



CALIFORNIA
NATIVE PLANT SOCIETY

March 19, 2018

Russell Brady, Project Planner
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Re: Paradise Valley Specific Plan SCH #2015101031; SP 339; GPA 686; CZ 6195; EIR 506 and Draft Environmental Impact Report

Dear Mr. Brady,

Thank you very much for the opportunity to provide comments on the Draft Environmental Impact Report (DEIR) for the Paradise Valley Specific Plan (the Project). The proposed Project amounts to the creation of a new city in a remote and currently undisturbed portion of the California desert. As proposed, the Project includes the creation of 8,490 residential units and 1.38 million square feet of non-residential development on 1,850 acres of desert habitat. The entirety of the Project is located within the boundaries of the Coachella Valley Multiple Species Conservation Plan (CVMSHCP), where it occupies a portion of the Desert Tortoise and Linkage Conservation Area (DTLCA). Importantly, the Project site represents a critically-important biological corridor between Joshua Tree National Park to the north and the Orocopia Mountains, Mecca Hills Wilderness and Box Canyon to the south. The Project is at odds with the conservation goals of the CVMSHCP, and represents leapfrog development that is inconsistent with modern, proactive planning efforts. These facts alone render the Project site unsuitable for development.

The California Native Plant Society (CNPS) is a statewide, non-profit organization with 10,000 members distributed across 35 local chapters. The mission of CNPS is to conserve California native plants and their natural habitats, and to increase the understanding, appreciation, and horticultural use of native plants. In line with our mission, our review of the DEIR has focused on understanding potentially significant impacts to native plants and habitats associated with the Project. We have identified several areas of the DEIR that need further attention including, but not limited to insufficient surveys for special status plant species, inadequate mapping of vegetation and washes, and significant impacts to Desert Dry Wash Woodland (DDWW). For the reasons detailed below, the DEIR is incomplete and requires substantial revision. Following this revision, the EIR will need to be made available for another round of public review.

I. Botanical surveys are outdated and inadequate

The documentation of the botanical resources of the Paradise Valley Specific Plan Study Area relies heavily on historical surveys conducted on the property from 1995-2002. Although these studies provide important information on the biological resources of the property and study area, they should be considered out of date for the DEIR. More recent surveys, conducted in 2011-2012, including updated vegetation mapping and special status plant surveys are generally poorly documented and incomplete. The more recent surveys provide little information on the composition of plant communities on the project site and are overly reliant on the existing literature. These studies do not appear to comply with the California Department of Fish and Wildlife's Botanical Survey Guidelines¹ for surveying for special status plant species or documenting natural communities within the study area. More specifically:

A. *Surveys for special status plant species are outdated and/or insufficient*

- Appendix D-5 of the DEIR serves as a primary source of information on the site's botanical resources. The vast majority of this survey work was done in 2001, nearly 17 years ago. The CDFW Guidelines state that surveys should be conducted within five years of an EIR. As a result, these surveys should be considered outdated. Additionally, the 2001 surveys were completed by four botanists over the course of four days. Appendix D-5 does not mention survey methodology, including whether or not the surveyors walked transects and if they covered the entire project site.
- Surveys in 2009 are also referenced in Appendix D-5, but appear to only include "field reconnaissance" conducted by a single biologist. No further information is provided about the dates of and the amount of time devoted to this survey is provided. As a result, it is impossible to determine the adequacy of these efforts.
- Surveys in 2012 were conducted by two biologists walking transects at approximately 300 meter intervals. This spacing is inadequate to ensure full visual coverage of the site. The exact dates of surveys and the total amount of time invested in surveys is not provided.

B. *It is impossible to properly assess if the timing of surveys for special status plant species was appropriate*

While surveys in 2001 and 2012 took place in the spring, the information provided makes it impossible to determine if rare plants were detectable during surveys. Weather station data provided in Appendix D-5 for surveys in 2001 indicate that seasonal precipitation was at or near average. However, there is no discussion of the timing of precipitation in the winter/spring of 2000-2001. Research indicates that while the overall amount of precipitation is important for the germination and/or growth of desert plant

¹ Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (PDF), Dept. of Fish and Game, 11/2009. <https://www.wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>

species, the timing of said precipitation is also of primary importance^{2,3}. For the 2012 surveys, there is no reference to the amount or timing of precipitation during the 2011-2012 water year. The detectability of rare plants during 2012 survey is questionable given drought conditions that prevailed in California during this time period⁴. This fact should have necessitated visits to reference populations of potential rare plants. Visits to nearby populations of potential rare plants is necessary to determine if a given species is detectable on a project site in a given year (see CDFW Guidelines). None of the botanical surveys that inform the conclusions in the DEIR include information on visits to reference sites. As a result, it is impossible to determine if rare species that are potentially present on the site were detectable during surveys.

C. The lists of special status plants with potential to occur on the site were prepared after the completion of botanical surveys

The list of potential special status plants generated prior to the initiation of surveys is central to any comprehensive botanical survey. This list enables botanists to decide the timing of surveys and informs the botanists about the habitats on a project site that need to be covered in greater detail. The composition of the lists of potential special status plant species is inconsistent in the DEIR. For example, Appendix D-5, associated with 2001 surveys includes 10 plants, while Appendix D-4 includes 18 plants, and Appendix D-2 includes 24 plants. Appendix D-7, associated with 2012 surveys, does not include a list of potential special status plant species. Appendix D-2, is emphasized as the list of potential special status plant species in the DEIR, but was compiled in March 2015, after the completion of all botanical surveys. While Appendix D-2 contains the most complete list, it did not inform any of the botanical survey work. As a result, surveys in 2001 and 2012 did not focus on numerous species that have potential to occur on the site.

D. The DEIR fails to disclose the presence of two special status plant species on the Project site

According to the DEIR, no special status plant species were found on the Project site. However, the Consortium of California Herbaria⁵ documents a single herbarium collection of Hall's tetraococcus (*Tetraococcus hallii* [CRPR 4]) on the project site, "just northeast of an unnamed freeway exit at pumping station." This location is within the northern portion of the Project site and is slated to be impacted by development. Hall's tetraococcus has high potential to occur on the project site, according to Appendix D-2. In Appendix D-6, foxtail cactus (*Coryphantha alversonii* [CRPR 4]) was documented during the course of vegetation surveys in the southern portion of the project site. Despite its

² Beatley, Janice C. "Phenological events and their environmental triggers in Mojave Desert ecosystems." *Ecology* 55.4 (1974): 856-863.

³ Pavlik, Bruce M. *The California deserts: an ecological rediscovery*. Univ of California Press, 2008.

⁴ Seager, Richard, et al. "Causes of the 2011–14 California drought." *Journal of Climate* 28.18 (2015): 6997-7024.

⁵ Consortium of California Herbaria. http://ucjeps.berkeley.edu/cgi-bin/new_detail.pl?RSA684335&YF=0

presence on the site, foxtail cactus has a moderate potential to occur on the project site in Appendix D-2. Given that neither of these two special status species is noted as present in the DEIR, the document does not address if potential impacts to either of these species are significant. Also, as impacts to Hall's tetracoccus and foxtail cactus have not been evaluated no mitigation measures for these species have been proposed. This needs to be corrected. Furthermore, foxtail cactus is a cactus and Hall's tetracoccus is a shrub. Both of these species are persistent and identifiable on a year-round basis. The fact that neither of these species was noted in the DEIR is evidence of the inadequacy of the botanical survey effort, and the analysis of potential impacts to special status plant species.

E. The full species list in Appendix D-5 needs to include additional information

The full species list in Appendix D-5 includes "Nemacladus sp." and "Mentzelia sp.", indicating that botanists found plants from these two genera that were not identified to species. Slender Nemacladus (*Nemacladus gracilis* [CRPR 4]) is found nearby in Joshua Tree National Park. It is not included in the list of potential special status plants in Appendix-2. Spiny-hair blazing star (*Mentzelia tricuspidis* [CRPR 2B]) is included Appendix D-2 with low potential to occur on the site. More information is needed to confirm if either of these species is present on the site.

II. Vegetation surveys and mapping are inadequate

Overall, vegetation mapping is too general and should have been conducted to the Association level, in accordance the Manual of California Vegetation⁶. Appendices D-5 and D-6 detail mapping based on vegetation classifications that are outdated by more than 20 years. Specifically, the surveys associated with Appendix D-6 were completed in 2011, more than two years following the publication of the Manual of California Vegetation. As a result, there is no justifiable reason for the mapping not to have been completed to current standards. It should be noted that once mapped to the more-detailed, Association level, vegetation types can easily be cross-walked to more general types to allow for compatibility with regional planning efforts, such as the CVMSHCP that were completed prior new standards. The CDFW identifies Sensitive Natural Communities⁷ that are considered rare in California. Significant impacts to Sensitive Natural Communities need to addressed in projects under CEQA. As the DEIR does not include mapping to current standards it is impossible to determine if significant impacts to Sensitive Natural Communities will occur on the project site. This needs to be corrected.

Additional issues related to the documentation of vegetation and habitats on the Project site include:

⁶ <http://vegetation.cnps.org/>

⁷ <https://www.wildlife.ca.gov/Data/VegCAMP/Natural-Communities>

- Vegetation mapping should have been compared to the mapping completed for the Joshua Tree National Park (JTNP)⁸ and cross walks should have been developed to compare the mapping units between the final project vegetation map and the JTNP mapping.
- The mapping failed to note any unique cacti assemblages found within the study area. The plant species list notes a high diversity of cacti species and it is likely that stands of these cacti can be found within the project site. Therefore, these stands should have been mapped as unique vegetation features occurring on the project site.
- Stands of smoke tree (*Psorothamnus spinosus*) and ironwood (*Olneya tesota*) are found within the ephemeral washes on the project site. These stands and their associated alliances are considered sensitive communities by CDFW and should have been as separate mapping units within the Desert Dry Wash Woodland (DDWW) mapped on the Project site.
- The main purpose of the description of the natural resources of the project site, is to provide the reader with an overview of the current condition of these resources at this locality. However, at times, information from the existing literature is mixed with the descriptions of onsite resources (see page 4.4-16) For other communities, such as Sonoran Creosote Bush Scrub Bench, no descriptions of the characteristic plant species of this community are provided.
- The DEIR notes that DDWW is equivalent to only one alliance, the Blue Palo Verde – Ironwood Woodland. However, based on the plant species list provided for this project (Appendices D-5, D-7), it appears that more alliances may be present in these washes. Specifically, the potential presence of a smoke tree alliance cannot be eliminated. The text should provide more emphasis on the fact that all of the existing natural communities are considered sensitive, and that some alliances found in the dry desert washes are considered very sensitive resources in the region.

III. Impacts to biological corridors are not adequately addressed

The project site is situated, in its entirety, within the DTLCA, and approximately 3,975 acres of biological corridors are located on the project site. The DTLCA was identified to preserve important linkages between Joshua Tree National Park to the north and the Orocopia Mountains, Box Canyon, and Mecca Hills to the south. The Project, as sited is inconsistent with the very reason for the creation of the DTLCA, and its conservation objectives. In the DTLCA, 26,122 acres of biological corridors are to be preserved, and only 1,572 acres of disturbance are allowed. As proposed, the Project would impact 820 to 860 acres of biological corridors. In the current area of climate change, preserving corridors between mountain ranges and across environmental

⁸ <https://www.sciencebase.gov/catalog/item/54528888e4b0d48d9fb034a7>

gradients is critical to the conservation of plant and animal species⁹. On a finer scale, the CVMHSCP (section 4.3.17) states that preserving hydrological processes in the project area are necessary to maintain desert dry wash woodland. For these reasons (and many others), the Project is inconsistent with local and regional conservation objectives.

IV. The Project has unmitigable impacts to Desert Dry Wash Woodland Habitats

Approximately 13,564 acres of Desert Dry Wash Woodland (DDWW), of which 12,800 must be conserved to satisfy conservation objectives. Central to the conservation of this habitat (CVMHSCP 10.8.2.1) is the “protection of ecological processes, which may include hydrological regimes, necessary to maintain this natural community.” Given that the conservation of DDWW requires large-scale ecological processes, this habitat is vulnerable to habitat fragmentation. Habitats such as these must be conserved in large tracts, not in isolated fragments. As a result, only 764 acres are subject to impacts under the CVMHSCP. According to the DEIR, the project will directly impact 1,179 to 1,190 acres of this habitat type, thus exceeding the maximum allowable impact by 415 to 426 acres. The DEIR (4.4-42) states that under the CVMHSCP 990 to 4,043 acres of DDWW are open to impacts in the DTLA. Irrefutably, Section 10 of the CVMHSCP states that only 764 acres of this habitat are open to disturbance in the DTLCA. This discrepancy should be corrected in the DEIR. One of the key features of Shavers Valley is the presence of extensive DDWW and associated upland habitats. The extensive nature and intact condition of this habitat is the result of intact hydrological processes and sediment transport regimes. The DEIR has not adequately demonstrated that these processes would be preserved. The project exceeds the allowed acreage of disturbance of this habitat in the DTLCA and is thus inconsistent with the CVMHSCP. Additional issues associated with impacts to DDWW include:

A. The Potential Use of Like Exchange to account for exceeding the allowable acres of DDWW disturbance is questionable.

The DEIR (4.5-50) states that “it is feasible to provide the required conservation lands through Like Exchange and/or a transfer of Conservation Objectives between conservation areas to create the additional acres of authorized disturbance within the DTLCA.” The CVMHSCP 6.12.2 states that “When a Like Exchange is proposed, the applicable Permittee(s) shall meet and confer with the Wildlife Agencies prior to submittal of Like Exchange analysis to the CVCC. The Permittee will prepare an equivalency analysis. Upon submittal of a completed equivalency analysis, the Wildlife Agencies shall respond in writing within 60 days (of acknowledged receipt) as to their

⁹ Hodgson, Jenny A., et al. "Climate change, connectivity and conservation decision making: back to basics." *Journal of Applied Ecology* 46.5 (2009): 964-969.

concurrence with the Like Exchange. If the Wildlife Agencies do not concur the action shall require an Amendment to the MSHCP. Like Exchanges must also be submitted to applicable Permittees for approval.”

To our knowledge the procedures outlined for approval of Like Exchanges as outlined in the CVMSCHP have not been completed. The feasibility of Like Exchanges to ameliorate exceedances to the allowable disturbance of DDWW in the DTLCA is unproven. Several specific questions central to this feasibility are not addressed in the DEIR. The DEIR does not adequately assess the quality of DDWW habitats in other conservation areas. Are these areas of similar quality? Is the habitat on private land in other conservation areas available for purchase? Is a table detailing the number of acres available in other conservation areas without any maps or detailed information on these areas provided for review sufficient?

B. The potential use of transfer of conservation objectives for DDWW is also questionable

The transfer of conservation objectives is detailed in CVMSHCP 6.0. The DEIR (4.4-50) proposes to transfer impacted acreage of DDWW from one conservation area to the DTLCA to compensate for exceeding the maximum allowable take for this habitat type. The CVMSHCP necessitates that the transfer of conservation objectives must not “reduce the conservation value of the lands that will be conserved based on natural community patch size, configuration, and juxtaposition within the matrix of Conserved Habitat and is of greater or equal habitat value.” Furthermore, the transfer must not reduce the conservation of the species or habitat, and cannot result in an increase in take within the plan area. Lastly, transfers must be “within kind,” and be based on species-specific criteria.

The DEIR proposes this as a means to compensate for exceeding the maximum acreage of allowed take for DDWW in the DTLCA. Details for this proposed measure are lacking. The DEIR does not demonstrate the availability of potential lands in other conservation areas with similar habitat qualities found on the Project site. In order for this to be a viable measure the DEIR would have to demonstrate the availability of transfer lands where DDWW occurs in large, contiguous stands with intact ecological processes.

V. The Project fails to address potential impacts to Sonoran Creosote Bush Scrub

Sonoran Creosote Bush Scrub (SCBS) occurs on approximately 3,639 acres of the Project site. In the DTLA, 54,996 out of 58,229 acres is targeted for conservation, leaving only 3,233 acres are subject to impacts. According the DEIR (4.4-13) 1,140 acres of this habitat will be directly impacted. Yet, there is no assessment of the potential impacts to this habitat type in the DEIR. In the CVMSHCP (Section 10.3.2), Sonoran Mixed Woody and Succulent Scrub is a very rare habitat type that has the potential to occur on the project site. Sonoran Mixed Woody and Succulent Scrub

occurs within the DTLCA and might be confused with SCBS. The presence of a large number of cacti in the species list in Appendix D-5, and the density of cacti observed in some areas of the project site generate concern that this rare habitat type may have been overlooked in the DEIR. Given that vegetation mapping was done at a very coarse level it is impossible to assess if impacts to this habitat type will occur with the proposed development.

VI. The Project will cause potentially significant impacts to Mecca Aster Core Habitat

Mecca aster (*Xylorhiza cognata*) is species covered in the CVMSHCP. Conservation Goal 1 in the CVMSHCP (9.2.1) for Mecca Aster is to “protect Core Habitat areas that include occupied habitat, and associated essential ecological processes, allowing evolutionary processes and natural population fluctuations to occur. Minimize fragmentation, human-caused disturbance, and edge effects to Core Habitat by conserving contiguous Habitat patches and effective Linkages between patches of Core Habitat.” Goal 2 is to, “protect other conserved habitat to provide sufficient area and variety of habitat types to accommodate population fluctuations, allow for genetic diversity, and to conserve the full range of environmental conditions within which this aster is known to occur.”

Approximately 353 acres of Mecca Aster Core Habitat occur on the Project Site. The nearest known population of Mecca Aster is known to occur within 1.25 miles from the Project boundary, and 0-5 acres of Core Habitat will be impacted, according to the DEIR. Given the extreme rarity of this species, potential edge effects and indirect threats are of importance to its conservation. These threats are not adequately addressed in the DEIR. For example, the DEIR does not address the potential effects of development upstream on mecca aster including altered hydrology, sediment transport, and the spread of invasive plants from the Project site to adjacent areas. The CVMSHCP and McGlaughlin (2008¹⁰) both indicate that the primary threat to Mecca Aster are impacts associated with off-highway vehicles (OHVs). The DEIR does not address the potential for increased OHV use of the habitat of Mecca Aster by residents of the proposed development. Adding 16,000+ residents to Shavers Valley will undoubtedly increase use of adjacent lands for recreation purposes. These uses will include OHV use in the Mecca Hills and this will impact Mecca Aster.

VII. The assessment of jurisdictional waters/wetlands contains numerous issues that need to be corrected

Upon review of the jurisdictional delineation report prepared for Project, we note that critical U.S. Army Corps of Engineers¹¹ guidance references were not cited, and the

¹⁰ McGlaughlin, Mitchell. 2008. A conservation plan for mecca aster, *Xylorhiza cognata* (Asteraceae). Rancho Santa Ana Botanic Garden Occasional Publications, Number 8.

¹¹ U.S. Army Corps of Engineers (Corps). 2008. Regional Supplement to the Corps

procedures for determining the locality of the Ordinary High Water Mark (OHWM) may not have been correctly applied with these episodic drainages. In addition, MESA (CEC 2014¹²) procedures do not appear to have been used to determine the areas of these episodic drainages that may be under the jurisdiction of the Calif. Dept. of Fish and Wildlife. This may have resulted in the DEIR under reporting the total area of jurisdictional Waters found on the project site.

Overall, it appears that only the low flow channels were delineated as the jurisdictional areas of Waters of the United States found on the project site. However, the Corps procedures for determining the Ordinary High Water Mark (OHWM) in these episodic drainages documents that the active floodplain defines the Waters of the US, and not the low flow channels. As noted in the field manual, the “OHW zone in low-gradient, alluvial ephemeral/intermittent channel forms in the Arid West is the active floodplain. The dynamics of arid channel forms and the transitory nature of traditional OHWM indicators in arid environments render the limit of the active floodplain the only reliable and repeatable feature in terms of OHW delineation” (Lichvar and McColley 2008¹³).

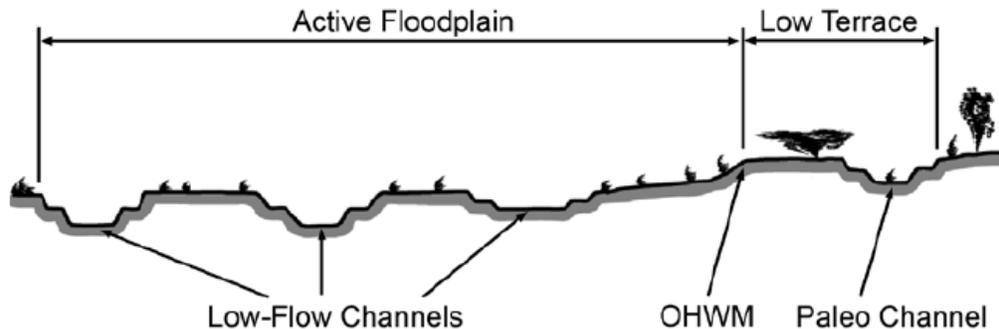


Figure 1: Active Floodplain for Arid West Delineations (from Figure 1 of Curtis and Lichvar 2010¹⁴)

of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0).

¹² California Energy Commission (CEC). 2014. Methods to Describe and Delineate Episodic Stream Processes on Arid Landscapes for Permitting Utility Scale Solar Power Plants with the Mesa Field Guide.

¹³ Lichvar, R.W. and S.M. McCooley. 2008. A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States, A Delineation Manual.

¹⁴ Curtis, K.M. and R.W. Lichvar. 2010. Updated Datasheet for the Identification of Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States.

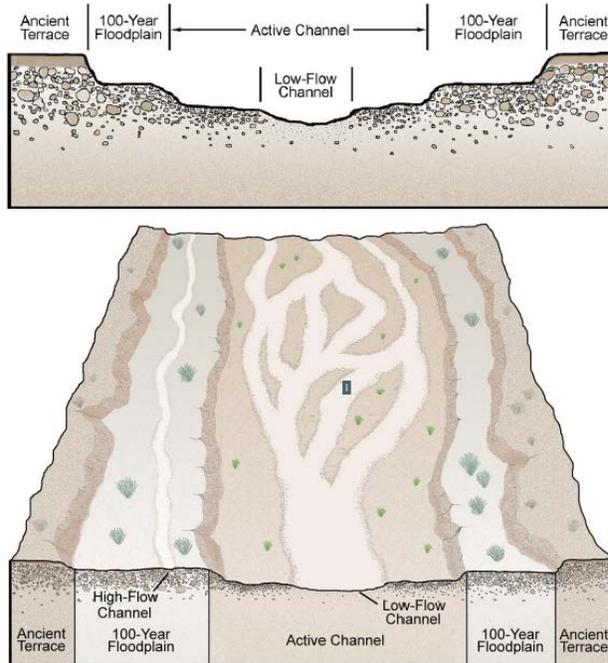


Figure 1. Hydrogeomorphic floodplain units of a typical ephemeral or intermittent stream in the Arid West.

Figure 2: Episodic Channel, Hydromorphic Units (From Figure 1 of Curtis et al. 2011¹⁵)

It was noted that a large area of these episodic channels were delineated as potentially jurisdictional for the 1600 agreement from CDFW. However, it is apparent that this study did not use the MESA procedures (CEC 2014) for delineating episodic stream channels, especially Appendix G Mapping Episodic stream activity. The MESA guide notes that the jurisdictional area will be the active watercourse in these episodic channels, which is at a minimum assumed to be the active floodplain of the episodic channel. The definition of the active channel for these delineations will include the 100-year flood plain vs. the Corps procedures which do not include these areas in their concept of the active channel. It does not appear that the entire CDFW jurisdictional areas were included in the CDFW Waters delineation on the project site, and the total jurisdictional CDFW acreage may have been underestimated in the studies performed for this project. As a result, it is highly recommended that the delineation report be revised before the completion of the FEIR. This would potentially provide a more accurate determination of the potentially jurisdictional episodic waters found on the project site. Additionally, we would like to recommend the following:

- Prepare a detailed methods section for the revised version of this report that would document how the active floodplain within the study area was determined for this study. More details should also be provided on the data collected on each transect across these episodic channels, and the OHWM data sheets should have been included in an Appendix to this document. This section should

¹⁵ Curtis, K.M., R.W. Lichvar, and L.E. Dixon. 2011. Ordinary High Flows and the Stage-Discharge Relationship in the Arid West.

note the procedures to define the CDFW jurisdictional areas within these washes and why the MESA procedures were not used for the CDFW delineations.

- The Hydrology section should be expanded to provide more information on the washes within the study area. The known hydrological characteristics, including maximum flood flows and flood flow elevations should be provided, along with the currently known intervals of flooding events in the Pinkham and other washes within the study area.
- The geomorphology section should provide more details on the characteristics of these episodic channels, and the differences in channel composition as these channels exit the confines of the Cottonwood mountains onto the larger alluvial plain of the Shavers Valley. Representative cross sections could be a useful tool in providing the reader a representative view of the active vs. the 100 year flood plain areas of these channels.
- The Regulatory Section needs to be updated, to provide the concepts presented in the OHW manuals from the Corps of Engineers. It should note the concept of the delineation of active floodplain to note the area of jurisdictional waters within the study area. In addition, this section should also provide a comprehensive summary of the information presented in the recent Corps publications on the delineation of ephemeral channels based on the OHWM.
- The information on delineation of these ephemeral channels for the 1602 agreement, needs to be thoroughly updated to present the recent information on the delineation of episodic stream channels that has been developed by CDFW and other state agencies. A detailed overview of the MESA procedures for mapping these channels should be provided to the reader in this section of the report.

VIII. The Project should be required to undergo Joint Project Review prior to moving forward

The Joint Project Review (JPR) process is designed to ensure that projects within conservation areas are consistent with the CVMSHCP. Section 6.6.1.1 of the CVMSHCP states that, "Consultation with CVCC is needed at this early stage to ensure that alternatives are fully evaluated to achieve Conservation Area Conservation Objectives prior to public release of environmental documents prepared pursuant to CEQA." It further states that project applications, "will not be deemed complete by the Permittee prior to completion of the Joint Project Review Process." The "Permittee" in this case is the County of San Bernardino. Section 6.1.1.1 also states that, "CVCC staff shall prepare and distribute comments that address the proposed project's consistency with the Conservation Area Conservation Objectives and Required Measures and delineate the status of Rough Step in the affected Conservation Area. The comments shall be sent to the appropriate Local Permittee, the project applicant, and the Wildlife Agencies. CVCC shall also send the Wildlife Agencies a copy of the project application."

Based on the information provided above, it is clear that the Project applicant should have completed the JPR process prior to the issuance of a DEIR. The DEIR (4.4-63), indicates that, "prior to approval of each project-level entitlement, the Applicant shall

complete a JPR process and obtain Take authorization from the County under the CVMSHCP for the Covered Species within the area to be developed pursuant to the project-level entitlement.” This piecemeal approach to ensuring the consistency of the Project with the conservation goals of the CVMHSCP, is a distortion of how the JPR process should be applied. The JPR process is indicated as Mitigation Measure 1 (MM-BIO-1), as a remedy for a variety of impacts including the loss of DDWW habitat, biological corridors, and Core Habitat for Mecca Aster. Given that the JPR must be completed in order to ensure that a project is consistent with the conservation goals of the CVMHSCP, how can this be used a mitigation measure in the DEIR? The DEIR, should be considered premature and incomplete in its current form. As a result, further review of the DEIR should be delayed until the completion of the JPR process.

Once again, thank you very much for the opportunity to review the DEIR for the Paradise Valley Specific Plan. If you have any questions, please feel free to contact me.

Sincerely,



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