



JEFF W. KIDD BIOLOGICAL CONSULTING

January 7, 2009

Cathy Bechtel
RCTC
4080 Lemon Street, 3rd Floor
Riverside, CA 92501

RECEIVED
JAN 08 2009

RIVERSIDE COUNTY
TRANSPORTATION COMMISSION

Subject: Comments on MCP Draft EIR

Cathy,

I am writing the following comments regarding the proposed MCP Draft EIR as a both a professional wildlife biologist and a Gavilan Hills resident who lives within 1,000 feet of the preferred MCP southern alignment. Understanding full well our transportation issues to date and those issues predicted for the future I recognize the need for transportation projects and infrastructure upgrades to help move residents from areas east of I-215 to areas west of I-15 including Orange County via the 91 Freeway, Ortega Highway and the proposed Tunnel Project to link Cajalco Road with the 241 Toll Road in Irvine.

Based on my review of the Draft EIR I disagree with the main conclusions stating the southern route would be the least sensitive route regarding environmental resources. In fact, I would argue the complete opposite. Constructing a new road from east to west from the Old Elsinore Road area towards I-15 would significantly impact numerous species identified as sensitive by the resource agencies whereas a simple widening of the pre-existing Cajalco Road would only impact a limited amount of SKR habitat within the MWD reserve and some riparian resources along Cajalco Road while air, noise and light pollution is already present. Not only will this southern alignment impact sensitive resources it will have a lasting impact on common wildlife in this area including many mammals, birds, and raptors that will be struck and killed by vehicle collisions. Additional impacts such as increased risk of fire by cars and arsonists will also threaten our way of life in this rural community since most of the Gavilan Hills residents all located within a high fire severity zone south of the proposed MCP.

I understand RCTC is not subject to the MSHCP but your EIR fails to address the MSHCP by conducting a standard MSHCP Compliance Analysis which is a normal component of all biological reports submitted to the County of Riverside EPD. By not including an MSHCP compliance analysis you are avoiding significant issues dealing with current on-going conservation efforts being conducted by the RCA. In one specific situation, the proposed Watt Project on the Gavilan Plateau is donating a large parcel of land to the RCA that will add to the northeast corner of Harford Park. Your EIR does not mention the proposed southern alignment would then bisect the RCA conservation lands that will be added to Harford Park hence you are completely avoiding the fact that this alignment will actually be located within the Park and not along the northern boundary. By not conducting the MSHCP analysis you are also able to avoid language describing significant impacts to sensitive resources within the RCA reserve system that essentially

reduces the conservation value to something close to zero. The proposed Watt project which also includes a small conservation area supporting resident burrowing owls would be impacted just west of Gavilan Road and Ida Leona Road. Although being located within your survey area, these well known owls are not identified in your document. Ultimately, by avoiding an MSHCP compliance analysis RCTC is avoiding discussions about how the MCP will impact important conservation efforts being conducted by the RCA and EPD. In order to accurately report the impacts of this road, it is critical to include the MSHCP compliance analysis in order for the RCTC, the lead resource agencies, and local residents to completely understand the impacts of this road not only to existing resources but RCA conservation lands which will be bisected by the southern alignment.

My main focus for the last 16 years has been conducting research on birds of prey. From this research and experience I can honestly say I completely disagree with the conclusions in the EIR regarding impacts to raptors and the burrowing owl. After having lived adjacent to Harford Park for 6 years I am aware of the local resident and wintering population of raptors (J. Kidd unpublished data). I found the EIR fails to identify many active raptor nests and winter roost sites within the proposed southern alignment including sensitive species such as the burrowing owl, long-eared owl, white-tailed kite, northern harrier, golden eagle, and short-eared owl. By not identifying these sensitive species in your study your analysis of impacts to raptors falls short. I suggest the RCTC conduct additional studies to more accurately identify and report on the impacts to raptors within the project footprint.

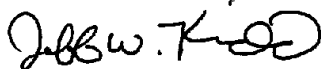
In the mitigation section dealing with burrowing owls, the author recommends a technique termed "passive relocation" however this technique has been misapplied by the authors and is not actually in compliance with the CDFG Staff report or the Burrowing Owl Consortium Guidelines that accurately spell out the procedures of passive relocation. Currently your document simply describes a commonly used method consultants like to use termed "eviction". Eviction is not in compliance with CEQA and does not preserve owls. This technique of collapsing occupied burrows is actually one the primary reasons for decline of the burrowing owl in southwestern California (Kidd et al. 2007) and is not appropriate in this situation. If you have owls located within the right of way (ROW) and the burrows will be impacted you need to conduct "active translocation" to move the owls away from the (ROW) unless the owls are directly adjacent to an existing reserve that is managed for owls and supports ample burrows. If you simply collapse burrows and install burrows, you are not conducting "passive relocation" you are conducting "eviction" which is not considered as adequate mitigation under CEQA or by the County of Riverside EPD.

The preferred southern alignment also bisects the RCHCA lands south of Cajalco Road that are currently managed for the SKR. It is my understanding this reserve is set up to allow future projects such as the MCP however impacts of the MCP to the RCHCA reserve near Estelle Mountain and the Temescal Land Fill are not adequately addressed. I am aware of nesting northern harriers, burrowing owls, white-tailed kites and wintering short-eared owl roosts in the RCHCA reserve that are not addressed in the report. Again

I suggest the RCTC conduct a more accurate raptor survey to more accurately report on the impacts of the southern alignment. I'm also worried about how the road would potentially cause significant impacts to the extant SKR population on the reserve. The proposed MCP will certainly limit SKR dispersal and hence impact the resident population that is being managed. I would like to see a more in-depth analysis of the impacts to all resources including raptors and SKR within the RCHCA lands south of Cajalco near Estelle Mountain since this topic was not specifically addressed. Additional commentary regarding the loss of conservation value to the RCHCA land as a whole should also be incorporated so the public better understands how the MCP would impact not only Harford Park but the RCHCA lands.

Being a resident of the Gavilan Hills I would be disappointed with a decision to construct the preferred route not only because of the inevitable impacts to both common and sensitive resources but also the loss of functionality and value to Harford Park as a conservation area. Of equal importance, the park and local community will witness increased light, noise, and air pollution and be exposed to increased fire danger during Santa Ana wind conditions. These impacts to the community would certainly result in people leaving this rural community and rural way of live that led them to move here. In my opinion as a biologist and resident I consider Cajalco Road as providing the best alternative over the preferred southern route for many reasons but mainly because it will impact fewer resources and it won't reduce the quality of living for all the residents located in the rural communities of Lake Mathews and Gavilan Hills.

Sincerely,



Jeff W. Kidd
18562 Frantz Road
Perris, CA 92570