

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

March 7, 2003

Mr. James Bartel  
Field Supervisor  
US Fish and Wildlife Service  
Carlsbad Field Office  
6010 Hidden Valley Road  
Carlsbad, CA. 92008

Dear Mr. Bartel:

The Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the **Western Riverside County, California, Multiple Species Habitat Conservation Plan** (CEQ Number: 020463, ERP Number: SFW-K99032-CA). Our review is pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

There are many commendable components of the Multiple Species Habitat Conservation Plan (MSHCP) including: the detailed Conservation Area assembly plan, monitoring and adaptive management program, inclusion of identified species corridors, consideration of edge effects and adjacent land uses, connections with other regional conservation efforts, and species presence and development thresholds to minimize impacts to Covered Species and narrow endemic plant species. The work to provide species-specific data to support the MSHCP planning effort is impressive.

EPA strongly supports Riverside County's endeavor to integrate regional planning efforts for future land use, transportation, and conservation needs through the Riverside County Integrated Project (RCIP). We continue to be concerned that the information from the other RCIP components, namely the revised General Plan and the Community and Environmental Transportation Acceptability Process (CETAP), has not been sufficiently integrated with the analysis and conclusions of the MSHCP DEIS. This integration is critical to inform MSHCP decisions and protect significant natural resources. We are concerned that the current lack of integration will obscure inconsistencies among the planning efforts, therefore, underestimating adverse affects to natural resources.

Based on our review of the MSHCP DEIS, we have rated the document category EC-2, Environmental Concerns - Insufficient Information (see attached "Summary of the EPA Rating System"). Our primary concerns are summarized below, with detailed comments attached.

Given the MSHCP's reliance on Public/Quasi-Public lands to provide the backbone of the Conservation Area, we believe it is important to provide a greater level of certainty, prior to

issuance of the take permit, that these Public/Quasi-Public lands will fulfill the goals and objectives of the MSHCP. We recommend the FEIS provide additional information on management of the Public/Quasi-Public lands for species conservation. Please note that additional land may need to be acquired to meet the MSHCP conservation requirements for Covered Species, if some of the Public/Quasi-Public lands are already being employed as compensatory mitigation.

As the scope of the MSHCP is very large and includes many unique species and habitats, we believe enforcement and management of the MSHCP is crucial. We are concerned with the MSHCP's reliance on revocation of the take authorization as the primary enforcement tool. We recommend the FEIS, MSHCP, and Implementation Agreement describe the enforcement process and enforcement tools, other than revocation of the take authorization, that can be used to ensure the MSHCP conservation goals are met. We also urge the Service to provide future opportunities for public and agency input on the implementation and management of the MSHCP which, we believe, will help ensure adequate enforcement and oversight.

We commend the Service and Riverside County for the creation of a Scientific Review Panel to review and provide input into the design of the MSHCP. We urge you to make full use of this panel. We believe environmental documentation should clearly disclose the scientific data supporting MSHCP assumptions and conclusions. The DEIS does not appear to provide this information. The FEIS should include a summary of the scientific evidence supporting MSHCP assumptions and conclusions or refer to the location of this information in the appendices and reference documents.

The DEIS and MSHCP do not address Tribal lands or Tribal resources located in the planning area. While the Tribes and their lands may not be participants in the MSHCP and incidental take authorizations, their lands and resources could be affected by potential changes to land use patterns. There are six reservations which could be affected by the MSHCP: Ramona, Morongo, Soboba, Cahuilla Indian, Santa Rosa and Pechanga Reservations. All potentially affected Indian Tribes should be consulted on a government-to-government basis to help minimize and mitigate potential socioeconomic, cultural, and Tribal resource impacts.

We appreciate the opportunity to review this DEIS. Please send three copies of the Final EIS (FEIS) to this office at the time it is officially filed with our Washington, D.C. office. If you have questions or wish to discuss our comments, please contact Ms. Laura Fujii, of my staff, at (415) 972-3852 or [fujii.laura@epa.gov](mailto:fujii.laura@epa.gov).

Sincerely,

Enrique Manzanilla, Director  
Cross Media Division

Enclosures: Detailed Comments (10 pages)  
Summary of the EPA Rating System

Executive Order on Consultation and Coordination with Indian Tribal Governments

MI003753

Filename: WRiversideHCPdeis.wpd

cc: Kristi Lovelady, Riverside County  
Gary Hamby, Federal Highway Admin.  
Dr. Ari Tabatabai, COE, Los Angeles District  
Bill Mosby, Caltrans District 8, San Bernardino  
Pat Port, DOI, San Francisco  
CDFG, Region 5  
RWQCB, Region 8, Riverside  
RWQCB, Region 9, San Diego  
Syndi Smallwood, NAEPC  
Ramona Tribe  
Morongo Tribe  
Soboba Tribe  
Cahuilla Indian Tribe  
Santa Rosa Tribe  
Pechanga Tribe

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## **US EPA DETAILED COMMENTS**

### **Project Description**

Riverside County, California (County) and other jurisdictions have requested an incidental take permit (ITP) for 75 years from the US Fish and Wildlife Service (Service), pursuant to Section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The permit is needed to authorize take of listed species due to development of 1.26 million-acres (1,966 square-miles) in western Riverside County.

The County's proposed Multiple Species Habitat Conservation Plan (MSHCP) would create a Conservation Area that protects and manages 500,000 acres of habitat for 146 Covered Species. The 500,000 acres comprises 347,000 acres of Public/Quasi-Public lands and 153,000 acres of Additional Reserve Lands. Of the 153,000 acres of Additional Reserve Lands, Local Permittees will be responsible for contributing 97,000 acres of privately owned acres, and the State and federal contribution will be 56,000 acres. The precise boundaries of the 153,000-acre Additional Reserve Lands are not identified in the MSHCP. Rather, the Additional Reserve Lands will be assembled pursuant to acquisition and conservation criteria for designated "Criteria Areas." Assembly of the 153,000-acre Additional Reserve Lands is anticipated to occur over the first 25 years of the program and when completed must include the vegetation communities and design characteristics that provide for the conservation of Covered Species.

Alternatives evaluated in detail in the draft environmental impact statement (DEIS) include the Western Riverside MSHCP (the preferred alternative); the Listed, Proposed, and Strong Candidate Species Alternative; Listed and Proposed Species Alternative; Existing Reserves Alternative; and the No Project Alternative. The alternatives to the MSHCP provide progressively less land set aside for the Conservation Area which results in less protection for Covered Species and a greater magnitude of impact from future development compared to the MSHCP.

### **Integration of Regional Planning**

EPA strongly supports integration of regional planning efforts that conserve biological resources while providing for future growth. We believe that the goals and objectives of these regional planning efforts will best be met through coordinated implementation of the MSHCP, General Plan, and transportation plans.

The MSHCP DEIS does not yet incorporate or reference a sufficient level of information and analysis from the Riverside County General Plan and Community Environmental and Transportation Acceptability Program (CETAP). The integration of the land use, transportation, and conservation planning efforts is critical to ensuring there are no gaps in the analysis of potential impacts of the Riverside County Integrated Project (RCIP). For example, our November 15, 2002 comments on the recent environmental impact statements for the two

CETAP Transportation Corridors expressed concerns regarding potential adverse effects of proposed transportation corridor alternatives on the MSHCP Criteria Areas. Neither the CETAP or MSHCP environmental impact statements appear to evaluate the affect of a CETAP facility traversing possible MSHCP Habitat Conservation Area lands.

*Recommendations:*

The Final Environmental Impact Statement (FEIS) should describe the Riverside County Integrated Project process and demonstrate how the MSHCP, General Plan, and CETAP environmental reviews will lead to consistent and complementary decisions. The FEIS should specifically address whether the MSHCP provides mitigation for the potential impacts from the CETAP corridors.

**Public/Quasi-Public Lands**

1. The MSHCP proposes to mitigate the impacts of “take” on private land primarily through conservation of existing public lands. We understand that this type of conservation approach is common to many habitat conservation plans. We believe the County, Cities, and developers who benefit from the incidental take permits should actively participate in avoiding, minimizing, and mitigating adverse impacts on biological resources and Covered Species through continued participation in the MSHCP and integration of avoidance, minimization, and conservation measures into their planning, maintenance and operations activities.

We acknowledge the local contributions to the MSHCP represented by the Development Mitigation Fee and Additional Reserve Lands. However, it is not clear whether these measures provide sufficient mitigation to fully offset the potential adverse impacts on Covered Species of private land development. We note that the ratio of developed land to conservation land provide by local development beneficiaries is approximately 5 to 1 (491,3000 acres to 97,000 acres).

Public/Quasi-Public lands are the bulk of conserved acres and would create the initial cores of the Conservation Area. These lands include large tracks of Federal land (e.g., Cleveland and San Bernardino National Forests). The reliance on Federal lands assumes that a major management goal for these lands is to provide for the conservation and protection of Covered Species and sensitive resources. However, the Forest Service manages their lands for multiple uses such as recreation, communication sites, and vegetation management, which can have adverse effects on sensitive species and habitats. Given the reliance on the Public/Quasi-Public lands to provide the backbone of the MSHCP Conservation Area, the MSHCP should demonstrate that these Public/Quasi-Public lands have the ability to fulfill the goals and objectives of the MSHCP.

*Recommendations:*

We recommend the FEIS describe the existing and proposed management plans for the Public/Quasi-Public lands. If feasible, the assumption that these lands provide adequate conservation and protection for Covered Species should be supported by scientific data. We recommend the FEIS and Record of Decision commit the Service to working with the Reserve Management Oversight Committee, consisting of representatives from public and private lands within the MSHCP Conservation Area, to ensure MSHCP requirements are incorporated into the management of these lands. Validation monitoring, enforcement, and contingency mitigation options where Public/Quasi-Public lands are not meeting conservation needs, should be fully described in the FEIS.

2. Despite the critical conservation role of Public/Quasi-Public lands, the DEIS does not provide a detailed description of the types of lands which have been included within this land classification. Additional land may need to be acquired to meet the MSHCP conservation requirements for Covered Species, if any of the Public/Quasi-Public lands are already being employed as compensatory mitigation.

*Recommendations:*

The FEIS should provide full disclosure of the types of lands included within the Public/Quasi-Public land classification and the extent these lands provide conservation and protection for covered species. For example, provide a detailed list of the quasi-public lands (e.g., utility lands, city and county parks, mitigation banks) which are included within this land classification. The FEIS should indicate which Public/Quasi-Public lands may already have been set aside as compensatory mitigation for impacts that have already or will soon occur. While these Public/Quasi-Public compensatory mitigation lands would contribute to the sustainability of covered species and sensitive resources, they should not be counted as mitigation and compensation lands for new development.

3. It is not clear how other federal activities (e.g., federally funded transportation facilities, Forest Service actions) are addressed by the MSHCP.

*Recommendations:*

The FEIS should describe how the MSHCP will address federal activities within the MSHCP Conservation Area and Criteria Areas. Would federal activities within the Conservation Area be subject to Section 7 consultation requirements pursuant to the Endangered Species Act (ESA) or would such actions be subject to a process similar to the Habitat Evaluation and Acquisition Negotiation Strategy (HANS) used for private development plans? If Section 7 consultations are still required for federal actions within the MSHCP Conservation Area and Criteria Areas, describe the process for assuring Section 7 consultation and MSHCP decisions are consistent and complementary.

## **Enforcement and Management of the MSHCP**

1. Given the scope of the MSHCP and the many unique species and habitats, we believe enforcement and management of the MSHCP is crucial. We are concerned with the reliance on revocation of the take authorization as the primary enforcement tool. We question whether the threat of revocation of the take authorization can assure successful implementation of the MSHCP. We believe the MSHCP and Implementation Agreement should clearly outline the grounds and circumstances for revocation of the incidental take permits, the consequences of revocation, and subsequent enforcement actions.

### *Recommendations:*

The FEIS, MSHCP, and Implementation Agreement should describe the enforcement process and enforcement tools, other than revocation of the take authorization, that can be used to ensure the MSHCP conservation goals are met. For instance, clarify the process and grounds for revocation of the Incidental Take Permits, the steps of the enforcement process, consequences of revocation of the permits, and subsequent steps that could be taken by the permittee, Service, County, and other parties to the MSHCP. Address whether the County or Cities could implement building moratoriums or revoke building permits and how impacts of “violations” of MSHCP obligations would be mitigated.

We urge the Service to provide clear future opportunities for public and agency input on the implementation and management of the MSHCP which, we believe, will help ensure adequate enforcement and oversight.

2. A number of incentives will be used to encourage developers to voluntarily sell or transfer the land required for the MSHCP Conservation Area. The DEIS and MSHCP do not describe other options available if voluntary incentives are not sufficient to ensure meeting MSHCP conservation goals.

### *Recommendation:*

The FEIS should discuss implementation tools, other than voluntary incentives and, if feasible, mandatory requirements, which are available and could be used as a last resort to ensure the goals and objectives of the MSHCP are met. A more detailed description of how property owners can pursue development plans within the potential Conservation Area and Criteria Areas would help ensure everyone understands the options for land development within these areas.

## **Scientific Support for the MSHCP**

1. The scientific validity of the MSHCP is important in assuring MSHCP conservation goals and objectives are obtained. We commend the work to provide species-specific data to



support the MSHCP planning effort. Of note is the creation of a Scientific Review Panel to review and provide input into the design of the MSHCP. The DEIS does not appear to describe or reference the scientific data that support MSHCP assumptions (e.g., adequacy of 600-foot buffer zones between urban and agricultural land uses) or the conclusion that the MSHCP, Conservation Area configuration, adaptive management and monitoring, species surveys, and avoidance and minimization policies will result in a less-than-significant impact to Listed and Non-Listed Covered species (pgs. 4.1-29, 4.1-88, DEIS, Volume IV). The Service should make full use of the Scientific Review Panel to help provide the above scientific data. We note the Scientific Review Panel had a number of concerns and recommendations regarding the proposed design of the MSHCP<sup>1</sup>

*Recommendations:*

The FEIS should include a summary of the scientific evidence supporting MSHCP assumptions and the conclusion of no significant impact to Listed and Non-Listed Covered Species. Establishing the scientific validity of the conclusion of less-than-significant effects is especially important for species that have a significant percentage of their habitat within the area subject to take (i.e., Delhi Sands flower-loving fly, pg. 4.1-16, DEIS, Volume IV).

The FEIS should include the Scientific Review Panel's final evaluation of the MSHCP. For instance, Tables 4B and 4C: Comparison of Effects on Listed and Non-Listed Covered Species by Alternative (pgs. 4.1-16 to 4.1-29, 4.1-33 to 4.1-86, DEIS, Volume IV), should include the findings of the Scientific Review Panel and other scientific evidence supporting the stated effects.

We recognize the scientific validation of MSHCP assumptions and conclusions may be provided in the extensive reference documents. We recommend the FEIS provide a summary of the scientific information and provide citations or references to this information.

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<sup>1</sup>Scientific Review Panel Review of: Draft Western Riverside County Multiple Species Habitat Conservation Plan, Michael F. Allen, Center for Conservation Biology, University of California, Riverside, no document date.

2. The MSHCP includes species presence and development thresholds to help avoid and minimize impacts to Covered Species and narrow endemic plant species. For example, impacts to 90 percent of those portions of a property that provide for long-term conservation value of narrow endemic plant species shall be avoided until it is demonstrated that Conservation goals for the particular species are met (pg. 6-39, Draft MSHCP, Volume 1).

*Recommendation:*

Inclusion of the presence and development thresholds is commendable. We recommend the FEIS provide a summary of the scientific information supporting the default thresholds. We believe it is important to establish that the proposed quantity and quality of habitat proposed for conservation in the MSHCP, with the defaults, is adequate to sustain the Covered Species.

**Tribal Resources and Consultation with Tribal Governments**

The DEIS and MSHCP do not address Tribal lands or Tribal resources located in the planning area. While the Tribes and their lands may not be participants in the MSHCP and incidental take authorizations, their lands and resources could be affected by potential changes to land use patterns. There are six reservations which could be affected by the MSHCP: Ramona, Morongo, Soboba, Cahuilla Indian, Santa Rosa and Pechanga Reservations. These six reservations comprise approximately 68,000 acres of Tribal lands. In addition, there may be off reservation Tribal resources and cultural sites which could be adversely affected by future development within the MSHCP plan area.

*Recommendations:*

All potentially affected Indian Tribes should be consulted on a government-to-government basis pursuant to the Executive Order on Consultation and Coordination with Indian Tribal Governments (enclosed). We also strongly recommend outreach to potentially affected Tribal members such as those who have property that may be affected by future development and to tribal organizations such as the Native American Environmental Protection Coalition which work with the Western Riverside Tribes. We urge the Service and MSHCP participants to work with affected tribes in minimizing and mitigating potential socioeconomic, cultural, and Tribal resource impacts. For assistance regarding how to work with Western Riverside tribal governments, you may contact Clancy Tenley, Indian Programs Office at 415-972-3785.

The FEIS should address potential impacts to Tribal reservations, resources, and cultural sites; and demonstrate that there has been consultation on a government-to-government basis with potentially affected Indian Tribes.

## **Biological Resources and Reserve Assembly**

1. The MSHCP Conservation Area began with the design of a Conceptual Conservation Scenario which identified acreage requirements for conserving the Covered Species. The range of required Conservation acreages totaled 380,000 to 510,000 acres of private and Public/Quasi-Public Lands (pg. 3-10, Draft MSHCP, Volume 1). It is not clear whether different Conservation Area configurations could provide more effective species conservation and protection. For example, the DEIS now identifies the upper range of required conservation acreage as 500,000 acres instead of 510,000 acres without indicating whether the elimination of 10,000 acres from the current Conservation Area design has improved the ability to conserve Covered Species.

### *Recommendations:*

The FEIS should include a map of the potential Conservation Area and Criteria Areas overlaid on the vegetation map for the entire planning area. Describe why certain habitat areas are excluded from the Criteria Areas and possible Conservation Area. The FEIS should also describe how and why 10,000 acres were eliminated from the originally estimated acres needed for conservation. If available, provide the scientific basis for this decision and show that the currently stated need of 500,000 acres meets the scientifically-validated acreage requirements for conserving the Covered Species. If 510,000 acres is a more realistic acreage requirement for conservation, than 163,000 acres of Additional Reserve Lands (510,000 acres minus 380,000 acres Public/Quasi-Public land), versus 153,000 acres, may be required to ensure sustainability of the Covered Species.

2. We are concerned that the Reserve Assembly process may not provide large blocks of contiguous habitat. The Reserve Assembly process is complicated whereby proposed development plans are evaluated to determine if all or a portion of the development property should be acquired for the MSHCP Conservation Area. Would portions of the property not acquired for the Conservation Area be available for development? How will the Reserve Assembly process assure the creation of large blocks of contiguous habitat over time?

### *Recommendations:*

The FEIS and MSHCP should provide an example of how the MSHCP Reserve Assembly process would work. This description should describe how the conservation criteria would be used to ensure habitat acquisition and conservation goals are met. The FEIS should also include a short synopsis of the other MSHCP management features, currently only described in Volume 1: The Plan, such as the urban/wildland interface policy, Rough Step Process, Habitat Evaluation and Acquisition Negotiation Strategy, narrow endemic plant species policy, and riparian/riverine areas/vernal pools policy.

3. The sensitive vegetation communities map used to design the MSHCP Conservation Area is based upon data from 1992 to 1993 (pg. 4.1-2, DEIS, Volume IV). The DEIS states that use of this old data is not important because the vegetation map will be updated during the reserve assembly process which will require detailed vegetation data collection. EPA is concerned that use of old vegetation data increases the risk that critical habitat will not be available for conservation acquisition. The proposed MSHCP Conservation Area configuration is based upon the availability of critical habitat for acquisition at the time development plans are submitted for approval. However, given the rapid urbanization of Riverside County, it is likely that many critical habitat areas will soon be or have already been lost or compromised and can no longer be assumed available for the conservation of Covered Species.

*Recommendation:*

We recommend the FEIS address the consequences of using out-of-date vegetation map data in terms of the MSHCP's ability to acquire conservation lands. Compare the availability of a critical habitat area as shown on the old vegetation map and as documented in a quick on-the-ground survey. It may also be possible to compare the older vegetation map data with more current data from the Corps of Engineers Special Area Management Plan (SAMP) to help determine whether the old map data over- or under-estimates existing habitat available for conservation.

4. The MSHCP and take authorization cover a 75-year permit period. Biological systems inherently change. Organisms fluctuate and change over time where ecosystems are dynamic, driven by catastrophic events and climate change. The DEIS and MSHCP do not appear to discuss the management implications of these natural long-term ecological changes. We note that the Scientific Review Panel has also expressed concerns regarding the consideration and management for these changes.<sup>2</sup>

*Recommendations:*

The FEIS should provide basic information about the inherent change of ecosystems, species, and populations, including climate change and changes due to catastrophic effects, natural shifting of species populations, and human-induced changes such as invasion of exotic species and habitat fragmentation. This information is readily available in text books on ecological systems and climate change. Identify features of the MSHCP that will help ensure adequate habitat conditions for Covered Species in the presence of change over the permit period. For example, describe whether the Conservation Area will provide sufficient acres of diverse habitat types to accommodate reasonably foreseeable shifts in

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<sup>2</sup>Ibid, pgs. 2-4.

species population numbers and ecological needs (e.g., shifts prey and food sources, water supply).

5. The DEIS states that at build-out, approximately 491,300 acres of currently vacant and agricultural lands are anticipated to shift to community development/rural uses (pg. 2.1-9, DEIS, Volume IV).

*Recommendation:*

We recommend the FEIS discuss whether these lands have habitat important to the sustainability of covered species and how the potential loss of this habitat will be offset by the proposed MSHCP.

6. The narrative and Maps in the MSHCP and DEIS group playas and vernal pools together (pg. 2-24, Draft MSHCP, Volume 1). As stated by the Scientific Review Panel<sup>3</sup>, playas and vernal pools are distinctly different ecosystems.

*Recommendation:*

Vernal pools and playas are distinct ecosystems and should be addressed separately in the FEIS and MSHCP. Scientific evidence or citations should be provided to support the conclusions that the MSHCP adequately conserves these valuable and unique habitats.

7. The California Fish and Game Code includes a prohibition of take for species listed on California's fully protected species list. Although this State regulation is addressed in the MSHCP Implementing Agreement, it does not appear to be addressed in the DEIS.

*Recommendation:*

We recommend the FEIS include a short description of the fully protected species requirement of the California Fish and Game Code and its implications for implementation and enforcement of the MSHCP.

**Analysis of Indirect and Cumulative Impacts**

The DEIS does not evaluate potential indirect or cumulative impacts of the MSHCP because identification of the location of future development would be speculative (pgs. 1.5-5 to 1.5-11, DEIS, Volume IV). The Council on Environmental Quality (CEQ) states that the EIS must identify all the indirect effects that are known, and make a good faith effort to explain the

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<sup>3</sup>Ibid, pg. 19.

effects that are not known but are “reasonably foreseeable.” Where there is uncertainty about indirect effects, the action agency has the responsibility to make an informed judgement and to estimate future impacts on the basis of likely development trends and land use (Question #18, 40 Questions and Answers About the NEPA Regulations, CEQ Memorandum, March 16, 1981). The MSHCP would remove endangered species impediments to growth outside the MSHCP Conservation Area and could intensify and change development patterns (pgs. 1.5-5 and 5.1-9, DEIS, Volume IV). Although the exact location of future development may not be known, we believe the General Plan, CETAP, and MSHCP design could provide a reasonable estimate of development trends, location, and land use at build-out.

*Recommendations:*

We urge the Service and Riverside County to include an analysis of the indirect and cumulative impacts that could occur at different stages of development utilizing information from the General Plan, CETAP and MSHCP. We also recommend a firm commitment in the FEIS to subsequent project-specific environmental analysis in order to ensure potential impacts of future development are fully understood and considered. The MSHCP should describe how it will address indirect and cumulative impacts (e.g., air quality, water quality and quantity, invasive species) of future development on Covered Species and sensitive resources.

**Funding of the MSHCP**

1. The MSHCP Reserve Assembly process describes acquisition and conservation criteria for designated “Criteria Areas.” Although Criteria Areas are not tied to a specific County assessor’s legal parcel or specific property, identification of desirable acquisition areas could promote land speculation.

*Recommendation:*

We recommend the FEIS and MSHCP address the potential for increased land prices due to land speculation in light of land acquisition goals of the MSHCP.

2. The first 25 years of the MSHCP will be focused on preliminary species and habitat surveys, monitoring, and acquisition of conservation lands. Funds will be provided from various sources including the Development Mitigation Fees. While the process of evaluation of lands for acquisition is described, it is not clear how these lands will be prioritized for purchase.

*Recommendation:*

The MSHCP and FEIS should provide a description of the process for prioritizing the lands to be acquired. For instance, describe whether specific core areas and linkages, specific habitat types, or specific conservation lands will be given priority for purchase. Describe other funding options which could be used if the

proposed funding mechanisms are not sufficient to ensure acquisition and maintenance of the required acreage of conservation lands.

Summary Paragraph

DEIS Western Riverside County, California, Multiple Species Habitat Conservation Plan  
March 5, 2003

EPA strongly supports the integration of regional planning efforts for future land use, transportation, and conservation needs. We are concerned that the information from other regional plans has not been fully integrated with the analysis and conclusions of the MSHCP. Other EPA concerns are the assumptions regarding the level of species protection provided by Public/Quasi-Public lands, the scientific basis of MSHCP assumptions and conclusions, enforcement, and consultation with and evaluation of potential impacts on Indian Tribes. We also recommended the Service provide future opportunities for public and agency input, and consult with Indian Tribes on a government-to-government basis.