depend on. The Project is located within one of the last islands of California buckwheat scrub (*Eriogonum fasciculatum*), totaling about 75 acres, that is critical habitat for the state-sensitive species California gnatcatcher (*Poliopitila californica*) and Los Angeles pocket mouse (*Perognathus longimembris brevinasus*). Both have known occurrences throughout the Etiwanda fan.

*Los Angeles Pocket Mouse*

The Central Park Master Plan Update Habitat Assessment (Attachment 1 of the Draft Program EIR) states:

*Northwestern San Diego pocket mouse, San Diego desert woodrat, and Los Angeles [sic] pocket mouse were not captured onsite during the 2008 San Bernardino kangaroo rat trapping study. As a result they are presumed absent from the project site and no impacts will occur to these species.*

CDFW disagrees with the presumption that the Los Angeles pocket mouse (LAPM) is absent from the site. The trapping study done in 2008 was designed to capture the San Bernardino kangaroo rat (*Dipodomys merriami parvus*; SBKR), not LAPM. These two species vary both in the habitat they utilize, and the trapping methods used to capture them. Because the survey methods were likely inappropriate for LAPM, and performed over a decade ago, CDFW believes the results, and associated impact analysis, are unreliable and should be repeated using appropriate methods.

In addition to the concerns raised regarding unreliable data, there are multiple known occurrences of LAPM reported within a mile of the Project site and throughout the surrounding area (see Figure 2: LAPM Reports; CNDDDB, 2020). While none were incidentally captured in 2008 during SBKR surveys, the species could have established populations within the Project site or begun utilizing the habitat for movement corridors or food caches. The permanent impacts from the Project may have direct, indirect, and cumulative impacts on LAPM that the City needs to minimize and mitigate for.

Overall, CDFW is concerned that potential impacts to LAPM are not identified or discussed within the DPEIR and strongly suggests the City evaluate the direct, indirect, and cumulative impacts to this species before approval and certification of the DPEIR. Appropriate analysis would include conducting LAPM-focused trapping sessions within suitable habitat during appropriate periods. However, if the City chooses to forego additional surveys, CDFW suggests the City adopts the mitigation measure BIO-5 (provided below) to offset the potential impacts to LAPM. The DPEIR identifies 37.70 acres of California buckwheat scrub and 6.62 acres of California sagebrush scrub within the Project site. This measure assumes approximately 44.32 acres of the Project site could be utilized by LAPM for breeding and foraging and incorporates permanent conservation of habitat at a 2:1 mitigation ratio.

#### *California Gnatcatcher*

The DPEIR states:

*The California buckwheat scrub and California sagebrush plant communities on-site have been isolated from occupied sage scrub habitats in the region by surrounding development and have only recently established after agricultural activities ceased (ELMT 2019, 2020b). In addition, these communities have been degraded from existing anthropogenic disturbances (ELMT 2019, 2020b). Based on these conditions, it was determined that the proposed Project site does not provide the requisite Primary Constituent Elements which are needed by CAGN to be present; therefore, it was determined that CAGN is absent from the site (ELMT 2019, 2020b).*

CDFW disagrees with this determination. Since the City did not perform California gnatcatcher (CAGN) protocol surveys in 2019 and since the biological assessment did not meet the USFWS protocol level, CDFW is concerned that the analysis provided is insufficient. Furthermore, CDFW does not agree that the habitat “does not provide the requisite Primary Constituent Elements.” As discussed above, the Project site is a part of approximately 75 acres of buckwheat scrub and it is adjacent to contiguous habitat at Deer Creek. The habitat also has the potential to support foraging and dispersal events.

Overall, CDFW is concerned that potential impacts to CAGN are not identified or discussed within the DPEIR and strongly suggests the City evaluate the direct, indirect, and cumulative impacts to this species before approval and certification of the DPEIR. Appropriate analysis would include conducting focused CAGN surveys within suitable habitat during appropriate periods. However, if the City chooses to forego additional surveys, CDFW suggests the City adopt the mitigation measure BIO-5 to offset potential impacts to CAGN. The DPEIR identifies 37.70 acres of California buckwheat scrub and 6.62 acres of California sagebrush scrub within the Project site. This measure assumes approximately 44.32 acres of the Project site could be utilized by CAGN for breeding and foraging and incorporates permanent conservation of habitat at a 2:1 mitigation ratio:

**BIO-5: The Applicant shall mitigate impacts to CAGN and LAPM by creating 88.64 acres of suitable breeding and foraging habitat at a CDFW-approved location within the City of Rancho Cucamonga or southwest San Bernardino County. Habitat shall be conserved in perpetuity via conveyance of a conservation easement to a CDFW approved conservation entity. A management fund (endowment) shall be established by the Applicant consisting of an interest-bearing account. It shall have the amount of capital necessary to generate sufficient**

**interest and/or income to fund all monitoring, management, and protection of the conservation area(s). This includes but is not limited to: reasonable administrative overhead, biological monitoring, invasive species and trash removal, fencing and signage replacement and repair, law enforcement measures, long term management reporting (as described below), and other actions designed to maintain and improve the habitat of the conserved land(s), in perpetuity. A Property Analysis Record, or substantially equivalent analysis, shall be conducted to determine the management needs and costs described above. It shall then be used to calculate the capital needed for the management of the fund. Except for uses appropriate to a habitat conservation area, the public shall not have access to the mitigation area(s). No activities shall be permitted within the site, except maintenance of habitat, including the removal of nonnative plant species, trash, and debris, and the installation of native plant materials.**

Alternately, if the DPEIR does not wish to assume presence on the Project site, the DPEIR should provide the results of appropriate analysis (protocol-level surveys) in order to more accurately disclose the level of impacts that could occur to CAGN and LAPM and inform more refined mitigation measures based on actual occupancy and use data. If the City chooses this approach, CDFW strongly recommends the DPEIR be recirculated to disclose the survey data, impact analysis, and proposed mitigation measures.

## **MITIGATION**

When considering mitigation, it is important that the land conserved for mitigation has the same or better resource value than the resource value being impacted. Mitigation lands should be enhanced and managed in perpetuity to mitigate for the impact and loss of habitat. If the mitigation land would require restoration, it would be important to consider the time it will take for the sites to fully establish, whether there will be a temporary loss of function and value, and whether some types of biological resources cannot be restored or recreated within a reasonable period (e.g., 1-3 years).

CDFW recommended mitigation, including the permanent conservation of lands, for several species presumed present that would be potentially significantly impacted by the Project. If mitigation lands identified will meet species requirements for some or all of the species requiring mitigation, the mitigation may be co-located on a single property (i.e., separate mitigation parcels for each requirement may not be necessary).

## **ENVIRONMENTAL DATA**

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: [http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB\\_FieldSurveyForm.pdf](http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf). The completed form can be mailed electronically to CNDDDB at the following email address: [CNDDDB@wildlife.ca.gov](mailto:CNDDDB@wildlife.ca.gov). The types of information reported to CNDDDB can be found at the following link: [http://www.dfg.ca.gov/biogeodata/cnddb/plants\\_and\\_animals.asp](http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp).

## **FILING FEES**


The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

## CONCLUSION

CDFW stresses the importance of the Final Program EIR including supporting documents used to identify or analyze impacts to inform CDFW and the public. This includes any additional biological survey reports and habitat assessments performed. In addition, CDFW recommends that the City include in the Final Program EIR the recommended new or revised avoidance, minimization and mitigation measures offered by CDFW to reduce project impacts.

CDFW appreciates the opportunity to comment on the DPEIR for the Central Park Master Plan Update reVISION Project (SCH No. 2019110342) and hopes our comments assist the City of Rancho Cucamonga in identifying and mitigating Project impacts on biological resources. If you should have any questions pertaining to the comments provided in this letter, please contact Marina Barton, Environmental Scientist at 909-948-9632 or [Marina.Barton@wildlife.ca.gov](mailto:Marina.Barton@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
84F92FFEEFD24C8...

Scott Wilson  
Environmental Program Manager

**Attachment:** Draft Mitigation Monitoring and Reporting Program for CDFW-proposed Mitigation Measures

ec: Office of Planning and Research, State Clearinghouse, Sacramento

HCPB CEQA Coordinator  
Habitat Conservation Planning Branch

Marina Barton, Environmental Scientist, CDFW Inland Deserts Region  
[Marina.Barton@wildlife.ca.gov](mailto:Marina.Barton@wildlife.ca.gov)



## REFERENCES

- California Department of Fish and Wildlife (CDFW). 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>)
- California Natural Diversity Database (CNDDB) Government [ds45]. 2020. Calif. Dept. of Fish and Wildlife. Biogeographic Information and Observation System.
- The San Bernardino County Museum (SBCM). 2005. The Etiwanda Fan.  
([www.sbcounty.gov/museum/exhibits/etiwandafan/](http://www.sbcounty.gov/museum/exhibits/etiwandafan/))



## ATTACHMENT 1

### MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

#### PURPOSE OF THE MMRP

The purpose of the MMRP is to ensure compliance with mitigation measures during project implementation. Mitigation measures must be implemented within the time periods indicated in the table below.

#### TABLE OF MITIGATION MEASURES

The following items are identified for each mitigation measure: Mitigation Measure, Implementation Schedule, and Responsible Party. The Mitigation Measure column summarizes the mitigation requirements. The Implementation Schedule column shows the date or phase when each mitigation measure will be implemented. The Responsible Party column identifies the person or agency that is primarily responsible for implementing the mitigation measure.

Mitigation Measure	Implementation Schedule	Responsible Party
<b>BIO-4: <u>State Designated Sensitive Natural Communities</u>.</b> The Applicant shall mitigate impacts to the state designated S3 sensitive natural community, scalebroom scrub by the acquisition, conservation, and perpetual management of 14.1 acres of scalebroom scrub habitat at a CDFW-approved location within the City of Rancho Cucamonga or southwest San Bernardino County. Habitat shall be conserved in perpetuity via conveyance of a conservation easement to a CDFW-approved conservation entity. A management fund (endowment) shall be established by the Applicant consisting of an interest-bearing account. It shall have the amount of capital necessary to generate sufficient interest and/or income to fund all monitoring, management, and protection of the conservation area(s). This includes but is not limited to: reasonable administrative overhead, biological monitoring, invasive species and trash removal, fencing and signage replacement and repair, law enforcement measures, long term management reporting (as described below), and other actions designed to maintain and improve the habitat of the conserved land(s), in perpetuity. A Property Analysis Record, or substantially equivalent analysis, shall be conducted to determine the management needs and costs described above. It shall then be used to calculate the capital needed for the management of the fund. Except for uses appropriate to a habitat conservation area, the public shall not have access to the mitigation area(s). No activities shall be permitted within the site, except maintenance of habitat, including the removal of nonnative plant species, trash, and debris, and the installation of native plant materials.	Before commencing ground- or vegetation-disturbing activities	Project Proponent
<b>BIO-5: The Applicant shall mitigate impacts to CAGN and LAPM by creating 88.64 acres of suitable breeding and foraging habitat at a CDFW-</b>	Before commencing	Project Proponent

<p><b>approved location within the City of Rancho Cucamonga or southwest San Bernardino County. Habitat shall be conserved in perpetuity via conveyance of a conservation easement to a CDFW approved conservation entity. A management fund (endowment) shall be established by the Applicant consisting of an interest-bearing account. It shall have the amount of capital necessary to generate sufficient interest and/or income to fund all monitoring, management, and protection of the conservation area(s). This includes but is not limited to: reasonable administrative overhead, biological monitoring, invasive species and trash removal, fencing and signage replacement and repair, law enforcement measures, longterm management reporting (as described below), and other actions designed to maintain and improve the habitat of the conserved land(s), in perpetuity. A Property Analysis Record, or substantially equivalent analysis, shall be conducted to determine the management needs and costs described above. It shall then be used to calculate the capital needed for the management of the fund. Except for uses appropriate to a habitat conservation area, the public shall not have access to the mitigation area(s). No activities shall be permitted within the site, except maintenance of habitat, including the removal of nonnative plant species, trash, and debris, and the installation of native plant materials.</b></p>	<p>ground- or vegetation-disturbing activities</p>	
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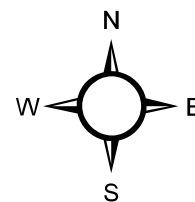




# Central Park Sensitive Vegetation



Scalebroom Scrub Alliance 14.1 Acres









**Fell, Paula**

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**From:** Benson, Jeff <Jeff.Benson@cityofrc.us>  
**Sent:** Monday, November 23, 2020 7:07 PM  
**To:** Fell, Paula  
**Cc:** Nakamura, Jennifer; Eoff, David  
**Subject:** Fwd: RWQCB Comment on Central Park Master Plan Update DEIR, reVISION Project, City of

 **CAUTION:** This email originated from an external sender. Verify the source before opening links or attachments. 

FYI...

Jeff

----- Original message-----

**From:** 5625221852@vzwpix.com  
**Date:** Mon, Nov 23, 2020 16:49  
**To:** Benson,  
Jeff;jason.bill@waterboards.ca.gov;terri.reeder@waterboards.ca.gov;lauma.willis@waterboards.ca.gov;kim.freeburn@wildlife.ca.gov;  
**Cc:**  
**Subject:** RWQCB Comment on Central Park Master Plan Update DEIR, reVISION Project, City of

CAUTION: This email is from outside our Corporate network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

RWQCB Comment on Central Park Master Plan Update DEIR, reVISION Project, City of Rancho Cucamonga. Mr Benson, please accept comment from Regional Water Quality Control Board Santa Ana Region by Nov 23 Deadline. JD for remnant open channel and 3 ephemeral drainages overall- crossing the proposed park on isolated alluvial fan scrub- finds 0.30 Ac permanent impacts to waters of state only. No federal waters/wetland. ROWD to come, thank you. Too big for WQO 2004- 0004-DWQ small sites permit. P 4-36 says that 'the proposed Project will permanently impact and remove all habitats within the footprint' incl scrub for sensitive species that could transit channel such as Blainville's horned lizard, CA glossy snake, orange throated whiptail etc. Yet p 4-39 says no direct impacts to juris areas, no mitigation required. Comment: Please have EIR state mitigation by avoiding channels or planting in open channel as mentioned, and/or propose program for loss of beneficial uses in channels, fan habitat. Thank you. Glenn Robertson, Engineering Geologist, Santa Ana Water Board.

**From:** [Arlee Montalvo](#)  
**To:** [Benson, Jeff](#)  
**Cc:** [Nick Jensen](#); [Marina.Barton@wildlife.ca.gov](mailto:Marina.Barton@wildlife.ca.gov); [llangone@cnps.org](mailto:llangone@cnps.org); [Kimberly.Romich@wildlife.ca.gov](mailto:Kimberly.Romich@wildlife.ca.gov); [Arlee Montalvo](#)  
**Subject:** CNPS comments on Central Park Master Plan Update reVision DEIR  
**Date:** Sunday, November 29, 2020 6:49:38 PM  
**Attachments:** [CNPS\\_Rancho Cucamonga Central Park Comment\\_20201128.pdf](#)

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**CAUTION:** This email is from outside our Corporate network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Jeff,

The Riverside-San Bernardino Chapter of the California Native Plant Society provides the attached comment letter in pdf form with our concerns regarding the Draft Program Environmental Impact Report for the Central Park Master Plan Update reVision. Please let me know that you have received this letter and distributed our comments for consideration. Please provide me with all further notices regarding this Programmatic EIR.

Sincerely,

Arlee Montalvo  
Conservation co-Chair  
Riverside-San Bernardino Chapter  
California Native Plant Society

home office: 951 781-7346



November 28, 2020

Jeff Benson  
City of Rancho Cucamonga  
10500 Civic Center Drive  
Rancho Cucamonga, Ca 91730  
Submitted electronically to: [Jeff.benson@cityofrc.us](mailto:Jeff.benson@cityofrc.us)

**Re:** Central Park Master Plan Update reVision Draft PEIR

Dear Mr. Johnson,

Thank you for the opportunity to provide comments on the Central Park Master Plan Update reVision Draft {program} Environmental Impact Report ("DEIR"), prepared in accordance with the California Environmental Quality Act ("CEQA"). This letter has been prepared by the Riverside and San Bernardino Chapter of the California Native Plant Society ("CNPS"). The California Native Plant Society is a non-profit environmental organization with more than 10,000 members in 35 Chapters across California and Baja California, Mexico. CNPS's mission is to protect California's native plant heritage and preserve it for future generations through the application of science, research, education, and conservation. CNPS works closely with decision-makers, scientists, and local planners to advocate for well-informed policies, regulations, and land management practices.

One of the predominant purposes of the DEIR is to allow community members as well as experts to provide suggestions and corrections to potential oversights of the document. We are providing the following comments to assist the City of Rancho Cucamonga with achieving environmental compliance under state law and to help create a more vibrant Central Park.

## 1. Sensitive Vegetation Communities

### **Scale Broom Scrub**

DEIR Table 4.2-1(copied below) identifies acreages of land cover types that will be impacted by the project, identifying California buckwheat scrub and California sagebrush scrub as the only two native plant communities present. The DEIR correctly states that these vegetation communities are not designated as sensitive vegetation communities and do not hold special status protection in their own right. The DEIR Impact Analysis (*Section 4.2.5, Impact 4.2-2*) states that impacts to natural vegetation, totaling 44.32 acres, were determined to be less than significant. Section 4.2-2 reads:

*No sensitive vegetation communities were observed within or adjacent to the proposed Project site; therefore, no direct or indirect impacts on sensitive vegetation communities are anticipated as a result of the implementation of the proposed Project and mitigation is not required.*

However, the information put forward in the DEIR in the above is false; the project site does contain sensitive vegetation. We identified approximately 14 acres of the project area that is occupied by a very

obvious large stand of Scale broom scrub (*Lepidospartum squamatum* shrubland alliance) (rank S3, G3) and included on the California Sensitive Natural Communities List<sup>1</sup> (see our figure 2 below indicating location). Scale broom scrub is characterized by having “*Lepidospartum squamatum* {scale broom} >1% cover in alluvial environments”<sup>2</sup>, which is clearly satisfied (see photos below). In fact, throughout much of the 14-acre area that we identified on our Figure 2 below, *Lepidospartum squamatum* is the dominant shrub. Scalebroom is a somewhat uncommon plant with a limited range and perhaps its identification or its vegetation membership rule escaped the biological consultant. In any case, the sensitive vegetation community present within the project area needs to be correctly identified in subsequent environmental documents and appropriate mitigation or avoidance measures need to be developed. Impacts to sensitive vegetation types constitute a significant impact, requiring mitigation. The required mitigation ratio for scale broom scrub is typically 3:1, which in this case would require the City to conserve 42 acres of scale broom scrub or implement alternative avoidance or restoration measures.

### **Riversidean Alluvial Fan Sage Scrub**

While we have identified errors of the DIER in vegetation stand identification above according to vegetation type designations of *A Manual of California Vegetation, Second Edition* (MCV2) the DIER identifies impacts to 44.32 acres of Riversidean sage scrub (“RSS”) under Holland’s *Preliminary Descriptions of the Terrestrial Communities of California* (“PDTCC”) (DEIR Table 4.2-1 below). Under the PDTCC, the vegetation throughout the project area should have been characterized as Riversidean Alluvial Fan Sage Scrub (“RAFSS”) (Element Code 32720), which is also designated as a sensitive vegetation type. The soils throughout the project site are clearly alluvial in origin, consisting almost entirely of granitic alluvial gravel and sand (See photos below) and there are several indicator plant species of alluvial habitats including Scale broom, leather spineflower (*Lastarriaea coracea*), and *Lessingia glandulifera*. These species, among others, are almost exclusively found in RAFSS as opposed to RSS in our geographical region.

**Table 4.2-1. Acreage of Mapped Land Cover**

Mapped Land Cover Category	Community Name by Reference		California Natural Community Code (CaCode)	Global Rank and State Rank	Mapped Acreage
	Preliminary Descriptions of the Terrestrial Communities of California	A Manual of California Vegetation			
California buckwheat scrub	Riversidean sage scrub (Element Code: 32700)	<i>Erigonum fasciculatum</i> shrubland alliance (California buckwheat scrub)	32.040.02	G5, S5	37.70
California sagebrush scrub	Riversidean sage scrub (Element Code: 32700)	<i>Artemisia californica</i> shrubland alliance (California sagebrush scrub)	32.010.01	G4, S4	6.62
Drainage feature	N/A	N/A	N/A	N/A	0.30
Ruderal/disturbed habitat	N/A	N/A	N/A	N/A	15.14
Developed land	N/A	N/A	N/A	N/A	1.16
<b>Notes:</b> <b>Global Rank:</b> the global rank (G-rank) reflects the overall status of an element throughout its global range. <b>G4 = Apparently Secure:</b> Uncommon but not rare; some cause for long-term concern due to declines or other factors. <b>G5 = Secure:</b> Common; widespread and abundant. <b>State Rank:</b> the state rank (S-rank) refer to the imperilment status only within California’s state boundaries. <b>S4 = Apparently Secure:</b> Uncommon but not rare in the state; some cause for long-term concern due to declines or other factors. <b>S5 = Secure:</b> Common, widespread, and abundant in the state.					

There was also an attempt within the DEIR to rationalize away the presence of scale broom scrub and RAFSS in *Section 4.7.1*, wherein the DEIR states:

<sup>1</sup> <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=153609&inline>

Further, under Holland 1986 (*Preliminary Descriptions of the Terrestrial Communities of California*) this 44.32 acres.02

<sup>2</sup> A Manual of California Vegetation Online, California Native Plants Society. <https://vegetation.cnps.org/alliance/226>



*Scale-broom was primarily observed along the western boundary of the project site and in sparse patches throughout the site (ELMT 2019, 2020b). Scale-broom, while it can be an indicator of a sensitive plant community known as Riversidean alluvial fan sage scrub (RAFSS), on the Project site, it does not (ELMT2019, 2020b). The Central Park site historically supported a RAFSS plant community along its western boundary in association with Deer Creek prior to agricultural activities; however, Deer Creek was channelized several decades ago and now exists as an open concrete channel with no vegetation (ELMT2019, 2020b). In addition, the Central Park site had been under active agriculture as a vineyard prior to its purchase by the City for the development of Central Park and maintenance of the site has primarily been disking for weed abatement for the last twenty years and now the site is dominated by buckwheat scrub (ELMT 2019, 2020b).*

To address this point we provide the following:

1. The writers of this section flow incoherently in and out of using different sources of vegetation nomenclature referencing both PDTCC and MVC2 together to misleading conclusions. As we stated above, under PDTCC this area is clearly RAFSS and under MCV2 the western area is Scale broom scrub. If the claim is that the area historically supported RAFSS (PDTCC nomenclature), then the current vegetation type should also be described in terms of PDTCC.
2. The lack of active hydrology in RAFSS environments does not preclude the present RAFSS vegetation from being characterized as such. *Alluvial Scrub Vegetation in Coastal Sothern California* by Hanes by T.L., et al. (1988) identifies stages of ecological succession of alluvial scrub and separation from hydrologic regimes. The eventual climax community of RAFSS when disjunct from the active flooding regime is a more mature RAFSS community; typically composed of more mature chaparral species, but retaining (obviously) its alluvial soils which give rise to unique shrub and herbaceous combinations.
3. This entire discussion is somewhat moot for the reason that speculation about what a plant community may look like in the future, does not negate its presence at the time of the site survey; the impacts to the present community need to be adequately addressed. If the above “what will happen in the future” string of reasoning were to be tolerated, one could theoretically argue away any number of impacts on theoretical grounds. To put it simply, a project must mitigate for what is present. The “hydrology fallacy” or the “transition fallacy” is simply not an acceptable or an honest way to interpret the vegetation that is present and the biological resources which it supports. Scalebroom occupies over 14 acres of the site at greater than 1% cover, therefore this vegetation type is present under the MCV2.

### **Acreege Discrepancies**

Table 7 of the Appendix C Biological Resources Report (below) indicates that **44.23** acres of California buckwheat scrub will be impacted, whereas Table 4.2-1 of the DEIR (above) indicates that only **37.70** acres of California buckwheat scrub is present. Please explain/correct this discrepancy. The tables from the respective documents have been copied above and below.

**Table 7: Acreege of Anticipated Direct Impacts on Land Cover**

Mapped Land Cover Category	Total Acreege within the Project site	Total Avoided Acreege within the Project site	Total Impact Acreege within the Project site		
			Permanent Impacts	Temporary Impacts	Total Impacts
California buckwheat scrub	44.23	0	44.23	0	44.23
California sagebrush scrub	6.62	0	6.62	0	6.62
Drainage feature	0.52	0	0.52	0	0.52
Ruderal/disturbed habitat	17.96	0	17.96	0	17.96
Developed land	1.91	0	1.91	0	1.91
<b>Total Acreege:</b>	<b>71.24</b>	<b>0</b>	<b>71.24</b>	<b>0</b>	<b>71.24</b>

Non-sensitive vegetation communities including, California buckwheat scrub, California sagebrush scrub, ruderal/disturbed habitat, and all drainage features are located within the Projects' footprints and would be directly impacted by the Projects. Mitigation is not required for direct impacts on these communities.

No sensitive vegetation communities were observed within or adjacent to the Projects sites; therefore, no direct or indirect impacts on sensitive vegetation communities are anticipated as a result of implementation of the Projects and mitigation is not required.

## 2. Thresholds of significance

In determining what constitutes a “significant impact” under the language of CEQA, the City has used the Appendix G Checklist<sup>3</sup> for determination of thresholds of significance for potential environmental impacts identified during the preparation of the DEIR (DEIR Appendix C Section 5, DIER *Section 4.2.4*). To clarify the function of Appendix G, the checklist’s intended purpose is to assist lead agencies in preparing an initial study and to determine whether to adopt a negative declaration or to prepare an EIR. Appendix G criteria should not necessarily be appealed to in rationalizing thresholds of significance; *Romnger v. County of Colusa* (2014) 229 Ca4th 690, 713. *San Francisco Baykeeper, Inc. v State Lands Comm’n* (2015)242 CA4th2020,227.

Significance standards are subject to reasonable and science based approaches and in this case significance can be determined as a function of:

- The project may locally eliminate a sensitive vegetation type. 14 CCR §15065(a)(1); See *Sierra Club v Gilroy City Council* (1990) 222 Ca3rd 30, 41.
- The projects impacts may be individually limited but cumulatively considerable. In this case, cumulative impacts associated with removal of a sensitive vegetation type; 14 CCR §15065(a)(3)

If there is substantial evidence in the record to support that the project would have a substantial impact and a fair argument can be made, then the impact is considered significant.

We contend that despite the presence of sensitive vegetation communities across the project area which was curiously omitted from the DEIR, the removal of over 40 acres of native plant communities (rare or not) still constitute a significant environmental impact for the following reasons:

1. Several sensitive animal species are known to use the Project Site (DEIR Tale 4.2-2) including Blainville’s horned lizard, California glossy snake, and Cooper’s hawk among others. Because the project site is a ‘habitat island’ with no natural area in proximity to act as refugia, these populations would be locally eliminated.
2. Habitat islands act as important components of region wide gene flow patterns which contribute to the resilience of natural communities in the face of an ever changing environment.
3. This project clearly has cumulative biological impacts in light of the above and in recognition of the vast landscape changes that have occurred over the Etiwanda fan environments over the past 20 years.

Using too narrow of or too arbitrary a version of a standard of significance with respect to biological impacts has already been determined to be adequate grounds for legal challenge and should be avoided in the preparation of the DEIR for this project; *Endangered Habitats League v County of Orange* (2005) 131 CA4th 777, 793

## 1. Conclusion and Recommendations

It is clear that biological resources over the Project Area have incorrectly and inadequately been evaluated and therefore any mitigation concept, or lack thereof, that has been developed in the DEIR biological findings will logically be insufficient. We recommend that the City reevaluate site vegetation communities according to our comments above and incorporate adequate mitigation or avoidance measures for

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<sup>3</sup> CEQA Appendix G, <https://resources.ca.gov/CNRALegacyFiles/ceqa/docs/ab52/final-approved-appendix-G.pdf>

sensitive vegetation into the EIR. If the City does not take this necessary step, the EIR will be vulnerable to being invalidated.

We would also like to suggest that the City seek a Central Park alternative that leaves at least 50% of the native plant communities in-tact including the sensitive vegetation stands at the west end. These native plant communities with the incorporation of trails, signage, additional native landscaping, and many of the features of the Central Park Plan can create a very vibrant Central Park that retains some of its natural character as well as the flora and fauna that natively exist there. Central Park is already a place where citizens go to listen to birds, see flying butterflies, and find occasional wildlife such as the Blainville's horned lizard. We encourage the City to incorporate these recreational uses into the plan to a greater extent than has been proposed and pay some homage to the natural alluvial fan plant communities that Rancho Cucamonga was built on.

**Figure 1 DEIR Figure 4.2-1 Mapped Vegetation**

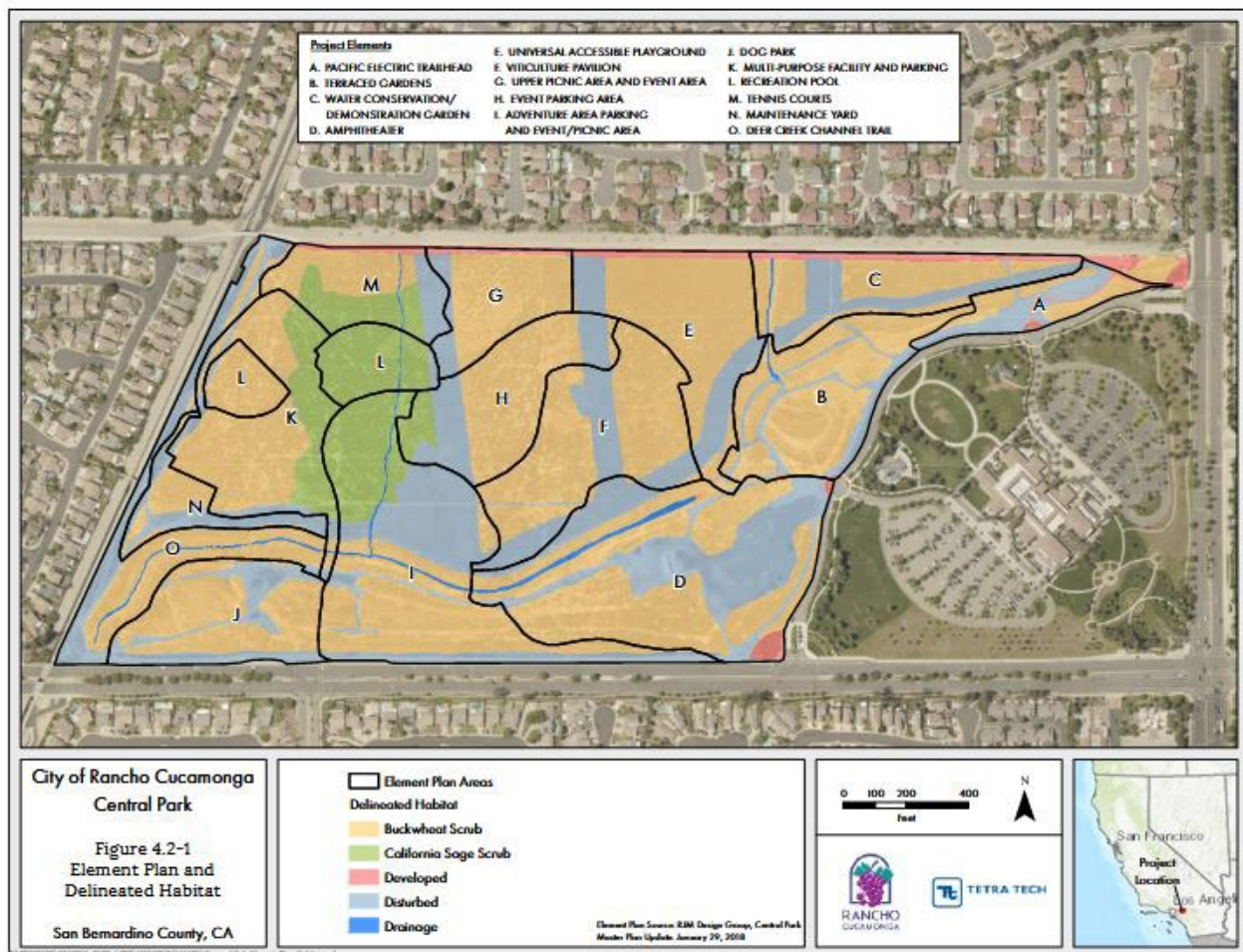




Figure 2 CNPS Mapped Sensitive Vegetation Community within the Project Area







Photos of the site taken in October 2020 by local CNPS chapter members. The shrubs with yellow/white seed heads are Scale broom (*Lepidospartum squamatum*). The sensitive vegetation alliance, scale broom scrub is defined by “*Lepidospartum squamatum* >1% cover in alluvial environments”<sup>4</sup>.

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<sup>4</sup> <https://vegetation.cnps.org/alliance/226>





Photo indicating obvious alluvial soils composed of fine and coarse sands and gravel and also evidence of small mammal presence, though recent small mammal trapping was not performed as a part of biological inspections.

Please provide me with notice of all further communications relating to this project and EIR.

Sincerely,

*Arlee M. Montalvo*

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