

## Comments on World Logistics Center Draft Environmental Impact Statement

April 8, 2013

Regarding: Habitat Assessment, MSHCP Consistency Analysis and HANS Review, Section 5.2.8 Biological Compliance Issues Not Covered by MSHCP and data summarized in Tables 2 and 3 of that section.

Much of this information in this section is inaccurate. The authors used data from the California Natural Diversity Database (CNDDDB) only. This database is a valuable repository for local occurrence records of rare and endangered species. However, it does not include all of the data available for the species it covers. Furthermore, there is frequently a backlog of data that remains to be entered in the database at any given point in time. The backlog can span multiple years. The Biological Monitoring Program (BMP) of the Western Riverside Multi-Species Habitat Conservation Plan (MSHCP) conducts inventory and monitoring surveys of 146 plant and animal species covered by the Plan. With few exceptions, BMP surveys are conducted only within lands currently in conservation. Results are available in the form of annual reports which are posted every year on the Riverside Conservation Authority's (RCA) website and available to the public. Data are available by request to the Monitoring Program and the State of California's Biological Information System (BIOS) database.

To the best of my knowledge, BMP data were never requested by Michael Brandman Associates nor any other party involved in preparation of the DEIR. These data are far more complete and up-to-date compared with what is represented in the Habitat Assessment. As a result, the DEIR represents an inaccurate assessment of the distribution and frequency of occurrence of the plant and animal species covered in Section 5.2.8 with respect to the proposed boundaries of the World Logistics Center. The historic frequency of occurrences described, and the distance of observations from the proposed WLC boundaries require revision based on BMP data. In particular, I am greatly concerned that many of the species considered in this section have numerous records of occurrence much closer to the proposed boundaries than indicated in Tables 2 and 3 which suggest 1) that their probability of occurrence within the proposed boundaries of the WLC may be higher than represented in the DEIR and 2) that the impact of the WLC may be much greater on these species than indicated. I believe this analysis should necessitate re-consideration of the potential impacts through the Urban/Wildlands interface on these species.

Below I contrast the data in Tables 2 and 3 of Section 5.2.8 with data collected by the BMP from 2005 to 2012 and stored in the MSHCP database. I include only species for which there is a discrepancy. Each record of occurrence noted represents a unique location where an observation has been made.

## Plants

*Atriplex coronatum* var. *notatior* – The MSHCP database has the closest record of occurrence at 1.56 miles south of the nearest proposed WLC boundary. Data in Table 2 has it at 2.5 miles southeast.

*Brodiaea filifolia* – MSHCP database has the closest record of occurrence at 3.73 miles due south. Data in Table 2 has it at 5 miles south.

*Centromadia pungens* ssp. *laevis* – The MSHCP database has the closest record of occurrence at 2.37 miles due south. Data in Table 2 has it at 3 miles south.

*Lasthenia glabrata* ssp. *coulteri* – The MSHCP database has the closest records of occurrence at 0.72, 1.32 miles due south and southeast, respectively, and there are 13 records of occurrence within 2 miles of the proposed WLC boundaries. (Data in Table 2 has it at 2 miles south)

## Animals

*Amphispiza belli belli* – The MSHCP database has the closest record of occurrence at 4.34 miles due south. Data in Table 3 has it at 4 miles northwest. The species is apparently more widespread within the vicinity of the WLC than indicated.

*Polioptila californica californica* – The MSHCP database has closest records of occurrence at 0.28 and 0.35 miles due south of the proposed WLC boundary. Table 3 has this species closest occurrence at 4 Miles northeast.

*Buteo regalis* – The MSHCP has 45 records within 2.0 miles of the closest WLC boundary, mostly to the due south. Three observations are within the proposed boundaries. Table 3 gives the closest occurrence at approximately 1 mile northeast of the study area.

*Vireo bellii pusillus* – The MSHCP has 3 records within 2.0 miles of the closest WLC boundary. Table 3 lists its closest occurrence at 3 miles.

*Lanius ludovicianus* - The MSHCP has 13 records of occurrence within 1.0 miles of the nearest proposed WLC boundary and 115 records within 2.0 miles. Table 3 states that it has been observed within the study area.

*Perognathus longimembris brevinasus* – The MSHCP database has closest records of occurrence at 1.8 and 1.92 miles south of the closest proposed WLC boundary and 16 observations within 2.0 miles. Table 3 states that the closest observation is 3 miles south of the study area.

*Falco columbarius* - The MSHCP database has closest records of occurrence at 0.58 and 0.72 miles due south of the proposed boundaries of the WLC, and 15 observations within 2.0 miles. Table 3 states no observations on record within 7 miles of the study area.

*Crotalus rubber rubber* – The MSHCP database has closest records of occurrence at 0.89, 0.97, and 1.06 miles due south and seven observations within 2.0 miles. Table 3 claims only one observation 1.0 mile south and that was 80 years ago.

*Chaetodipus fallax fallax* – The MSHCP database has the closest record of occurrence at 0.70 miles of the nearest proposed WLC boundary and 233 observations within 2.0 miles. Table 3 stated the closest occurrence in 1.0 mile north and south.

*Falco peregrinus anatum* – The MSHCP database has the closest records of occurrence at 0.80, 0.86, 0.94, and 0.95 miles due south, and a total of 12 observations within 2.0 miles of the nearest WLC boundary. Table 3 states no occurrences within 7.0 miles of the study site.

*Lepus californicus bennettii* – The MSHCP database has the closest records of occurrence at 0.83 and 1.29 miles due south of the nearest boundary of the proposed WLC site, and 7 observations within 2.0 miles. Table 3 states the closest observation at 7.0 miles east of the study area.

*Aimophila ruficeps canescens* – The MSHCP database has the closest records of occurrence at 0.28, 0.31, and 0.46 miles of the nearest proposed WLC boundary, and 41 observations within 2.0 miles of it. Table 3 has the closest observation at 4 miles west of the study area.

*Agelaius tricolor* – The MSHCP database has the closest records of occurrence at 0.4 and 0.83 miles due south, and 7 observations within 2.0 miles of the closest proposed WLC boundary. Some of these observations were of foraging birds. Nesting colonies have been established as close as 1.28 miles south of the nearest proposed WLC boundary with others at 1.28, 2.01, 2.15, 2.88 and 3.12 miles south. All are within the current boundaries of the San Jacinto Wildlife Area. Table 3 states that there is no suitable nesting vegetation remaining within the study area. However, it fails to recognize the critical importance of off-nesting site foraging habitat for this species. Foraging for the purpose of provisioning nestlings is known to occur up to 5 miles from the nest site (Beedy and Hamilton 1999). The study area does support sufficient foraging habitat during years when insect production is high (Biological Monitoring Program 2011).

*Spea hammondii* – The MSHCP Database has the closest record of occurrence at 0.68 miles due south of the nearest proposed WLC boundary. Table 3 states that the closest occurrence in 2.0 miles south and west.

*Plegadis chihi* – The MSHCP database has 8 records of occurrence within 1.0 miles of the nearest proposed boundary of the WLC and 40 within 2.0 miles. Table 3 states the closest occurrence at 3.0 miles.

*Elanus leucurus* – The MSHCP database has 6 records of occurrence within 1.0 miles of the nearest proposed boundary of the WLC, and 64 within 2.0 miles. Table 3 states no records of occurrence within 7.0 miles.

The San Jacinto Valley is recognized by the Audubon Society as a Globally Important Bird Area, in large part because of the large diversity and abundance of raptors that over-winter in the area. Many species depend on the resources of the San Jacinto Wildlife Area and surrounding agriculture fields; many have been observed numerous times in the San Jacinto Wildlife Area just to the south of the proposed boundary of the WLC. The DEIR fails to recognize the importance of this area for over-wintering raptors. Information in Table 3 fails to represent both the local occurrence of several species as well as the sheer numbers of observations made within the very near vicinity of the WLC study site. Of particular mention include *Elanus leucurus* (White-tailed kite), *Falco peregrinus anatum* (Peregrine falcon), and *Falco columbarius* (Merlin), all of which Table 3 lists as having a Low Potential to Occur. Although the MSHCP database has numerous records of occurrence for these species within 2.0 miles of study site, the DEIR reports no observations within 7.0 miles of it.

Table 3 also describes *Buteo regalis* (Ferruginous hawk) as a Low Potential to Occur, and states that the study area “contains open flat area that is considered marginally suitable foraging habitat, but not suitable nesting habitat.” MSHCP database records include 45 observations of this species within 2.0 miles of the proposed WLC boundary, and several observations inside it. Most of these observations were made during the winter, non-breeding season.

It is unclear whether any surveys conducted for raptors by Michael Brandman Associates occurred during the spring/early summer nesting period or in the fall/winter months when most species are present in the San Jacinto Valley. Regardless, it is clear that the lack of nesting substrate is not especially relevant to a species that uses the San Jacinto Valley primarily as over-wintering habitat.

Other species with a substantially higher probability of occurrence within the study site than suggested by the DEIR include *Lepus californicus bennettii* (San Diego jack-tailed jackrabbit) and *Crotalus ruber ruber* (Northern red-diamond rattlesnake). Table 3 states no occurrence of either species within 7.0 miles of the proposed WLC site, while the MSHCP database contains numerous observations.

Other species that occur at higher frequencies in the near vicinity of the proposed WLC site than suggested by the DEIR include *Athene cunicularia* (Burrowing Owl) and *Dipodomys stephensi* (Stephen’s kangaroo rat). In total, the MSHCP database contains 18 records of occurrence of Burrowing Owl within 2.0 miles of the nearest proposed WLC boundary. Table 3 categorizes this species as a high probability of occurrence but that “focused surveys conducted in 2010 and 2012 found the study area and surroundings to be unoccupied.” By contrast, the MSHCP database has two records of occurrence within 2.0 miles in 2011, one in 2012 and one in 2010.

Table 3 describes Stephens kangaroo rat as Moderate Potential to Occur, and states that “the study area contains areas similar to grasslands with very sparse canopy, but is heavily disturbed. Recorded approximately adjacent to the general study area on the west and south.” The MSHCP contains 239 recorded observations within 2.0 miles of the WLC study site and show a steady rate of occupancy during the years surveyed (2006, 2007, 2010, 2011).

To reiterate, I believe the analysis above necessitates re-consideration of the potential impacts on these species by both the loss of habitat caused by development of the site as a WLC, but also the

impacts to species inhabiting the San Jacinto Wildlife Area and in close vicinity to the proposed boundaries of the WLC. At the least, a sufficient and effective buffer area should be created beyond the 1,086 acres of California Department of Fish and Wildlife lands and the San Diego Gas and Electric property, as these lands belong to those agencies and support foraging habitat for species including Ferruginous hawk, Merlin, Loggerhead Shrike, and White-face Ibis, all of which have been observed on these properties (MSHCP database).

Placing the largest logistics center in the country next to some of the most important wildlife habitat in Riverside County (one of only two Type A CDFW Wildlife Areas in southern California is, in my opinion, a grave mistake. Not only is this area of great importance to raptors but it is the largest staging area for waterfowl north of the California/Mexico border and a bird watching destination for thousands of people each year. I urge you to retain the original zoning and land use plans for this area as exist in the Moreno Valley General Plan. This would have much less of an impact on the wildlife area and all of the species that depend on it as well as the open space and foraging habitat around it.

### References

Beedy EC, Hamilton WJ III. 1999. Tricolored Blackbird (*Agelaius tricolor*). In Poole A, Gill F, editors. The Birds of North America No. 611. The Birds of North America, Inc. Philadelphia, PA. Available online at: <http://bna.birds.cornell.edu/bna/species/423>.

Biological Monitoring Program. 2011. Western Riverside County MSHCP Biological Monitoring Program Tricolored Blackbird (*Agelaius tricolor*) Survey Report, 2011. Report prepared for the Western Riverside County Multiple Species Habitat Conservation Plan. Riverside, CA. Available online at: <http://www.wrc-rca.org/library.asp>.

Sincerely,

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These statements reflect my own opinion, and not necessarily those of the Biological Monitoring Program.