

Regional Advanced Mitigation Planning – Advisory Task Group

List of Public Comments

Received before 5pm on Thursday, December 9, 2021

	Date Received	Sender Name	Organization	Agenda Item (AI #)	Subject Matter
1.	12/9/21	Marc W. Hardy	Tejon Ranch Company	AI #3	Comments to SoCal Greenprint Process and Assertion that SCAG does not include a flawed AVRCIS as a Data Source in Greenprint
2.	12/9/21	Adam Wood	Building Industry Legal Defense Foundation	AI #3	SoCal Greenprint Planning Advisory Task Group



December 9, 2021

Via Electronic Mail

(scaggreenregion@scag.ca.gov.)

Southern California Association of Government

900 Wilshire Blvd., Ste. 1700

Los Angeles, CA 90017

RE: Comments to SoCal Greenprint Process and Assertion that SCAG does not include a flawed AVRCIS as a Data Source in Greenprint

Dear Members of the Regional Council, Steering Committee Members, and Staff:

This letter is sent in connection to Tejon Ranch Company's letter dated August 18, 2021 and October 5, 2021, wherein the Company objected to the inclusion of the Antelope Valley Regional Conservation Investment Strategy ("AVRCIS") as a dataset source in the proposed SoCal Greenprint. In response, SCAG staff elected to not include the draft AVRCIS in the proposed dataset as it had not yet been approved by the California Department of Fish and Wildlife ("CDFW"). CDFW approved the final AVRCIS on December 2, 2021, but in doing so they did not hold the Proponents accountable for curing the purposely biased infirmities in the data supporting their science modeling despite direction to do so in CDFW's August 13, 2020, substantive review letter addressed to the Proponents (enclosed herewith):

"To ensure that it (AVRCIS) satisfies best available science requirements, please check, incorporate, and cite major new sources and data that may significantly change or supplement the analysis." (See Comment #2.)

The Proponents, namely the Desert Mountain Conservation Authority (DMCA), their consultants, and members of the AVRCIS Steering Committee and AVRCIS Advisory Committee, a rogue committee comprised of numerous entities and individuals that usurped the AVRCIS process for their own personal agenda, chose to ignore this directive while noting in their attached Appendix C of the final AVRCIS "Public Outreach", enclosed herewith, which includes "Comments on Draft Antelope Valley RCIS and Responses" (RTC), that the project level and planning level scientific data identified in our comment letters to DMCA and CDFW - environmental documents prepared pursuant to the California Environmental Quality Act ("CEQA") for the Centennial Specific Plan, Northwest State Route 138 Expansion and the Antelope Valley Area Plan ("AVAP") – was in fact superior, but offered that incorporation of that best available science would bias their analysis

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toward the scientific analyses produced in support of certified EIRs which does not suit the Proponent's purpose:

RTC 10-3 "Had Tejon Ranch chosen to stay in the RCIS area the important project-specific data would have been requested and presumably acquired directly from Tejon Ranch to ensure that the RCIS was using the best available science and data for this portion of the former RCIS area." This comment clearly communicates that the project level data is the best available science and that it would be appropriate for incorporation for modeling purposes.

RTC 10-9 Inclusion of the project level data from the Centennial Specific Plan and Caltrans State Route 138 widening projects would bias the overall planning effort toward the additional survey efforts completed for those projects." This is a direct contradiction to the notion offered by the Proponents in RTC 10-3 and clearly exhibits a bias toward discounting local land use authority in the analysis.

RTC 10-10 "While the project level data is more accurate for those areas, including that level of data for only some portions of the RCIS area (SR138 & AVAP) into the scientific modeling would make the overall model results less accurate. Again, this is a direct contradiction to the notion offered by the Proponents in RTC 10-3 and clearly exhibits a bias toward discounting local land use authority in the analysis.

It is clear from these responses that the Proponents purpose is to incorporate admittedly inferior science as the best available scientific data to be used as a tool in thwarting the execution of the Antelope Valley Area Plan/Los Angeles County General Plan. The Proponents present in their response to comments made by the City of Palmdale that they do not condone or support misuse of the AVRCIS to usurp local land use authority, but the Proponents have already done so. The Center for Biological Diversity ("CBD") and the California Native Plant Society ("CNPS"), both of whom are members of the AVRCIS Advisory Committee, have already weaponized the AVRCIS in challenging a legislatively approved project within the AVAP Economic Opportunity Areas ("EOAs") and did so long before the AVRCIS was approved as final by CDFW. This effort blatantly exposes the true intent of the Proponents which is to use the AVRCIS as a weapon in CEQA litigation to stop development within the AVAP EOAs.

SCAG has touted the merits of Greenprint as an interactive tool targeted to support land planners, conservation practitioners, developers, infrastructure agencies and other stakeholders in shaping and guiding not just conservation and sustainability in the region but future development. The utility of any tool is judged by its usefulness and reliability for which the tool is intended to be used. For the reasons more comprehensively described in the August 18th and October 5th letters, and prior communications attached to these correspondences, together with the information which has surfaced during our Company's review of the now CDFW approved final AVRCIS, we object to the AVRCIS as being included as a tool (dataset) in the Greenprint

toolbox. The final AVRCIS is poisoned by conflicts of interest and bias and therefore neither useful nor reliable.

Recognizing that SCAG's time is valuable, rather than taking the time to reaffirm the objections made in our prior comment letters which are incorporated herein by this reference I wish to focus the Board's attention to the following:

The inclusion of the AVRCIS in SoCal Greenprint directly conflicts with the land use authority of local governments within the region and a commitment to incorporate only the best available scientific data.

SCAG adopted Connect SoCal in 2020 and concurrently approved an addendum to the accompanying program environmental impact report (PEIR) which included the adoption of two mitigation measures specifically pertaining to the development of the Greenprint. One of the two mitigation measures, denominated SMM BIO-2, reads as follows:

To assist in defining the Regional Advanced Mitigation Program (RAMP), SCAG shall lead a multi-year effort to develop new regional tools, like the Regional Data Platform and Regional Greenprint that will provide an easily accessible resource to help municipalities, conservation groups, developers and researchers prioritize land for conservation based on best available scientific data.

Unlike what is presented in the AVRCIS, SCAG has an opportunity to employ a higher standard of care to assure that land use data sets in Greenprint are properly vetted, especially for scientific validity and acceptance, before adopting them.

Most concerning is that the AVRCIS failed to address multiple items addressed by the Los Angeles County, the City of Lancaster, and the City of Palmdale who rightly possess land use authority within the footprint of the AVRCIS study area. These multiple failures to address local government concerns have been captured in the attached Appendix C of the final AVRCIS. Most notably:

Los Angeles County

- RTC 12-1 Proponents acknowledge their misleading error in listing Los Angeles County as a participant in the creation of the AVRCIS and ultimately removed them as requested.
- RTC 12-2 Proponents acknowledge that the SEAs "were not expected to be in complete alignment with the high-value conservation areas" of the RCIS.
- RTC 12-8 Proponents agree to remove all references to County in the draft's Advisory Committee because it was misleading and not accurate.
- RTC 12-20 Los Angeles County requested language that has been mostly discounted. The County wanted:

"The AVRCIS shows some habitat areas within the County's EOAs, the county, however, has prioritized EOAs or economic development projects and not

conservation, and objects to land within the EOA as being an appropriate area for mitigation lands.”

The AVRCIS proponents addressed this concern partly with a version that concludes with “when possible” which invites conflict with the approved General Plan.

City of Lancaster

- RTC 20-1 Lancaster claims it was not party to the AVRCIS creation. Proponents assert that merely attending a meeting and being on an email list constitute involvement.

City of Palmdale

- RTC 24-2 Palmdale questions the transparency of the process and that the AVRCIS is being used to limit its land use authority. Proponents don’t deny that result but simply state that they “do not support” misuse.
- RTC 24-4 Palmdale expresses concern about inconsistencies and negative impacts to its boundaries and sphere of influence; cites its update of the General plan and AVRCIS misuse. Proponents brush aside concerns or real impacts and says it doesn’t “condone misuse of data.”

Couple these transgressions with the admitted failure of the AVRCIS to utilize best available scientific data as noted above, SCAG’s incorporation of the AVRCIS would perpetuate a deficient document being used to counteract local land use authorities in their regional planning, housing, and economic development efforts.

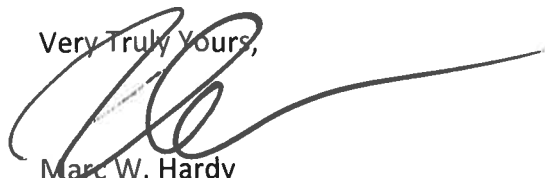
In making a conscious determination not to use the best available science, namely the court certified environmental documentation for the Centennial Specific Plan, State Route 138 right of way, and the Antelope Valley Area Plan in its analysis and determinations, the CDFW has turned a blind eye to ensure that the AVRCIS uses the best available science and data for its underlying modeling. To further justify exclusion of best available science in its AVRCIS approval process, the Proponents make an absurd attempt to justify not including otherwise publicly available environmental documentation due to the underlying documents apparent absence from the California Natural Diversity Database, a state clearinghouse for storing what is purported to be the best available biological data. This circular reasoning is disingenuous since Tejon Ranch provided links to all the publicly available documents (AVAP - SCH No. 2014061043, SR 138 – SCH No. 2013111016 and Centennial SCH No. 2004031072) during the public comment period and several of the Proponents involved in preparing the AVRCIS had specific knowledge of these approvals as some of them were litigants against the project approvals or owed fiduciary duties to parties that would benefit from the projects. This disregard for best available science casts aside the role of local government and their vital land use authority.

In light of the concerns stated above, as well as those set forth in the Company’s August 18, 2021 and October 5, 2021 letters, we respectfully request that SCAG Leadership and the Regional

Council take charge of the Greenprint process and in doing so, not include the deeply flawed, biased and failed AVRCIS. Instead, SCAG should consider the substitution of the aforementioned publicly available and legislatively approved data sets, which are the best available scientific data, in place of the AVRCIS.

We greatly appreciate SCAG's attention to the issues raised in this letter.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'M. Hardy', with a long horizontal flourish extending to the right.

Marc W. Hardy
Senior Vice President, General Counsel

Attachments:

Appendix C Final AVRCIS Public Outreach
CDFW Substantive Review Letter dated August 13, 2020

Antelope Valley RCIS Public Outreach

The Antelope Valley RCIS development process began in March 2016. The process was initiated by the Desert and Mountains Conservation Authority (DMCA), in collaboration with the California Energy Commission (CEC). ICF was the lead technical consultant on the RCIS document, working under the direction of Steering and Advisory committees (see Chapter 6, List of Preparers and Reviewers). The RCIS process benefited from multiple layers of outreach, briefings, and opportunities for input from the Antelope Valley community; non-profit organizations, including environmental, conservation, and community organizations; business interests; regulatory agencies; and federal, tribal, state, and local governments. Notices and letters to public officials are included in Attachment C-1.

The goals of the public outreach were:

1. Provide engaged stakeholders and the public with information on this RCIS planning effort.
2. Receive information regarding the region’s ecological values, planning, and conservation priorities.

Table C-1 lists the entities contacted at the beginning and throughout the AVRCIS development process.

Table C-1. Public Outreach List of Federal, Tribal, State, Local, Environmental, and Private Entities Contacted throughout the Antelope Valley RCIS Development Process

Federal Entities

Bureau of Land Management
Edwards Air Force Base
United States Department of Agriculture
US Department of Defense
US Fish & Wildlife Services

Tribal Entities

Fernandeño Tataviam Band of Mission
San Manuel Band of Mission Indians
Tejon Indian Tribe

State Entities

Antelope Valley Air Quality Management District
Antelope Valley Resource Conservation District
CA Department of Fish & Wildlife
CA Energy Commission
CA Natural Resources Agency
CA State Parks

Environmental Entities

Antelope Valley Audubon
Antelope Valley Conservancy
Audubon California
Antelope Valley Audubon Society
California Native Plant Society
Conservation Biology Institute
Center for Biological Diversity
Conservation Strategy Group
Defenders of Wildlife
Desert Tortoise Preserve Committee
Endangered Habitats League
Environmental Defense Fund
Land Veritas
National Resources Defense Council
Poppy Reserve/Mojave Desert Interpretive Association
Sierra Club
Tejon Conservancy

CA Strategic Growth Council
Caltrans
Caltrans HQ
Desert & Mountains Conservation Authority
High Speed Rail Authority
Mountains Recreation & Conservation Authority
State Water Resources Control Board

Local Entities

Association of Rural Town Councils
City of Lancaster
City of Lancaster City Council
City of Palmdale
City of Palmdale City Council
Kern County
Los Angeles County
Los Angeles County (AV Field Deputy)
Los Angeles County Board of Supervisors
Los Angeles County Farm Bureau
Los Angeles County Parks
Los Angeles County Planning
LA Metro
LA Metro High Dessert Corridor Project
Lakes Town Council
Palmdale Water District
San Bernardino County
Three Points-Liebre Mt. Town Council

The Nature Conservancy
Transition Habitat Conservancy
Trust for Public Land

Private Entities

8 Minute Energy
CalCIMA
Cooper Ecological Monitoring, Inc.
Dudek
Large Scale Solar Association
Renewable Resources Group
Southern California Edison
SunPower
Tejon Ranch Company

Steering Committee

The coordination and development of the Antelope Valley RCIS was guided by a Steering Committee. The Steering Committee was composed of representatives listed in Table C-2. The Steering Committee met eight times throughout 2016 and 2017 to provide guidance on the development of the RCIS, including input on Advisory Committee meeting agendas and engagement; identification of the RCIS area; focal species; the development of conservation goals, objectives, and priorities; implementation structure; and stakeholder outreach coordination.

Table C-2. Steering Committee Participants

Agency/Organization	Participant
California Energy Commission	Scott Flint
Conservation Strategy Group	Graham Chisholm
California Department of Transportation	Robert Wang
DCMA	Paul Edelman
Los Angeles Metropolitan Transportation Authority	Robert Machuca (invited)
Mountain Recreation & Conservation Authority	Spencer Eldred
Sierra Club	Sarah Friedman Katherine Allen
The Nature Conservancy	Charlotte Pienkos Stephanie Dashiell
Transition Habitat Conservancy	Jill Bays Jeff Olesh Vern Biehl
U.S. Fish and Wildlife Service	Brian Croft

Advisory Committee

A broader group of stakeholders in the Antelope Valley comprised the Advisory Committee, which included representatives from other non-profit organizations including conservation, environmental and community; federal and state agencies, city and county governments, and businesses (Table C-3). The Advisory Committee met four times, including invitations to informational online presentations and meetings, throughout the development of the RCIS, and provided information concerning ecological resources in the region as well as reviewed and commented on interim RCIS work products including the RCIS area and focal species list. In addition to participating in Advisory Committee meetings, participants were invited to the public meeting on March 7th and Association of Rural Town Councils briefing on April 26th.

Table C-3. Advisory Committee Participants

Agency/Organization	Participant
Antelope Valley Air Quality Management District	Vickie Rausch
Antelope Valley Audubon	Don Goeschl
Antelope Valley Conservancy	
Association of Rural Town Councils	Merrylou Nelson Susan Zahnter
Audubon California	Garry George
California Department of Fish and Wildlife	Betty Courtney Erinn Wilson Randy Rodriguez
California Native Plant Society	Greg Suba
California Natural Resources Agency	Brady Moss
California State Parks	Connie Latham

Agency/Organization	Participant
California Strategic Growth Council/High-Speed Rail Authority	Emily Tibbott
Center for Biological Diversity	Ileene Anderson
City of Lancaster	(Invited)
City of Palmdale	(Invited)
Defenders of Wildlife	Jeff Aardahl Tom Eagan Kim Delfino
Edwards Air Force Base	Tom Rademacher Scott Kiernan
Endangered Habitats League	Dan Silver
High-Speed Rail Authority	Barbara Marquez
Land Veritas	Tracy Brownfield
Natural Resources Defense Council	Helen O'Shea
Poppy Reserve and Mojave Desert Interruptive Association	Margaret Rhyne
Regional Water Quality Control Board	Jan Zimmerman
Trust for Public Land	Alex Size
Regional Renewable Group	Jim James
U.S. Fish and Wildlife Service	Brian Croft
U.S. Department of Agriculture	Robert TSE
8 Minute Energy	Arthur Haubenstock Alex Sundquist

Technical Subcommittee

The Steering and Advisory Committees formed a Technical Subcommittee to analyze key technical and conservation planning issues and make recommendations. The Technical Subcommittee was composed of conservation specialists with local knowledge of the species, habitats, and natural communities throughout the RCIS area. The Technical Subcommittee met seven times (via conference calls and online meetings) during the preparation of the technical components. During these meetings, the subcommittee finalized the focal species list and identified conservation priorities in the RCIS area. Data Basin, a web-based mapping and analysis platform, was used to view species distribution maps and other data as a tool for the Technical Subcommittee to provide comments on components of the conservation priorities analysis, including the Habitat Cores and Landscape Linkages. Technical Subcommittee Participants, in addition to the Consultant Team, are listed in Table C-4, below.

Table C-4. Technical Subcommittee Participants

Agency/Organization	Participant
Audubon California	Garry George
California Native Plant Society	Greg Suba
Defenders of Wildlife	Tom Eagan

Agency/Organization	Participant
The Nature Conservancy	Stephanie Dashiell
Transition Habitat Conservancy	Jill Bays
Western Resource Advocates	Ken Sanchez

Public Meetings

As part of the process, 12 committee meetings were held, including eight Steering Committee meetings and four separate Advisory Committee meetings. In addition, one public meeting and one briefing were held in Lancaster, California.

- June 13, 2016: Steering Committee kick-off meeting
- June 22, 2016: kick-off meeting for Steering and Advisory Committees
- July 12, 2016: Steering Committee meeting
- July 19, 2016: Advisory Committee meeting
- August 16, 2016: Steering Committee meeting
- August 23, 2016: Advisory Committee meeting
- November 18, 2016: All Committee Participants Informational WebEx: Legislative Updates
- December 14, 2016: Steering Committee meeting
- February 21, 2017: Steering Committee meeting
- March 1, 2017: Steering Committee meeting
- March 7, 2017: public meeting
- April 26, 2017: briefing hosted by Association of Rural Town Councils

A public meeting was held March 7, 2017 at the Antelope Valley Transit Authority offices, 42210 6th St. W., Lancaster. The meeting provided an opportunity for interested parties to receive information about the RCIS program and the preparation of the Antelope Valley RCIS and to provide comments. The public meeting was broadly noticed through posting the notice on the DCMA website and distribution through DCMA's listserv, the County of Los Angeles, and many of the Steering Committee participating organizations.

The public meeting notice, agenda and meeting summary notes, PowerPoint presentation, and meeting materials are included in Attachment C-2. Public meeting materials were made available to participants and the broader public by posting them on the DCMA website (<http://dmca.ca.gov/>). Two public comment cards were submitted at this meeting; they are included, along with their responses, in Attachment C-3.

Public Meeting Summary and Comments

This appendix contains the written comments received at the March 7, 2017 Public Meeting, and on the October 2019 draft *Antelope Valley Regional Conservation Investment Strategy* (AVRCIS) received during the public comment period December 13, 2019, and February 10, 2020.

California Fish and Game Code (CFGC) and California Department of Fish and Wildlife's (CDFW) Regional Conservation Investment Strategy (RCIS) Program Guidelines (Program Guidelines) (CDFW 2018) require that the RCIS proponent respond to written comments as follows.

To written comments submitted during the public meeting(s) and during the public comment period (CFGC Section 1854(c)(3))

- To written comments provided by the cities and counties within the RCIS area (CFGC Section 1854(c)(5))

Responses to these written comments are provided in the sections below. Many of the comments received were constructive and informative, leading to substantial improvements in the RCIS text.

A Public Meeting is required by AB 2087 during the preparation of an RCIS. The Public Meeting for the Antelope Valley RCIS was held at the Antelope Valley Transit Authority office on March 7, 2017. The meeting was announced a month in advance (February 3, 2017) via email distributed to: Desert and Mountain Conservation Authority (DMCA) listserv, LA County Significant Ecological Areas (SEA) listserv; *Antelope Valley Area Plan* (AVAP) listserv; and the full AVRCIS stakeholder list (i.e., individuals from the entities listed in Table C-1). Additionally, the notice was published in the March 2017 *Lakes & Valleys Gazette* and was posted on the DMCA's website.

The public notice and written comments are provided at the end of Appendix C.

Written Comments Received at the March 7, 2017, Public Meeting

Two public comment forms were filled out at the March 7, 2017, public meeting: one from Ileene Anderson representing the Center for Biological Diversity, and one from Tom Egan representing Defenders of Wildlife. A subsequent letter was received, providing comments on the information presented at the public meeting, from H. Tracey Brownfield, representing Land Veritas Corporation, dated March 24, 2017. Those comments and responses are included below.

Center for Biological Diversity, Ileene Anderson

Summary of Comment IA-1

This comment states that additional public meetings and an informative website would be helpful to inform the public about the AVRCIS development.

Response to Comment IA-1

Announcements and additional information regarding the AVRCIS development have been provided on the DMCA website throughout the development process. Public outreach was conducted according to the RCIS Program Guidelines. The public and stakeholder involvement process is described in Section 1.5.

Summary of Comment IA-2

This comment states that the RCIS is expected to enhance conservation in northern Los Angeles County.

Response to Comment IA-2

The purpose of the RCIS is to help guide overall conservation investments and mitigation through mitigation credit agreements (MCAs) into high-priority conservation areas in the RCIS area, and is expected to enhance conservation in northern Los Angeles County.

Summary of Comment IA-3

This comment states that inclusion of additional focal species would benefit the RCIS. The recommended additional four focal species are: short-joint beavertail cactus, *Chorizanthe artemisiifolia*, mountain lion, and pronghorn.

Response to Comment IA-3

These species were considered by the steering committee, technical advisory committee, and preparers of the RCIS. Mountain lion and short-joint beavertail were added to the list, whereas *Chorizanthe artemisiifolia* and pronghorn were not.

Summary of Comment IA-4

This comment states that Andy Zdon's spring/seep survey data is important for this critical resource in the area.

Response to Comment IA-4

We have coordinated with Transition Habitats League and have obtained this data for inclusion in the RCIS.

Defenders of Wildlife, Tom Egan

Summary of Comment TE-1

This comment states that the focal species selected for the RCIS are fairly representative; however, two additional species are recommended, short-joint beavertail cactus and mountain lion.

Response to Comment TE-1

These species were considered by the steering committee, technical advisory committee, and preparers of the RCIS. Mountain lion and short-joint beavertail were added to the focal species list.

Summary of Comment TE-2

This comment states that it is unclear if sand transport corridors will be addressed with the currently selected focal species.

Response to Comment TE-2

Sand transport processes are addressed through Conservation Objective 1.5 for alkali mariposa lily.

Land Veritas Corporation, H. Tracey Brownfield

Summary of Comment LVC-1

This comment states that as the process moves forward the commentor is confident that Petersen Ranch can be identified as a “Conservation Priority” in the AVRCIS and based on significant biological attributes present on the property today and agency approval of the mitigation site.

Response to Comment LVC-1

Petersen Ranch, as a protected area of high habitat value with low pressure from development, meets the criteria set forth in the Antelope Valley RCIS of a conservation priority. However, the Antelope Valley RCIS serves as a guidance document for users to determine conservation priority areas rather than specifically identifying them at this planning level.

Summary of Comment LVC-2

This comment states in the absence of clear regulatory guidance, we suggest that planning for the AVRCIS and the MCAs include a strong preference, if not a requirement, for durable “in-perpetuity” protection in response to what are likely to be long-term impacts.

Response to Comment LVC-2

CDFW has finalized the RCIS Guidelines (2018), which include clear guidance and requirements for permanently protecting habitat, specifically (1) recording a conservation easement and (2) providing secure, perpetual funding for management of the land, monitoring, legal enforcement, and defense. Establishment of an MCA is a separate process which requires separate review and approval from CDFW under CDFGC Section 1856, and MCA guidelines once they are finalized.

Summary of Comment LVC-3

This comment recommends that a Regional Conservation Assessment be prepared that can guide local (county/sub-county) scale decisions.

Response to Comment LVC-3

The AVRCIS contains the information and analysis that would have been provided in a Regional Conservation Assessment, as well as additional guidance and recommended measures to aid local decisions in the future.

Summary of Comment LVC-4

This comment states that the commentor recommends a minimum 60-day comment period for this [public comment period] important phase of the process.

Response to Comment LVC-4

This comment appears to be directed at the RCIS program itself instead of the Antelope Valley RCIS. The length of the public comment period is outside of the scope of this document to address. The AVRCIS is consistent with the current, 2018 Program Guidelines and meets all substantive standards, including the adherence to a 30-day public review period on the draft AVRCIS. The AVRCIS proponent and CDFW jointly decided to extend the public review period to 60 days.

Public Comments on Draft Antelope Valley Regional Conservation Investment Strategy

Twenty-five written public comment letters were submitted to the DMCA and CDFW (comments were submitted to CDFW during the public review period only). Comments regarding the draft Antelope Valley RCIS were submitted between December 13, 2019, and February 10, 2020, following a Notice of Availability published on the DMCA website on December 13, 2019. An email with the notice availability of the draft RCIS was sent to stakeholders on December 13, 2019. Letters indicating that the draft RCIS was available for review were mailed to local jurisdictions (i.e., LA County Board of Supervisors, City Council Members of Lancaster and Palmdale) on December 23, 2019. The review period for local jurisdictions was concurrent with the public review period, and was extended beyond the minimum 30-day requirement set forth in the RCIS Program Guidelines.

This section presents comments from comment letters received during the comment period. Each comment within the comment letter also has been assigned a unique number, noted in the right margin. For example, the code “1-3” indicates the third distinct comment (indicated by the “3”) in letter number 1. Immediately following the comment letter is a summary of each distinct comment and the Antelope Valley RCIS Steering Committee’s response.

The RCIS proponent received written public comments from the following persons and entities before submitting this RCIS to CDFW for final approval. Table C-1 summarizes the commenting party, comment letter signatory, and date of the comment letter. The public comment letters received are included in Attachment C-3.

Table 0-1. List of Comment Letters Received Regarding the Draft Antelope Valley RCIS

Letter	Agency/Organization/Individual	Comment Letter Signatory	Date
1	The Nature Conservancy	Stephanie Dashiell	February 10, 2020
2	Christy Smith, Assemblymember California 38 th Assembly District	Christy Smith, Assemblymember	February 7, 2020
3	Senator Scott Wilk, California’s 21 st Senate District	Senator Scott Wilk	February 3, 2020
4	Tom Lackey, Assemblyman, California’s 36 th Assembly District	Tom Lackey, Assemblyman	February 4, 2020
5	Lancaster Chamber of Commerce	Mark Hemstreet	January 29, 2020
6	Antelope Valley Board of Trade	Bret Banks	January 28, 2020
7	Lancaster Chamber of Commerce	Katie Nelson	January 30, 2020
8.	H.W. Hunter Inc.	Thomas Fuller	February 4, 2020
9	Kern County	Lorelei Oviatt	February 3, 2020
10	Tejon Ranch Company	Michael R.W. Houston	February 4, 2020
11	Antelope Valley-East Kern Water Agency	Dwyane Chisam	February 7, 2020
12	Los Angeles County Department of Regional Planning	Amy J. Bodek	February 10, 2020
13	Center for Biological Diversity	Ileene Anderson	February 10, 2020
14	Defenders of Wildlife	Kim Delfino, Jeff Aardahl, and Tom Egan	February 10, 2020

Letter	Agency/Organization/Individual	Comment Letter Signatory	Date
15	Land Veritas	H. Tracey Brownfield	February 10, 2020
16	Southern California Edison	Michelle Nuttall	February 10, 2020
17	California Construction and Industrial Materials Association	Suzanne Seivright	February 10, 2020
18	Association of Rural Town Councils	Susan Zahnter	February 4, 2020
19	Building Industry Association – Los Angeles/Ventura Chapter	Tim Piasky	February 5, 2020
20	City of Lancaster	Jason Caudle	February 3, 2020
21	Californians for Homeownership	Matthew Gelfand	February 8, 2020
22	Greater Antelope Valley Association of REALTORS	Pablo Meza	February 5, 2020
23	Granite Construction Company	Scott McArthur	February 7, 2020
24	City of Palmdale	Steven D. Hofbauer	February 4, 2020
25	Fernandeño Tataviam Band of Mission Indians	Jairo Avila	June 22, 2020

Comments on Draft Antelope Valley RCIS and Responses

1. The Nature Conservancy, February 10, 2020

Summary of Comment 1-1

This comment states that The Nature Conservancy (TNC) has concerns regarding sections of the AVRCIS prepared in 2017 without stakeholder involvement, specifically, Chapters 3 and 4, including the methodology for gap analysis resulting in goals and objectives for each species, identifying conservation actions, and discussion of how to structure the implementation section of the RCIS.

Response to Comment 1-1

The commentator is correct that there were portions of the RCIS development that had early input from the stakeholders and portions that were developed and then provided to the stakeholders for review. While the methodology for gap analysis and the approach to structure the implementation section of the RCIS were not a part of the materials that solicited early input, the document preparers did solicit and receive substantial meaningful input from the Technical Subcommittee on all methods, results, and approach in the RCIS. This input from the Technical Subcommittee included input from TNC that was very helpful and used to make critical improvements to the RCIS.

Summary of Comment 1-2

This comment states that TNC recommends including sections describing why and how to use the RCIS, which may include a clear explanation of the benefits of the RCIS approach and examples of how it may be used.

Response to Comment 1-2

How to use RCIS documents is addressed by CDFW in the 2018 Guidelines. The AVRCIS is not unique in how it can be used compared to other RCISs prepared for other portions of the state. Section 1.3, titled "Potential RCIS Users" addresses who can use the RCIS and how. Although this section does not provide great detail, it does provide the user with the goals and uses of the document. In addition, Section 3.5, *Applying Actions and Conservation Priorities*, provides a four-step process for how to use the RCIS to develop mitigation credits or conservation investments, including a focal species example (i.e., Joshua tree).

Summary of Comment 1-3

This comment states that the narrative of how the scientific models and conservation attributes were developed to inform the overall conservation strategy needs to be improved, and suggests a diagram explaining the conservation strategy at the beginning of Chapter 3.

Response to Comment 1-3

Many revisions to the text have been made to improve the clarity of the methods descriptions through sections 2.1.4 and Appendix G of the document. The suggestion of a diagram was not implemented, however, the text revisions to model descriptions have been revised and improved for clarity.

Summary of Comment 1-4

This comment states that information included in the Appendices was difficult to find, and recommends reconsidering what needs to be in the main body of the text or providing hyperlinks in the document to go from the main text to the appendices.

Response to Comment 1-4

The information included in the main document and appendices was carefully considered with many revisions to the text made to improve the clarity and the location of information in the document including for example in sections 1.5, 1.6, 2.1, 2.2, and Chapter 3. Hyperlinks will be included as allowed during final document editing.

Summary of Comment 1-5

This comment states that the AVRCIS should include more information about species habitat groupings methods and how focal species were assigned to a habitat group. The comment further states that the methods should be described such that they can be repeated for other RCISs.

Response to Comment 1-5

Updated methods for creating the groups are included in Section 3.2.1.1 of the RCIS. The description of the methods is intended to be appropriate for a general audience.

Summary of Comment 1-6

This comment states that further explanation is needed to differentiate between the desert species group and the agriculture/grasslands species group. The comment also states that grasslands are found within many “Natural Community Land Cover” types.

Response to Comment 1-6

Each of the three focal species habitat groups contains species that have similar habitat affinities and distributions in the RCIS area. The habitat groups were determined based on the evaluation of the species life history, general habitat preferences, and spatial distribution in the RCIS area. The agriculture/grasslands group and desert group have a higher level of overlap of species because the areas are more similar than the other habitat groups (in comparison to the foothills/riparian group), which resulted in several species being included in both groups. Additional information on focal species habitat groups has been added to section 3.2.1.1.

Summary of Comment 1-7

This comment states that the intention behind the species selection process should be clarified because it is not clear why some species are included in the same group when they have differing habitat needs.

Response to Comment 1-7

See response to Comment 1-6. If all species were analyzed together in the EEMS model, rather than in habitat groups, one large set of similar species (e.g., agriculture/grassland species) could disproportionately swamp the effects of smaller sets of similar species (e.g., foothill/riparian species), thereby biasing the biological value mapping. However, grouping focal species by habitat still allowed the EEMS model to identify areas of overlapping high-quality habitat for multiple focal species as one measure of high biological value. The purpose of the groupings is to separate sets of similar species to minimize the potential for their combined effect overwhelming the effect of a smaller group of similar species. Allowing a species to occur in more than one group (if appropriate) is not a concern as long as the species within the group share a similar general habitat type. Section 3.2.1.1 has been edited to include additional information on focal species habitat groups.

Summary of Comment 1-8

This comment states that the AVRCIS should use the “Natural Community Land Cover” categories from Chapter 2 as a guide for aggregating focal species into habitat groups, and, if this is not possible, to explain why these categories were not used.

Response to Comment 1-8

Additional information on the focal species habitat group creation has been added to Section 3.2.1.1. Focal species habitat groups were created as a way to segregate species within the EEMS biological value modeling framework to minimize the overlap of species and the potential biasing of results that would occur with grouping species by other more fine-scale grouping options (e.g., Natural Community Land Cover). Most focal species occur in several Natural Community Land Cover types, therefore using this as a grouping classification would result in over-representation of several focal species in many categories, thus biasing the results. Section 3.2.1.2 of the RCIS explains that the

RCIS uses the fine-scale alliance-level classification of NVCS to identify the Natural Communities of Conservation Importance. Some natural communities as a whole may not be at risk, but a subcommunity type may be rarer or imperiled. Therefore, natural community conservation importance is based on these subcommunity types in descending order, the NVCS *Macrogroup* level (land cover type), the NVCS *Group* level, and, at the finest scale, the NVCS *Alliance* level. Chapter 2 only described the vegetation at the group and macrogroup level.

Summary of Comment 1-9

This comment states that the AVRCIS should clarify the implications of having some focal species belong to two habitat groups while other species belong only to one.

Response to Comment 1-9

See responses to Comments 1-6, 1-7, and 1-8. While use of the focal species group scale was intended to minimize occurrence of species in more than one habitat group within the EEMS model, it did not eliminate all occurrences. Each of the three focal species habitat groups contains species that have similar habitat affinities (based on the species life histories and habitat preferences) and spatial distributions (based on species models) in the RCIS area. Because the agriculture/grasslands species group is more similar to the desert species group there was more overlap of species between these groups (in comparison to the foothills/riparian species group), which resulted in three species being included in both groups (LeConte's thrasher, American badger, and desert kit fox). Additional information addressing this has been added to Section 3.2.1.1.

Summary of Comment 1-10

This comment states that the gap analysis overlooks significant amounts of unprotected high conservation habitat that occurs outside of core and linkage areas used in the AVRCIS priority areas.

Response to Comment 1-10

The purpose of the RCIS is to help guide overall conservation investments and mitigation through MCAs into high priority conservation areas. These were defined as areas of high conservation value for each species that occur in the core and linkage areas. The RCIS doesn't preclude conservation investments and MCAs outside of cores and linkages, but identifies that conservation actions should be directed into cores and linkages when possible, to better contribute to the protection of a more intact overall preserve system. Section 3.3 has been edited to provide additional clarification on the AVRCIS GAP analysis.

Summary of Comment 1-11

This comment states that TNC recommends assigning higher conservation target values, especially for some focal species that have narrow ranges or life histories. Additionally, the AVRCIS should provide justification for allowing habitat loss in core areas and linkages for species with narrow or limited ranges.

Response to Comment 1-11

The RCIS assigned a conservation goal of 90 percent to the species in the highest risk category. Increasing that to 100 percent would not provide any flexibility for future land use planning

occurring on these habitats in the cores and linkages and could be seen as overly restrictive for a non-regulatory document. The RCIS is a non-binding document that provides guidance for conservation actions within the Plan Area. Habitat losses for protected species and habitat will continue to be permitted under environmental regulations such as the Federal Endangered Species Act, California Endangered Species Act, California Fish and Game Code, and California Environmental Quality Act.

Summary of Comment 1-12

This comment states that TNC recommends clarifying levels of protection in the “protected areas” database described in the AVRCIS because not all the protected areas offer the same level of protection for focal species and habitats. Additionally, the TNC would like the RCIS to account for the differences and identify opportunities to increase conservation in areas of low protection.

Response to Comment 1-12

The GAP analysis section (Section 3.3) of the RCIS has been substantially rewritten to provide better clarification of the protected status descriptions and how they relate to the RCIS conservation goals, including identifying where protection status is low and could be increased.

Summary of Comment 1-13

This comment states that the species-specific conservation actions should be more site-specific because some conservation actions are appropriate for certain species in certain places but not in others.

Response to Comment 1-13

The actions are intentionally broad to allow flexibility for specific MCAs and mitigation or conservation investment efforts to make site-specific determinations of actions while still meeting the overall conservation action description. Each location where conservation investments or MCA are implemented should be evaluated based on site-specific data regarding biological future conservation potential. The RCIS provides landscape-scale guidance to make these future site-specific decisions for future actions, it is not intended to provide all the information required to implement site specific conservation measures.

Summary of Comment 1-14

This comment states that conservation actions for focal species should be prioritized to clarify which actions are most important to complete first to meet the needs of the species.

Response to Comment 1-14

See response to comment 1-13. All actions are considered priorities to be implemented and the rationale for selecting individual actions will depend on the conservation opportunity of any given site. Therefore, the actions are not further prioritized to preserve the flexibility for these future decisions.

Summary of Comment 1-15

This comment states that more justification is needed for Conservation Action 10.3, which claims that livestock grazing can be beneficial to burrowing owl. TNC asserts that this could be misinterpreted and should be caveated.

Response to Comment 1-15

Grazing as a habitat management tool is generally addressed in 2.3.10.1, but the RCIS doesn't specifically mention grazing as a burrowing owl management tool. The discussion regarding the use of grazing as a management tool includes caveats that the grazing must be done to support the habitat type and that overgrazing is detrimental to desert habitat.

Summary of Comment 1-16

This comment states that the most recent information related to occurrences of Mohave ground squirrel and desert tortoise should be incorporated into the document, including results of line-distances sampling, recovery plan information, and additional surveys.

Response to Comment 1-16

The Mohave ground squirrel conservation strategy (CDFW 2019) and the desert tortoise recovery plan (USFWS 2011) have been reviewed and relevant actions have been included in the RCIS. The occurrence data has been updated to include all occurrences in the California Natural Diversity Database (CNDDDB) and Biodiversity Information Serving Our Nation (BISON) database through 2020.

Summary of Comment 1-17

This comment states that the document should include more guidance for how to use the AVRCIS, including specific guidance to each entity that may use the document, including: county and local governments, CDFW, USFWS, project proponents, non-governmental organizations (NGOs), land trusts, and mitigation banks.

Response to Comment 1-17

Section 1.3, titled "Potential RCIS Users" addressed who can use the RCIS and how. Although this section does not provide great detail, it does provide the user with the goals and uses of the document. In addition, Section 3.5, *Applying Actions and Conservation Priorities*, provides a four-step process for how to use the RCIS to develop mitigation credits or conservation investments, including a focal species example (i.e., Joshua tree).

Summary of Comment 1-18

This comment states that information in Appendix B should be in the main body of the implementation chapter.

Response to Comment 1-18

Moving the information in Appendix B *Regulatory Process* was considered, but it was determined that the location of this information in the appendix was appropriate as it allows the general user to

access the RCIS without getting sidetracked by information relating to other laws and regulations, but allows readers who are more interested in that topic to access that information quickly. Hyperlinks will be included to better facilitate this in the final version as possible.

Summary of Comment 1-19

This comment states that TNC recommends including step-by-step instruction for project proponents who are interested in using the AVRCIS into their decision-making. TNC presumes that the omission of step-by-step instructions is meant to allow for the implementation committee to draft guidance; however, because the implementation committee is not a requirement, guidance may not be drafted, or may not be drafted in appropriate timeframes for implementation.

Response to Comment 1-19

Section 3.5, *Applying Actions and Conservation Priorities* provides, a four-step process for how to use the RCIS to develop mitigation credits or conservation investments, including a focal species example (i.e., Joshua tree). The use of this step-by-step guidance in conjunction with the RCIS guidance (CDFW 2018) and the future MCA guidance that CDFW is in the process of producing should be sufficient for implementation of the RCIS and associated MCAs and conservation investments.

Summary of Comment 1-20

This comment states that Section 4.5 on conservation partnerships should be moved to the beginning of the chapter to highlight the importance of the NGO community's action to ensure the conservation of focal species, habitat, and working landscapes, and to recognize the value of engaging with these NGOs during project development.

Response to Comment 1-20

This comment appears to be a remnant of a previous set of comments as the conservation partnership discussion was moved to the beginning of the chapter for the public review draft.

Summary of Comment 1-21

This comment states that there should be more discussion on how the conservation strategy will be implemented, specifically, explanation on how focal species that do not require California Endangered Species Act (CESA) or California Environmental Quality Act (CEQA) mitigation. The AVRCIS should include more justification for proponents or developers to invest in conservation of species that do not have a regulatory authority. This comment includes Joshua Tree as an example species where conservation actions are included that would be costly, without a direct regulatory requirement for implementing them.

Response to Comment 1-21

CESA and CEQA are the two regulatory mechanisms most directly linked to RCIS implementation as mitigation. Others with mitigation needs to comply with federal regulatory requirements (e.g., federal Endangered Species Act (FESA), Clean Water Act Section 404) have the potential to identify mitigation opportunities in using the RCIS. Conservation investments unrelated to mitigation may be implemented using the RCIS independent of the need for mitigation at the discretion of the entity

choosing to implement those actions, in accordance with current environmental laws and regulations. While Joshua Tree is now a candidate species under CESA and projects are required to provide mitigation, there are other focal species without similar protections. While there are no mandates for conserving these species, federal agencies may take conservation actions intended to prevent a species from becoming listed, or other entities may take conservation actions above what is required by regulation. In these cases, these entities would be able to look to the RCIS as a guide for the conservation actions needed to support those species.

Summary of Comment 1-22

This comment states that the AVRCIS should mention best practices for publicly sharing data and other conservation-related information. Additionally, the AVRCIS should seek funding to maintain and organize conservation data related to the AVRCIS in the Data Basin platform.

Response to Comment 1-22

A new section, *Maintenance and Organization of GIS Data*, has been added to Chapter 4, recommending continued use of Data Basin as an implementation tool if feasible.

2. Assemblywoman Christy Smith, California's 38th Assembly District, February 7, 2020

Summary of Comment 2-1

This comment states that there was a lack of stakeholder participation and public outreach in the development of the document, including a lack of outreach during the public review process. The comment also expresses concern that the RCIS was originally spearheaded by a private organization instead of governmental body, and that local Native American tribes were not asked to participate.

Response to Comment 2-1

The AVRCIS is one of five "pilot" RCISs funded by the Stephen Bechtel Fund of the S. D. Bechtel, Jr. Foundation. Other than providing funding to these pilot RCISs the Bechtel Fund was not involved in any aspect of AVRCIS development. Public outreach was conducted according to the RCIS Program Guidelines. The public and stakeholder involvement process is described in Sections 1.4, 1.5, and is summarized here:

The Antelope Valley RCIS development process began in March 2016. The process was initiated by the Desert and Mountains Conservation Authority (DMCA), in collaboration with the California Energy Commission (CEC). ICF was the lead technical consultant on the RCIS document, working under the direction of Steering and Advisory committees (see Chapter 6, List of Preparers and Reviewers). As described below, the RCIS process benefited from stakeholder input received through multiple layers of outreach, briefings, and opportunities for input from the Antelope Valley community; non-profit organizations, including environmental, conservation, and community organizations; business interests; regulatory agencies; and federal, state, local (including 10 local governmental entities), and tribal governments.

A public meeting was held on March 7, 2017, to provide information to the public on the AVRCIS effort, and to solicit comments from interested parties. Public notice was provided more than 30

days prior to the public meeting, as described in Section 1.5. The County of Los Angeles Board of Supervisors and city councils of Lancaster and Palmdale were directly notified of the public meeting and the availability of the public review draft of the Antelope Valley RCIS. The meeting was announced a month in advance (February 3, 2017) via email distributed to: Desert and Mountain Conservation Authority (DMCA) listserv, LA County Significant Ecological Areas (SEA) listserv; *Antelope Valley Area Plan* (AVAP) listserv; and the full AVRCIS stakeholder list (i.e., compilation of individuals representing conservation, transportation, and regulatory agencies). Additionally, the notice was published in the March 2017 *Lakes & Valleys Gazette* and was posted on the DMCA's website.

As further described in Section 1.5, DMCA followed all Stakeholder and Public Outreach requirements of the RCIS program, including notice to the Los Angeles County Board of Supervisors and city councils of Palmdale and Lancaster at least 60 days prior to the Public Review Draft becoming available.

In addition to the required public outreach, the Antelope Valley RCIS benefited from detailed input from interested parties through the Steering Committee, Advisory Committee, and Technical subcommittees, which were comprised of nonprofit organizations including conservation, environmental, and community; federal and state agencies; local jurisdictions; and businesses. The group members and participation in the RCIS development are described in Section 1.4.2.

Though there is no requirement to include local Native American tribes in either the 2017 Guidelines or 2018 Guidelines (2018 Guidelines suggest consulting with Native American tribes), we recognize that Native American tribes are important stakeholders in the RCIS development and implementation process who are unique in that their interests and history on the landscape stretches back for many centuries. The involvement of the Fernandeano Tataviam Band of Mission Indians and San Manuel Band of Mission Indians is detailed in Section 1.6.

Summary of Comment 2-2

This comment states that the AVCRIS is not consistent with local land use plans, including the *Los Angeles County 2035 General Plan* (Los Angeles County General Plan) and the AVAP.

Response to Comment 2-2

The RCIS is a voluntary, nonbinding, and non-regulatory regional planning process intended to result in higher-quality conservation outcomes. An RCIS establishes conservation goals and objectives and describes conservation actions that may be used as a basis to provide advance mitigation or to inform other conservation planning processes and investments. The high-value conservation areas and conservation priorities were based on the best available science and data. It is expected that, on occasion, local land use plans may indicate planned future urbanization and infrastructure development in areas that also have high conservation value as identified in the RCIS. Because the RCIS is voluntary, nonbinding, and nonregulatory, there is, no inherent inconsistency or conflict with local land use plans, even though the AVAP and the RCIS may contemplate different uses for some of the lands within the Plan Area.

Economic Opportunity Areas (EOAs) are included under "Foreseeable Potential Future Urbanizing Areas," and are shown on 60 of the AVRCIS maps (Figures 2-14, 2-22, 3-20 through 3-22, 3-24, and Appendices F [27 figures] and H [27 figures]) and are identified in Section 1.4.1.1 as potentially not

suitable for achieving long-term conservation goals given the future planned urbanization of these areas.

Summary of Comment 2-3

This comment states that the AVCRIS placed high-value habitat designations on economic opportunity areas (EOAs), which would hinder job creation and affordable housing development.

Response to Comment 2-3

The RCIS is voluntary, nonbinding, and non-regulatory, and therefore should not hinder job creation and affordable housing development. See comment response 2-2.

Summary of Comment 2-4

The AVCRIS is exempt from the latest legislative updates and regulations that other RCIS are subject to, including the requirement for Native American Tribal consultations; therefore, a lesser standard is being applied to the AVCRIS process than required by current state statute.

Response to Comment 2-4

The AVRCIS is consistent with the most current Program Guidelines, published in 2018, and meets all substantive standards. The requirements for this RCIS are detailed in Section 1.4.7. Native American Tribal consultations are suggested in the 2018 Guidelines, not required. Native American Tribal outreach and communication was conducted for this RCIS as is detailed in Section 1.6.

Summary of Comment 2-5

This comment states that the CDFW should work with local jurisdictions, including the County of Los Angeles, to ensure that existing local land planning and designations, including (Sensitive Ecological Areas) SEAs and EOAs, are integrated in the final document

Response to Comment 2-5

The high-value conservation areas and conservation priorities identified in this RCIS were based on the best available science and data. The SEAs and EOAs are shown in the RCIS for context, but were not expected to be in complete alignment with the high-value conservation areas of this RCIS because they were developed with different methods and/or objectives. See the response to comment 2-2 for additional information.

3. Senator Scott Wilk, California's 21st Senate District, May 23, 2019

Summary of Comment 3-1

This comment states that local stakeholders, were not invited to participate in development of the AVRCIS.

Response to Comment 3-1

Public outreach was conducted according to the RCIS Program Guidelines. Please see the response to comment 2-1 for a summary of all outreach conducted, and Chapter 1 for detailed information on the outreach and stakeholder involvement in development of the RCIS. See response to comment 2-1.

Summary of Comment 3-2

This comment states that the AVCRIS was exempt from CDFW's Guidelines for the RCIS program.

Response to Comment 3-2

The RCIS complies with all requirements of the RCIS program established by CDFW. Please see the response to comment 2-4 for additional information.

Summary of Comment 3-3

This comment states that the AVRCIS is not consistent with the Los Angeles County General Plan or the AVAP and states that Economic Opportunity Areas (EOAs) designated in the Los Angeles County General Plan and the AVAP must be removed from the AVRCIS.

Response to Comment 3-3

The high-value conservation areas and conservation priorities were based on the best available science and data. It is expected that, on occasion, local land use plans may indicate planned future urbanization and infrastructure development in areas that also have high conservation value as identified in the RCIS. Because the RCIS is voluntary, nonbinding, and non-regulatory there is, by definition, no inconsistency or conflict with local land use plans. The EOAs are shown in the RCIS for context, but were not expected to be in complete alignment with the high-value conservation areas of this RCIS because they were developed with different methods and objectives. Use of the RCIS is voluntary, nonbinding, and non-regulatory. See the response to comment 2-2 for additional information.

Summary of Comment 3-4

This comment restates Comment 3-1 and adds that the RCIS was held to a lower standard than the current regulations and guidance, including a lack of a requirement to outreach to Native American Tribes.

Response to Comment 3-4

The AVRCIS is consistent with the current, 2018 Program Guidelines and meets all substantive standards. Because the AVRCIS was originally submitted prior to September 2017, this AVRCIS complies with the 2018 Program Guidelines, which allows for some reliance on the 2017 Guidelines for documents submitted prior to September 2017. Native American Tribal consultations are suggested in the 2018 Guidelines, not required. Native American Tribal outreach and communication was conducted for this RCIS as is detailed in Section 1.6. See response to comment 2-1.

4. Assemblymember Tom Lackey, California's 36th Assembly District February 10, 2020

Summary of Comment 4-1

This comment requests that CDFW reject the RCIS, stating that there was a lack of stakeholder participation and public outreach in the development of the document.

Response to Comment 4-1

Public outreach was conducted according to the RCIS Program Guidelines. Please see the response to comment 2-1 for a summary of all outreach conducted, and Chapter 1 for detailed information on the outreach and stakeholder involvement in development of the RCIS. Over 200 people were included in the direct outreach effort, including 10 local jurisdictions.

Summary of Comment 4-2

This comment states that the economic growth of the valley is a high priority for the Assemblymember, and that the multiple conservation efforts in the valley will inhibit growth, and should be coordinated.

Response to Comment 4-2

The RCIS is a voluntary, nonbinding, and non-regulatory document, intended to provide guidance for conservation actions within the plan area. The RCIS is not intended to direct or restrict development or economic growth. The RCIS also considers other planning efforts in the region, as discussed in Section 1.7.

Summary of Comment 4-3

This comment states that the Los Angeles County Plan and the AVAP must be considered in development of the RCIS.

Response to Comment 4-3

The RCIS is a voluntary, nonbinding, and non-regulatory regional planning process intended to result in higher-quality conservation outcomes. The high-value conservation areas and conservation priorities were based on the best available science and data. It is expected that, on occasion, local land use plans may indicate planned future urbanization and infrastructure development in areas that also have high conservation value as identified in the RCIS. Because the RCIS is voluntary, nonbinding, and non-regulatory there is, by definition, no inconsistency or conflict with local land use plans. See response to comment 2-2.

Summary of Comment 4-4

This comment states that the AVCRIS is exempt from current CDFW guidance for State RCIS programs.

Response to Comment 4-4

The AVRCIS is consistent with the current 2018 Program Guidelines and meets all substantive standards. Because the AVRCIS was originally submitted prior to September 2017, this AVRCIS complies with the 2018 Program Guidelines, which allows for some reliance on the 2017 Guidelines for documents submitted prior to September 2017. The requirements for this RCIS are detailed in Section 1.4.7. Native American Tribal consultations are not required for this RCIS (they current, 2018 Guidelines suggests consulting with Native American Tribes), but were initiated and are detailed in Section 1.6.

Summary of Comment 4-5

This comment states that the Assemblymember supports the City of Lancaster’s request to remove AVRCIS designations from within the city boundaries and any immediate peripheral spheres of influence. He also insists that the process be restarted from the beginning to prevent misuse of the study results.

Response to Comment 4-5

The high-value conservation areas and conservation priorities identified in this RCIS were based on the best available science and data. The SEAs, EOAs, and SR-138 future expansion are shown in the RCIS for context, but were not expected to be in complete alignment with the high-value conservation areas of this RCIS because they were developed with different methods and/or objectives (See the response to comment 2-2 for additional information). We understand the concern over misuse of the analysis provided in the RCIS, however, the RCIS is voluntary, nonbinding, and non-regulatory. The AVRCIS and the RCIS program guidelines both clearly identify that the document is only appropriately used to guide, not direct, any conservation actions taken. The AVRCIS does not restrict development in areas identified as beneficial to conservation.

Summary of Comment 4-6

This comment requests that the CDFW reject the AVRCIS and ask that the preparers consult with stakeholders and adopt current legislative rules for RCIS.

Response to Comment 4-6

See response to comment 2-1 for a summary of public outreach and stakeholder involvement. As the outreach requirements have been met, and stakeholders were involved in the development of the AVRCIS, we do not agree that rejecting the AVRCIS is appropriate.

5. Lancaster Chamber of Commerce, January 29, 2020

Summary of Comment 5-1

This comment states that there was no transparency in drafting the document.

Response to Comment 5-1

Public outreach was conducted according to the RCIS Program Guidelines. Please see the response to comment 2-1 for a summary of public outreach and stakeholder involvement.

Summary of Comment 5-2

This comment states that the document is a way for environmental organizations to supersede local land use authority.

Response to Comment 5-2

We understand the concern over misuse of the analysis provided in the RCIS, however, the AVRCIS and the RCIS program guidelines both clearly identify that the document is only appropriately used to guide, not direct, any conservation actions taken. The AVRCIS does not restrict development in areas identified as beneficial to conservation. The RCIS is a voluntary, nonbinding, and non-regulatory regional planning document.

Summary of Comment 5-3

This comment states that the AVRCIS is inconsistent with the Los Angeles County General Plan. Specifically, the AVRCIS designates areas as high-conservation priorities that are identified in the Los Angeles County General Plan as EOAs. The comment also states that the Los Angeles County General Plan includes SEAs that are sufficient to provide suitable “mitigation conservation” area.

Response to Comment 5-3

An RCIS establishes conservation goals and objectives and describes conservation actions that may be used as a basis to provide advance mitigation or to inform other conservation planning processes and investments. The high-value conservation areas and conservation priorities were based on the best available science and data. It is expected that, on occasion, local land use plans may indicate planned future urbanization and infrastructure development in areas that also have high conservation value as identified in the RCIS. Because the RCIS is voluntary, nonbinding, and non-regulatory there is, by definition, no inconsistency or conflict with local land use plans. See response to comment 2-2.

Summary of Comment 5-4

This comment states that the AVRCIS was exempt from the latest guidelines established to implement RCIS and that it should be held to the latest guidelines.

Response to Comment 5-4

The AVRCIS is consistent with the current, 2018 Program Guidelines and meets all substantive standards. Because the AVRCIS was originally submitted prior to September 2017, this AVRCIS complies with the 2018 Program Guidelines, which allows for some reliance on the 2017 Guidelines for documents submitted prior to September 2017. The requirements for this RCIS are detailed in Section 1.4.7. Summary of Comment 5-5

Summary of Comment 5-5

This comment states that this conservation plan impedes economic growth.

Response to Comment 5-5

The RCIS is voluntary, nonbinding, and non-regulatory, and therefore should not impede economic growth. The AVRCIS and the RCIS program guidelines both clearly identify that the document is only appropriately used to guide, not direct, any conservation actions taken. The AVRCIS does not restrict development in areas identified as beneficial to conservation.

Summary of Comment 5-6

This comment states that the CDFW should reject the AVRCIS in its current state and ask that the preparers consult with stakeholders who were not involved in the document.

Response to Comment 5-6

See response to comment 2-1 for a summary of public outreach and stakeholder involvement. As the outreach requirements have been met, and stakeholders were involved in the development of the AVRCIS, therefore, rejecting the AVRCIS is not appropriate.

Summary to Comment 5-7

The commenter notes that DMCA has not publicly met since September 2018, and has difficulty understanding how the RCIS could have been produced, reviewed, and submitted without DMCA having publicly met.

Response to Comment 5-7

The RCIS was prepared under the direction of and submitted on behalf of the DMCA, a public agency and the RCIS proponent. DMCA hosted a public meeting to garner public input on the RCIS on March 7, 2017, however, regular public meetings of the RCIS proponent are not a requirement for RCIS development under the RCIS guidelines.

6. Antelope Valley Board of Trade, January 28, 2020

Summary of Comment 6-1

The AVRCIS is inconsistent with the Los Angeles Valley General Plan; specifically, the EOAs identified in the General Plan were not considered. EOAs identified in the Los Angeles Valley General Plan were ignored.

Response to Comment 6-1

The EOAs are shown in the RCIS for context, but are not expected to be in complete alignment with the high-value conservation areas of this RCIS because they were developed with different methods and objectives. EOAs are included under “Foreseeable Potential Future Urbanizing Areas,” and are shown on 60 of the AVRCIS maps (Figures 2-14, 2-22, 3-20 through 3-22, 3-24, and Appendices F

[27 figures] and H [27 figures]), and are identified in Section 1.4.1.1 as potentially not suitable for achieving long-term conservation goals given the future planned urbanization of these areas.

Summary of Comment 6-2

This comment states that the AVRCIS is exempt from the latest guidelines for developing RCIS.

Response to Comment 6-2

The AVRCIS is consistent with the current, 2018 Program Guidelines and meets all substantive standards. Because the AVRCIS was originally submitted prior to September 2017, this AVRCIS complies with the 2018 Program Guidelines, which allows for some reliance on the 2017 Guidelines for documents submitted prior to September 2017. The requirements for this RCIS are detailed in Section 1.4.7.

Summary of Comment 6-3

This comment requests that the AVRCIS process be restarted to include stakeholders that were not involved in the development of the AVRCIS. The comment also states that they “discovered that some organizations listed on the Advisory Committee were not even aware of the AVRCIS or their involvement.”

Response to Comment 6-3

See response to comment 2-1 for a summary of public outreach and stakeholder involvement. Stakeholder participation was not limited to any specific groups at any stage in the RCIS development. As the outreach requirements have been met, and stakeholders were involved in the development of the AVRCIS, therefore, restarting the AVRCIS is not appropriate.

The list of members of the Advisory Committee includes only those organizations that participated on the Advisory Committee during the RCIS development process. As the commenter did not specify which organizations they are referring to, we are unable to respond to this specific allegation.

Summary of Comment 6-4

This comment states that the AVRCIS should be removed from the EOAs.

Response to Comment 6-4

See response to comments 2-2 and 6-1.

7. Katie Nelson, January 30, 2020

Summary of Comment 7-1

This comment states that the AVRCIS document is flawed and will negatively harm the Antelope Valley and economic growth.

Response to Comment 7-1

The RCIS is voluntary, nonbinding, and non-regulatory, and is intended solely to inform how funding identified for conservation actions may be best spent. The RCIS is non-prescriptive and would not appropriately be used to hinder growth, only provide additional data and analysis to inform decision making around conservation planning.

Summary of Comment 7-2

This comment states that the County already has adopted the AVAP that identified areas for conservation and areas for growth.

Response to Comment 7-2

The AVAP was developed with different methods and objectives and is not expected to be in complete alignment with the high-value conservation areas of this RCIS. Use of the RCIS is voluntary, nonbinding, and non-regulatory. The land use designations, including EOAs and SEAs were taken into consideration in the development of the RCIS and EOAs are included under “Foreseeable Potential Future Urbanizing Areas,” which are identified in Section 1.4.1.1 as potentially not suitable for achieving long-term conservation goals given the future planned urbanization of these areas (See the response to comment 2-2 for additional information). As explained in Chapter 1, the RCIS does not “regulate the use of land, establish land use designations, or to affect, limit, or restrict the land use authority of any public agency. Nothing in this RCIS is intended to, nor shall it be interpreted to, conflict with controlling federal, state, or local law, including CFGC Sections 1850--1861, or any Guidelines adopted by CDFW pursuant to Section 1858. Therefore, actions carried out because of this RCIS will be in compliance with all applicable state and local requirements.”

Summary of Comment 7-3

This comment states that if the draft document is adopted, it will regulate land use and affect land use authority from public agencies.

Response to Comment 7-3

Use of the RCIS is voluntary, nonbinding, and non-regulatory. As such, it cannot regulate land use or affect the authority of public agencies. See the response to comment 7-2 for additional information.

Summary of Comment 7

This comment states that the public participation process for the AVRCIS was inadequate.

Response to Comment 7-4

Public outreach was conducted according to the RCIS Program Guidelines. The public and stakeholder involvement process is described in Sections 1.4, 1.5, and is summarized in the response to comment 2-1.

Summary of Comment 7-5

This comment states that the document should be held to the same standards as other RCISs and not be exempt from the State Legislation guidelines.

Response to Comment 7-5

The AVRCIS is consistent with the current, 2018 Program Guidelines and meets all substantive standards. Because the AVRCIS was originally submitted prior to September 2017, this AVRCIS complies with the 2018 Program Guidelines, which allows for some reliance on the 2017 Guidelines for documents submitted prior to September 2017. The requirements for this RCIS are detailed in Section 1.4.7.

Summary of Comment 7-6

This comment states that the AVRCIS should be rejected and redone and adhere to guidelines, involve all stakeholders and agencies in the area, and consistent with the Los Angeles County Plan.

Response to Comment 7-6

See responses to comment 7-5. The high-value conservation areas and conservation priorities were based on the best available science and data. It is expected that, on occasion, local land use plans may indicate planned future urbanization and infrastructure development in areas that also have high conservation value as identified in the RCIS. Land use designations, including EAOs, are considered in the RCIS and included as “Foreseeable Potential Future Urbanizing Areas,” which are identified in Section 1.4.1.1 as potentially not being suitable for achieving long-term conservation goals. Because the RCIS is voluntary, nonbinding, and non-regulatory, there is, no inconsistency or conflict with local land use plans. As the requirements of the RCIS program have been met, and stakeholders were involved in the development of the AVRCIS, and the RCIS does not conflict with local or regional land use plans, therefore, rejecting the AVRCIS is not appropriate.

8. Thomas Fuller, HW Hunter, Inc., February 4, 2020

Summary of Comment 8-1

This comment states that the AVAP should be followed.

Response to Comment 8-1

The RCIS does is not a land use plan and does not affect the use or implementation of the AVAP. Land use planning determinations from the AVAP were considered in the development of the RCIS, with areas identified for development, including EAOs, included under “Foreseeable Potential Future Urbanizing Areas,” which are identified in Section 1.4.1.1 as potentially not being suitable for achieving long-term conservation goals (See the response to comment 2-2 for additional information). The AVAP was developed with different methods and objectives and is not expected to be in complete alignment with the high-value conservation areas of this RCIS. The high-value conservation areas and conservation priorities were based on the best available science and data. It is expected that, on occasion, local land use plans may indicate planned future urbanization and infrastructure development in areas that also have high conservation value as identified in the RCIS. Because the RCIS is voluntary, nonbinding, and non-regulatory, there is, by definition, no inconsistency or conflict with local land use plans.

9. Kern County Planning and Natural Resources Department, February 3, 2020

Summary of Comment 9-1

This comment states that the final draft AVRCIS does not include local agencies that have land use jurisdiction and is not reflective of an objective analysis of actual threats and stressors in the Antelope Valley.

Response to Comment 9-1

Outreach and stakeholder involvement with the public, local jurisdictions, and other organizations was conducted according to the RCIS Program Guidelines. The public, local jurisdiction, and stakeholder involvement process is described in Section 1.5. This included direct outreach to the County of Los Angeles Board of Supervisors and city councils of Lancaster and Palmdale. Threats and stressors are addressed throughout Chapter 2 (*Environmental Setting*) and Chapter 3 (*Conservation Strategy*) where appropriate.

Summary of Comment 9-2

This comment states that Kern County appreciated that the RCIS development team complied with their request for the removal of Kern County lands from the AVRCIS.

Response to Comment 9-2

The RCIS development team was happy to comply with the request from Kern County.

Summary of Comment 9-3

This comment states that Kern County supports the clear and specific language expressing that the intent of the RCIS product and that the maps and conclusions therein are not binding on local government.

Response to Comment 9-3

Correct, the RCIS is voluntary, nonbinding, and non-regulatory.

Summary of Comment 9-4

This comment states that data included in the AVRCIS is being misused by other organizations to oppose projects under CEQA.

Response to Comment 9-4

The DMCA, the steering committee, CDFW, and the preparers of this RCIS do not condone the misuse of data in this RCIS under any circumstances. We understand the concern over misuse of the analysis provided in the RCIS, however, the AVRCIS and the RCIS program guidelines both clearly identify that the document is only appropriately used to guide, not direct, any conservation actions taken. The AVRCIS does not restrict development in areas identified as beneficial to conservation. The RCIS is a voluntary, nonbinding, and non-regulatory regional planning document.

Summary of Comment 9-5

This comment states that the water adjudication explanation does not acknowledge the severe limitations on water allocations that will affect growth in the Antelope Valley, but rather identifies possible mitigation actions for identified potential planned projects..

Response to Comment 9-5

The RCIS discussed the continued demand for water as it has further altered natural land cover and hydrologic regimes in the RCIS area, with wide-ranging and, in many cases, uncertain effects on focal species. The RCIS does not discuss this with respect to economic growth because that is not the focus of the RCIS. Following the RCIS program requirements, the RCIS does consider existing and reasonably foreseeable major water, transportation and transmission infrastructure facilities, urban development areas, and city, county, and city and county general plan designations (CDFG Code Section 1852(c)(6)) and has obtained the areas shown from the local area plans discussed in Section 2.2.2

Summary of Comment 9-6

This comment states that areas indicated as Foreseeable Potential Future Urbanizing Areas are adjacent to areas where there are large-scale commercial solar projects proposed in Kern County, and that these areas are not likely to become urbanized based on communications with Los Angeles County. The comment also states that they are unaware of the solar sites identified in Figure 3-24.

Response to Comment 9-6

The Foreseeable Potential Future Urbanizing Areas shown in Figure 2-22 are based on the location of future transportation infrastructure projects, potential solar energy activity areas, potential subdivision activity areas, and EOAs as made publicly available by local jurisdictions and infrastructure agencies. The specific area mentioned as a concern is included within the Foreseeable Potential Urbanizing Area designation as it is a mapped EOA in the Los Angeles County AVAP. The solar projects close to the border with Kern County are also identified as approved projects in the AVAP.

Summary of Comment 9-7

This comment states that the AVRCIS is inconsistent with Local Plans, and that the RCIS should identify potential future growth patterns and urbanization areas consistent with those identified by local governments. The comment continues, expressing concern that the mis-use of the RCIS tool can be used to stop development and pre-determine impacts of projects that have not undergone a CEQA review, and that the RCIS does not fulfill the legislative requirements to identify growth patterns or stressors that justify the conservation strategy.

Response to Comment 9-7

The AVRCIS is consistent with the current 2018 Program Guidelines and meets all substantive standards. The high-value conservation areas and conservation priorities were based on the best available science and data. It is expected that, on occasion, local land use plans may indicate planned future urbanization and infrastructure development in areas that also have high conservation value as identified in the RCIS. Local land use plans were not expected to be in complete alignment with

the high-value conservation areas of this RCIS because they were developed with different methods and objectives. Because the RCIS is voluntary, nonbinding, and non-regulatory there is, by definition, no inconsistency or conflict with local land use plans. The RCIS does not in any way specify, suggest, or require any mitigation for any project. The RCIS does use the best available science and data to assess the current status of Focal Species and Other Conservation elements to identify conservation targets for those resources.

10. Tejon Ranch Company, February 6, 2020

Summary of Comment 10-1

This comment states that the letter and comments therein should be considered and responded to by DCMA and by the CDFW because the comments relate to the DMCA's lack of compliance with statutory requirements to Sections 1850–1861 (RCIS Statute) and the 2018 RCIS Program Guidelines.

Response to Comment 10-1

The AVRCIS is consistent with the current 2018 Program Guidelines and meets all substantive standards. Because the AVRCIS was originally submitted prior to September 2017, this AVRCIS complies with the 2018 Program Guidelines, which allows for some reliance on the 2017 Guidelines for documents submitted prior to September 2017. The requirements for this RCIS are detailed in Section 1.4.7.

Summary of Comment 10-2

This comment states that Tejon Ranch has repeatedly requested that its lands not be included in the study area or in the scientific modeling on which the AVRCIS is based.

Response to Comment 10-2

The RCIS area excludes Tejon Ranch lands and the scientific modelling supporting the RCIS was revised and rerun without Tejon Ranch lands included in the spring and summer of 2020. Removal of the Tejon Ranch Lands did not change the results of the final output of the scientific modelling, including the results of the modelling represented in the figures and tables of the AVRCIS.

Summary of Comment 10-3

This comment states that the AVRCIS is not based on the best available science to create scientific models because it does not include the project-level or planning-level ecological analysis conducted for Tejon Ranch.

Response to Comment 10-3

The high-value conservation areas and conservation priorities identified in this RCIS were based on the best available science and data. Typically, regional planning efforts such as Habitat Conservation Plans, Natural Community Conservation Plans, and RCISs rely on regional and statewide biological databases as the clearinghouses for storing and accessing the best available biological data. The California Natural Diversity Database (CNDDB) is the primary biological database for the state, which relies on project-level biological data to be submitted by entities conducting project-level

biological studies. The biological data for all records in CNDDDB from 2000 to 2016 in the RCIS plan area was downloaded in 2017, when the RCIS plan area still included the Tejon Ranch property. Therefore, all project-level biological data that would have been customarily submitted to CNDDDB for the Tejon Ranch area would have been included in the RCIS data, analysis, and modeling. As noted in the response to comment 10-2, the RCIS area was revised to exclude Tejon Ranch and the analysis and modeling were rerun without the Tejon Ranch data.

When important project-level data sources are identified and are found not to be included in CNDDDB or other regional data sources, the data is acquired and incorporated into the RCIS database, analysis, and modeling. In response to this comment, we have searched for additional biological data that is publicly available to determine if there are other data sources that would have been acquired and included in the RCIS analysis if Tejon Ranch had remained in the RCIS area. The only publicly available report that could be found was the Centennial Specific Plan Project Site 2003/2004 Botanical Survey Report. We compared the biological data in this report to the biological data in CNDDDB and found that only a limited amount of the data in the report appeared to coincide with data appearing in CDNNB, and that there were relatively few records overall for the Tejon Ranch area within CNDDDB. Therefore, it appears that much of the important project-specific biological data collected on Tejon Ranch has not been incorporated into CNDDDB and is not otherwise publicly available. Had Tejon Ranch chosen to stay in the RCIS area the important project-specific data would have been requested and presumably acquired directly from Tejon Ranch to ensure that the RCIS was using the best available science and data for this portion of the former RCIS area.

If important project-level data are not made available, regional conservation planning efforts typically do not have the resources to conduct exhaustive research and evaluation to determine if other project-level data may be missing from regional databases such as CNDDDB. Furthermore, because the RCIS provides planning-level data and guidance, this information should always be verified by future project-level assessments before being applied to conservation investments and mitigation credit agreements.

Summary of Comment 10-4

This comment states that Tejon Ranch lands should be removed entirely from the scientific modeling, in accordance with prior assurances made by the preparers to Tejon.

Response to Comment 10-4

The RCIS area excludes Tejon Ranch lands and the scientific modelling supporting the RCIS was revised and rerun without Tejon Ranch lands included in the spring and summer of 2020. Removal of the Tejon Ranch Lands did not change the results of the final output of the scientific modelling, including the modelling results represented in the figures and tables of the AVRCIS.

Summary of Comment 10-5

This comment states that the AVRCIS does not conform to recommendations in the 2018 Guidelines, and that the AVRCIS was not initiated by the DCMA prior to January 1, 2017. The comment further states that CDFW cannot approve the RCIS without completely restarting the process.

Response to Comment 10-5

The DMCA participated in AVRCIS steering committee meetings and RCIS development starting with the AVRCIS Kick-Off Meeting on June 13, 2016, which initiated the AVRCIS. The DMCA discussion and decision for formal commitment occurred at the DMCA governing board meeting on September 13, 2017. CDFW is aware of the timelines for DMCA participation, public meetings, and decision to formalize its role as the RCIS proponent and CDFW has no concerns. See response to comment 10-1 and 10-19. The RCIS meets all requirements of the 2018 Guidelines, therefore, the RCIS process does not need to be restarted for CDFW to approve this RCIS.

Summary of Comment 10-6

This comment states that the AVRCIS study area appropriately does not include Tejon Ranch lands and that Tejon Ranch should be excluded from the RCIS and scientific modeling because it is already subject to a Comprehensive Conservation Plan. The comment also discusses the overall purpose of the RCIS program as “providing a basis for voluntary investments in conservation and to encourage mitigation agreements in furtherance of development projects”. As the Ranchwide Agreement over Tejon Ranch prohibits the development and sale of mitigation credits, they feel that their lands do not meet the primary purpose of the legislation.

Response to Comment 10-6

The RCIS does not include Tejon Ranch lands. All scientific models were rerun in the spring and summer of 2020 to remove Tejon Ranch from the scope of analysis. Removal of the Tejon Ranch Lands did not change the results of the final output of the scientific modelling, including the modeling results represented in the figures and tables of the AVRCIS.

Regardless, including lands adjacent to the RCIS area in RCIS modeling is consistent with Assembly Bill 2087 and the CFGC. Specifically, 1852(c)(14) states that a RCIS shall include all the following, including: Incorporation and reliance on, and citation of, the best available scientific information regarding the strategy area and the surrounding ecoregion, including a brief description of gaps in relevant scientific information, and use of standard or prevalent vegetation classifications and standard ecoregional classifications for terrestrial and aquatic data to enable and promote consistency among RCISs throughout California.

Summary of Comment 10-7

The comment states that the RCIS Statute requires that the AVRCIS incorporate the best available scientific information for the strategy area and surrounding ecoregion, and that the RCIS must either exclude Tejon Ranch lands from the analysis or re-run the model to include the best available scientific information.

Response to Comment 10-7

The RCIS models were re-run in the spring and summer of 2020 to remove Tejon Ranch lands from their scope of analysis. Removal of the Tejon Ranch Lands did not change the results of the final output of the scientific modelling, including the modeling results represented in the figures and tables of the AVRCIS. See the response to Comment 10-3 for additional information.

Summary of Comment 10-8

The comment rejects that the RCIS was developed using the best available biological land use planning information and that it builds on existing information from the SWAP, DRECP, California Desert Biological Conservation Framework, and SEAs from the LA County General Plan.

Response to Comment 10-8

The RCIS utilized information from the SWAP, DRECP, California Biological Conservation Framework, and LA County General Plan, however it was developed with different methods and objectives and is not expected to be in complete alignment with the high value conservation areas identified within them. Each of these documents was developed with a different purpose, and, as such, the results from all the documents vary to meet their intended purpose.

Summary of Comment 10-9

This comment states that the RCIS does not utilize the best available data in the scientific modeling because it includes Tejon Ranch lands but does not include project level habitat data from the Centennial Specific Plan, the Caltrans State Route 138 widening project, or the planning level data from the AVAP.

Response to Comment 10-9

See response to Comment 10-7. Inclusion of the project level data from the Centennial Specific Plan and Caltrans State Route 138 widening projects would bias the overall planning effort toward the additional survey efforts completed for those projects. The data from the AVAP is considered in the RCIS analysis, but as it is a regional land use plan with different methods and objectives than the RCIS, and the results are not expected to be in complete alignment.

Summary of Comment 10-10

This comment contends that the RCIS's statements on Page 1-5 in Items 3, 5, and 7 are inaccurate because the analysis and mapping for the Centennial, AVAP, and State Route 138 widening project are more specific and accurate.

Response to Comment 10-10

See responses to Comments 10-7 and 10-9. While the project level data is more accurate for those areas, including that level of data for only some portions of the RCIS area into the scientific modeling would make the overall model results less accurate.

Summary of Comment 10-11

This comment states that the modeling used to develop high value conservation areas indicates that it extrapolated in areas that are lacking adequate data from field surveys, but some publicly available project level data have not been included.

Response to Comment 10-11

See responses to comments 10-7, 10-9, and 10-10.

Summary of Comment 10-12

This comment states that there is no explanation in the AVRCIS of how species occurrence data was filtered based on if those occurrences were in suitable or unsuitable habitat (i.e., migration versus breeding), such as for the willow flycatcher and Swainson's hawk.

Response to Comment 10-12

Appendix G describes how occurrence data was used in the species distribution models. Occurrence data shown on the species figures in Appendix F are from CNDDDB and BISON databases. These databases are curated for scientific accuracy. No additional filtering was applied to the occurrence data. Data from CNDDDB was classified into two categories (i.e., general or specific location) based on the CNDDDB occurrence precision attributes.

Summary of Comment 10-13

This comment states that the RCIS Section 3, describing the methodology for determining areas of high conservation value is not based on the best available science because it does not include project level data from the Centennial and State Route 138 widening projects, or the AVAP.

Response to Comment 10-13

See responses to comments 10-7, 10-9, and 10-10.

Summary of Comment 10-14

This comment states that the modeling included in Appendices F and G also suffer from the lack of inclusion of data from the Centennial and State Route 138 projects and AVAP.

Response to Comment 10-14

See responses to comments 10-7, 10-9, and 10-10.

Summary of Comment 10-15

This comment reiterates concerns regarding the exclusion of project level data in the RCIS scientific modeling, especially considering the specific knowledge of the Centennial Project, State Route 138 widening, and AVAP by the people and entities preparing the RCIS from when it was initiated.

Response to Comment 10-15

See response to comments 10-7, 10-9, and 10-10.

Summary of Comment 10-16

This comment states that the project level data such as that from the Centennial Project and State Route 138 constitutes the best available scientific information that the RCIS is required by statute to use. The comment further states that CDFW cannot approve the RCIS without the inclusion of this data in the scientific modeling.

Response to Comment 10-16

See the response to comments 10-7, 10-9, and 10-10 regarding the inclusion of project level data into the RCIS's regionwide analysis. This project-specific data is not appropriate for the analytical methods used to prepare this RCIS, therefore, CDFW is not required to reject the RCIS for this reason.

Summary of Comment 10-17

This comment recommends removing the Tejon Ranch Lands from the RCIS's study area and scientific modeling.

Response to Comment 10-17

Tejon Ranch lands were removed from the RCIS study area in 2019 and from the RCIS scientific modeling in 2020.

Summary of Comment 10-18

This comment states that the AVRCIS process has been run by private entities and individuals with conflicts of interest and not by a public agency, as required by the statute.

Response to Comment 10-18

The RCIS was prepared under the direction of and submitted on behalf of the DMCA, a public agency and the RCIS proponent. The RCIS team has worked to be inclusive in the development of the RCIS from the beginning. See Sections 1.4, 1.5, and the summary provided in the response to Comment 2-1 for details regarding the public and stakeholder involvement process.

Summary of Comment 10-19

This comment states that DCMA did not become the public agency sponsor of the RCIS until September 13, 2017, and that the RCIS effort has been largely led by private entities and individuals. The comment asserts that the DMCA became the "public agency" proponent of the AVRCIS after the majority of the work regarding scientific modeling had been completed. The comment continues to state that the process used by the RCIS, and "forum shop" to include DMCA as the sponsoring public agency is contradictory to the RCIS statute and is not in line with the basic principles of governmental transparency that apply to public agency operations.

Response to Comment 10-19

There are no requirements in the legislation or current RCIS Guidelines (2018) that specifies the proponent be identified at the initiation of an RCIS. The AVRCIS was one of four pilot RCISs initiated prior to the enactment of the legislation and completion of the final RCIS guidelines (2018 Guidelines, p. 4-1, footnote 111). The DMCA participated in AVRCIS steering committee meetings and RCIS development starting with the AVRCIS Kick-Off Meeting on June 13, 2016 (the email notice was distributed to over 50 entities on June 3, 2016 and included Tejon Ranch representatives. DMCA also sent out an email "eblast" on January 26, 2017 (sent to over 80 entities with expressed interest in the AVRCIS, including Tejon Ranch representatives) (see email copy in Appendix C-2) providing an update on the RCIS to interested parties, further supporting their continued involvement in the RCIS

process. DMCA subsequently posted this announcement and the Public Meeting Notice on February 3, 2017, on the DMCA web page. The public meeting was hosted by DMCA on March 7, 2017. The legislation does not specify when the public agency must confirm its commitment as the RCIS proponent. The DMCA discussion and decision for formal commitment occurred at the DMCA governing board meeting on September 13, 2017. CDFW is aware of the timelines for DMCA participation, public meetings, and decision to formalize its role as the RCIS proponent and CDFW has no concerns.

Summary of Comment 10-20

This comment states that in addition to not being led by DMCA, that participants in the AVRCIS process have conflicts of interest. Tejon Ranch asserts that the steering committee was composed of entities and individuals that used the process for their own individual interests, and not that of the public. The comment further requests that those individuals that have conflicts of interest be excluded from the RCIS process from here forward.

Response to Comment 10-20

Participation in the AVRCIS development has been an open process with specific opportunities for all interested parties to provide input and feedback on the RCIS planning process and final document. Public outreach was conducted according to the RCIS Program Guidelines. The public and stakeholder involvement process is described in Section 1.5. The steering committee and advisory committee memberships were comprised of a spectrum of interests, providing balanced contributions and guidance from a science and land use planning perspective. No stakeholder has decision making authority over the RCIS, and all decisions made in the development of the RCIS were made to support the development of a strategy to inform conservation investments within the Antelope Valley Region.

Summary of Comment 10-21

This comment states that the AVRCIS process is run by private consultants and entities with funding from private entities that do not have a contractual obligation to DMCA, the public agency proponent of the AVRCIS; therefore, the DMCA cannot be deemed the entity preparing the AVRCIS.

Response to Comment 10-21

There is no requirement that an RCIS is funded by the public agency applicant. See response to comment 2-1.

Summary of Comment 10-22

This comment states that because the RCIS was led by private entities and individuals instead of a public agency, the AVRCIS lacked transparency, accountability, and the opportunity for stakeholders to have input in the development of the AVRCIS, which is contrary to the intent of the RCIS statute.

Response to Comment 10-22

Public outreach was conducted according to the RCIS Program Guidelines. The public and stakeholder involvement process is described in Sections 1.4, 1.5. A summary of this process is included as a response to Comment 2-1.

Summary of Comment 10-23

This comment references the audio tape of the DMCA governing board meeting on September 13, 2017. The comment transcribed four quotes from the meeting as evidence that there was “intentional desire to sugarcoat the public process and maintain secrecy.”

Response to Comment 10-23

The four quotes provided in this comment were not provided with the full transcript for context, therefore, it is difficult to ascertain specifically what some of the statements made in the meeting were responding to. It is also not clear if certain statements that were unclear or incorrect were later clarified or corrected.

In the first quote it is not clear exactly who the “Planning Team” is that Mr. Edelman is referring to. The RCIS preparation process was led by the consultant team and established a steering committee and an advisory committee. Later a Technical Subcommittee was formed to provide technical input into the RCIS methods, results, and documentation. The process was always implemented in a fully transparent and inclusive manner with no “intentional desire to sugarcoat the public process and maintain secrecy”. The consultants were hired by Bechtel and Woodward Fund as is stated. The document had not been distributed for formal public review at the time of these statements, so that may be what Mr. Edelman meant by saying it was “a private document”. However, this was following the standard process for RCISs and environmental documents where documents are not circulated for public review until they are ready for the public comment period.

The second quote is from an Unknown Speaker, is not clearly articulated, and is not correct. Because the statement is out of context it is unclear if anyone in the meeting corrected these statements. The process was not being implemented by “a team of advisors from different nonprofits and conservation entities”. All interested stakeholders were welcome to participate in the Advisory Committee and the Steering Committee was established to include a range of interests including public utilities, infrastructure agencies, local jurisdictions, regulatory agencies, and environmental nonprofit groups. Representatives from some of these groups did not always attend the steering committee meetings (one never did), and one group specifically asked to be removed from the Steering Committee. However, the intended purpose of the Steering Committee was to provide guidance from a well-balanced range of interests.

The third quote states that the RCIS had been going on for a year and a half before the September 13, 2017 board meeting. The quote also states that the RCIS was initiated prior to the RCIS legislation being enacted. These statements are correct. The AVRCS is one of four pilot project RCISs intended to provide proof of concept.

The fourth quote appears to be in reference to the steps required in the RCIS legislation and DMCA's role as the RCIS proponent. The statement is acknowledging that DMCA decided to become the RCIS proponent prior to reviewing the final draft RCIS. This is correct in that the RCIS proponent is identified early in the RCIS preparation process. The statement also notes that DMCA would get the opportunity to review the RCIS prior its submittal to CDFW. This statement is also correct in that the DMCA is represented on the Steering Committee, which is involved in determining when the RCIS may be submitted to CDFW. The statement that “the people preparing it don't want that final draft to go public until it has gone to the Department of Fish and Wildlife” does not however, accurately represent the process of RCIS development. The Public Review Draft of the RCIS is a specific draft in the sequence of preparing the RCIS. According to the legislation, a Completeness

Review Draft is submitted to CDFW, and if the RCIS is deemed completed, then a Public Review Draft is circulated to the public for review and comments. The Final RCIS is prepared to address and include the public comments. Therefore, the RCIS would not “go public” until the Public Review Draft. However, as various elements of the RCIS were being developed they were presented to the Steering Committee and Advisory Committee, and at key points at public meetings to solicit early input from jurisdictions, agencies, stakeholders, and members of the public.

The RCIS was prepared in compliance with the legislation and with the spirit and intent of full inclusion of all interested stakeholders and other interested members of the public.

Summary of Comment 10-24

This comment states that the preparers of the AVRCIS intentionally did not comply with requirements in the RCIS process to conduct a transparent process. The draft AVRCIS was not available for public review until after CDFW review. The comment also states that the DMCA governing board meeting on September 13, 2017 was the first time that DMCA “considered and discussed its formal involvement in the AVRCIS process.”

Response to Comment 10-24

See response to comment 10-1 regarding consistency with the RCIS program requirements and response to comment 2-1 for additional information on the transparency and public engagement in the process. Consistent with the 2018 RCIS Guidelines, CDFW conducts a completeness review prior to the initiation of the public review of the RCIS document.

While it may be correct that the DMCA governing board meeting on September 13, 2017 was the first time that DMCA “considered and discussed its formal involvement in the AVRCIS process” there is no requirement in the legislation that the RCIS proponent be the entity that initiates an RCIS. As stated in the response to Comment 10-23, above, the AVRCIS is one of four pilot project RCISs intended to provide proof of concept. Early in the process DMCA stated its intent to become the RCIS proponent. The DMCA discussion and decision for formal commitment occurred at the DMCA governing board meeting on September 13, 2017.

As also noted in the response to Comment 10-23, above, the consultant team, Steering Committee, Advisory Committee, and Technical Subcommittee (representatives from public utilities, infrastructure agencies, local jurisdictions, regulatory agencies, and environmental nonprofit groups were members of one or more of these committees) were “conducting all work and making all decisions relative to the AVRCIS” not “private entities and conflicted individuals.” The RCIS was prepared under the direction of and submitted on behalf of the DMCA, a public agency and the RCIS proponent.

Summary of Comment 10-25

This comment states that the AVRCIS incorrectly asserts that the AVRCIS was initiated by the DCMA in March 2016, and that the AVRCF document, the precursor to the AVRCIS, was already being prepared by a private entity prior to DMCA’s involvement. The comment further states that the RCIS’ representation of DMCA’s involvement is misleading, and that CDFW should not approve the RCIS.

Response to Comment 10-25

See response to Comment 10-1, Comment 10-18, and Comment 10-22

Summary of Comment 10-26

This comment states that the RCIS did not conduct outreach to interested parties, including not filing a notice of intent was not published by the DMCA or AVRCIS preparers, which is required by RCIS Statute. The comment further states that the RCIS cannot move forward without meeting this requirement.

Response to Comment 10-26

See response to Comments 2-1, 10-1, and 10-18. The AVRCIS is consistent with the current 2018 Program Guidelines and meets all substantive standards. Because the AVRCIS was originally submitted prior to September 2017, this AVRCIS complies with the 2018 Program Guidelines, which allows for some reliance on the 2017 Guidelines for documents submitted prior to September 2017. The requirements for this RCIS are detailed in Section 1.4.7.

Summary of Comment 10-27

This comment states that the AVRCIS process did not adhere to the 2018 Guidelines for RCISs. The DMCA cannot provide written documentation to adequately prove that it is exempt from the 2018 Guidelines (either initiated on or after January 1, 2017, or if a notice of intent was published after September 13, 2018).

Response to Comment 10-27

See response to comment 10-18. The AVRCIS is consistent with the current 2018 Program Guidelines and meets all substantive standards. Because the AVRCIS was originally submitted prior to September 2017, this AVRCIS complies with the 2018 Program Guidelines, which allows for some reliance on the 2017 Guidelines for documents submitted prior to September 2017. The requirements for this RCIS are detailed in Section 1.4.7.

Summary of Comment 10-28

This comment states that the AVRCIS does not comply with provisions in Section 4.2.4 in the 2018 Guidelines, which recommends outreach to tribes with cultural interests in the RCIS area.

Response to Comment 10-28

The tribal outreach became a suggested action in the 2018 RCIS Guidelines and was not a requirement at the time of preparation of the public review draft AVRCIS. However, subsequent to the end of the public review period and at the request of the Fernandeño Tataviam Band of Mission Indians, we have conducted outreach to obtain input from tribes with potential interest in the RCIS. The two main tribes of the Antelope Valley RCIS are the Fernandeño Tataviam Band of Mission Indians and the San Manuel Band of Mission Indians. A series of correspondences and meetings with tribal representatives from both tribes occurred throughout the summer and fall of 2020 to ensure that concerns of the tribal members were addressed and that the RCIS accurately reflected the

tribes' interest and support for the Antelope Valley RCIS. This information is described in both Chapter 1 and Chapter 4.

11. Antelope Valley – East Kern Water Agency, February 7, 2020

Summary of Comment 11-1

This comment states that the Antelope Valley – East Kern Water Agency was unaware of the preparation of the AVRCIS and was not involved in the process to develop the RCIS. AVEK should have been involved with the process considering the emphasis placed on understanding future water infrastructure planning.

Response to Comment 11-1

Public outreach was conducted according to the RCIS Program Guidelines. The public and stakeholder involvement process is described in Sections 1.4, 1.5, and at the beginning of Appendix C of the RCIS and is summarized in the response to comment 2-1. All known areas of foreseeable future development are identified under “Foreseeable Potential Future Urbanizing Areas”, which are included in mapping shown in Figures 2-14, 2-22, 3-20 through 3-22, 3-24, and Appendices F and H and identified in Section 1.4.1.1 as potentially not being suitable for achieving long-term conservation goals.

Summary of Comment 11-2

This comment states that the AVRCIS is grandfathered from the latest guidelines for RCIS and that the document should be held to the latest guidance from CDFW.

Response to Comment 11-2

The AVRCIS is consistent with the current 2018 Program Guidelines and meets all substantive standards. Because the AVRCIS was originally submitted prior to September 2017, this AVRCIS complies with the 2018 Program Guidelines, which allows for some reliance on the 2017 Guidelines for documents submitted prior to September 2017. The requirements for this RCIS are detailed in Section 1.4.7.

Summary of Comment 11-3

This comment states that AVEK was not party to the draft AVRCIS and as a major water provider and infrastructure builder, AVEK should have been involved in the preparation of the AVRCIS.

Response to Comment 11-3

See response to comment 11-1

Summary of Comment 11-4

This comment states that the AVRCIS should be rejected

Response to Comment 11-4

See response to comment 11-1 for a summary of public outreach and stakeholder involvement. As the outreach requirements have been met, and stakeholders were involved in the development of the AVRCIS, we do not agree that rejecting the AVRCIS is appropriate.

Summary of Comment 11-5

This comment states that the AVRCIS should no longer be exempted from the latest CDFW guidelines

Response to Comment 11-5

See response to comment 11-2

Summary of Comment 11-6

This comment states that a new AVRCIS should be prepared that reflects larger input from stakeholders and Antelope Valley residents.

Response to Comment 11-6

See response to comment 11-1 and 11-4

Summary of Comment 11-7

This comment states that a new RCIS should be prepared that is consistent with the AVAP.

Response to Comment 11-7

The high-value conservation areas and conservation priorities were based on the best available science and data. It is expected that, on occasion, local land use plans such as the AVAP may indicate planned future urbanization and infrastructure development in areas that also have high conservation value as identified in the RCIS. As discussed further in the response to comment 2-2, the RCIS and AVAP were developed for different purposes, leading to differing results. Because the RCIS is voluntary, nonbinding, and non-regulatory, there is no inherent inconsistency or conflict with local land use plans.

12. Los Angeles County Department of Regional Planning, February 10, 2020

Summary of Comment 12-1

This comment states that the AVRCIS was not developed in coordination with the Department of Regional Planning and must not be listed as a party that participated in the creation of the AVRCIS. The comment also references attached letters, which are letters from the Los Angeles County Department of Regional Planning to the AVRCIS requesting that the AVAP EOA areas be excluded from conservation areas, and then subsequently requesting to withdraw from the steering committee.

Response to Comment 12-1

The AVRCIS does not list Los Angeles Department of Regional Planning as a participating party. See response to comment 12-9, below. The AVRCIS Planning Team removed the Los Angeles County Department of Regional Planning as requested.

The RCIS is a voluntary, nonbinding, and non-regulatory regional planning process intended to result in higher-quality conservation outcomes. An RCIS establishes conservation goals and objectives and describes conservation actions that may be used as a basis to provide advance mitigation or to inform other conservation planning processes and investments. The high-value conservation areas and conservation priorities were based on the best available science and data. It is expected that, on occasion, local land use plans may indicate planned future urbanization and infrastructure development in areas that also have high conservation value as identified in the RCIS. Because the RCIS is voluntary, nonbinding, and nonregulatory, there is, no inherent inconsistency or conflict with local land use plans, even though the AVAP and the RCIS may contemplate different uses for some of the lands within the Plan Area.

Economic Opportunity Areas (EOAs) are included under “Foreseeable Potential Future Urbanizing Areas,” and are shown on 60 of the AVRCIS maps (Figures 2-14, 2-22, 3-20 through 3-22, 3-24, and Appendices F [27 figures] and H [27 figures]), and are identified in Section 1.4.1.1 as potentially not suitable for achieving long-term conservation goals given the future planned urbanization of these areas.

Summary of Comment 12-2

This comment states that additional language should be added to the AVRCIS to clarify that the document does not precisely map environmental resources of hazardous or critical concern, and that the document does not conflict with the Significant Ecological Areas in the Countywide General Plan.

Response to Comment 12-2

The high-value conservation areas and conservation priorities identified in this RCIS were based on the best available science and data. The SEAs are shown in the RCIS for context, but were not expected to be in complete alignment with the high-value conservation areas of this RCIS because they were developed with different methods and/or objectives. Additional language has been included in the RCIS regarding the precision of mapping and the lack of conflict with the SEAs.

Summary of Comment 12-3

This comment states that the High Desert Corridor should be reevaluated as an area of potential future urbanization.

Response to Comment 12-3

On December 31, 2020, the California Department of Transportation (Caltrans) notified the U.S. Federal Highways Administration (FHWA) that the rail component of the High Desert Corridor was moving forward with a Record of Decision expected in 2021. However, Caltrans is opting not to build the freeway portion of the project at this time, but reserves the right to resume work on the freeway component at some point in the future (High Desert Corridor JPA meeting minute, January

14, 2021). The text in the RCIS has been updated to reflect the new status of the High Desert Corridor projects.

Summary of Comment 12-4

This comment states to add page numbers on documents that have figures or maps.

Response to Comment 12-4

The final RCIS has gone through formal technical editing. Final document formatting has been determined according to the applied technical editing standards.

Summary of Comment 12-5

This comment states to add language to clarify that the AVRCIS “does not designate, precisely map or officially adopt environmental resources or hazardous or critical concern” for the purposes of CEQA.

Response to Comment 12-5

See response to comment 12-2.

Summary of Comment 12-6

This comment states to add that Conservation Priority Areas are also derived from public input on page 1-6.

Response to Comment 12-6

The revision was considered and it was determined that this addition was not appropriate in the text describing Identification of Conservation Priority Areas.

Summary of Comment 12-7

This comment states to clarify if Conservation Priority Areas are the same as High Conservation Value Areas.

Response to Comment 12-7

Conservation Priority Areas are not the same as High Conservation Value Areas. Definitions and language have been updated throughout the document to be consistent with the 2018 RCIS Guidelines.

Summary of Comment 12-8

This comment states to remove “County” references under the Advisory Committee because no county governments participated in the creation of the AVRCIS.

Response to Comment 12-8

“County” reference has been removed from the Advisory Committee.

Summary of Comment 12-9

This comment requests to clarify what is meant by “the public meeting was broadly noticed through the ‘County of Los Angeles’” on page 1-15. The comment further states that the DRP did not notify the public for this document and that references to the County’s participation must be removed.

Response to Comment 12-9

Los Angeles County Department of Regional Planning provided a list of over 200 addresses to be used for the public announcements and notices for the AVRCIS. This email listserv included all individuals and entities that had expressed previous interest in the Antelope Valley Area Plan (AVAP) and the revision process for the Los Angeles County Significant Ecological Areas (SEAs) in the Antelope Valley portion of Los Angeles County. This listserv was supplemented with the email listserv maintained by DMCA and an email blast was sent to nearly 350 individuals and organizations in late 2016.

The public meetings were announced through DMCA and the AVRCIS consultants, not through the County of Los Angeles. Therefore, this statement has been modified to remove “County of Los Angeles.” Additionally, the March 2017 issue of the Lakes and Valleys Gazette, a local news publication, published an article about the beginning of the Antelope Valley RCIS process and included information for attendance at the public meeting on March 7, 2017, as well as contact information for the plan preparers and the website address for DMCA where announcements, meeting minutes, memos, reports and documents were made available throughout the RCIS development process.

Summary of Comment 12-10

This comment states that “Board of Supervisors” must be capitalized on page 1-15.

Response to Comment 12-10

It has been capitalized.

Summary of Comment 12-11

This comment states that on page 2-4, to revise the paragraph discussing climate to “...with temperatures averaging from 50 to 75”

Response to Comment 12-11

The suggested revision has been made.

Summary of Comment 12-12

This comment states that the description of the Northern Mojave River and Ventura-San Gabriel Coastal watersheds in Section 2.1.2 is incorrect, and that all of the drainage in the non-coastal slope portion of the plan area terminates at Rosamond or Rodgers Lake and does not reach the Mojave River.

Response to Comment 12-12

This description is based on the USGS defined watersheds. The Northern Mojave watershed (HUC 180902) references shown in the map are correct, and it does include the areas that drain to Rosamond and Rogers Lake, even though those flows do not reach the Mojave River. The definition in the glossary has been updated to clarify what is meant here.

Summary of Comment 12-13

This comment states that the areas mapped as “North American Warm Semi-Desert Cliff, Scree, and Other Rock Vegetation” in Figure 2-4 is incorrect and should be a form of playa/wetland.

Response to Comment 12-13

The RCIS follows the National Vegetation Classification Standards (NVCS) and incorporates CDFW’s Natural Communities List. See Table 2-1 of the RCIS (CDFW 2020).

Summary of Comment 12-14

This comment states that the determination for species is arbitrary, and that more information regarding the analyses that was used to produce the determinations should be presented in Table 2-9.

Response to Comment 12-14

The list and description of these primary pressures are largely based on the pressures described in the State Wildlife Action Plan (SWAP) for the Desert Province as is stated at the beginning of Section 2.3. The SWAP identifies pressures for the Mojave Desert conservation unit as a whole. The assignment of these stressors to individual species was based on the best available scientific information, including expert input and/or locally relevant scientific literature, and professional judgement. This clarification has been added to the text.

Summary of Comment 12-15

This comment states that Policy Land Use (LU) 2.1 is an existing policy from the AVAP and should be moved to the policies listed under that plan on page 111.

Response to Comment 12-15

The policy has been moved as requested.

Summary of Comment 12-16

This comment states that Policy Land Use (LU) 2.1 is an existing policy from the AVAP and should be moved to the policies listed under that plan on page 2-73

Response to Comment 12-16

The policy has been moved as requested.

Summary of Comment 12-17

This comment states that the following Goal LU 3 and Policies 3.1 and 3.2 should be added to the AVRCIS:

Goal LU 3: A development pattern that discourages sprawl, and protects and conserves areas with natural resources and SEAs

Policy LU 3.1: Encourage the protect and conservation of areas with natural resources, and SEAs.

Policy LU 3.2: Discourage development in areas with high environmental resources and/or severe safety hazards.

Response to Comment 12-17

The goal and policies have been added as requested.

Summary of Comment 12-18

This comment states that there is a typo on Figure 2-14: Lancaster is spelled incorrectly.

Response to Comment 12-18

The figure has been corrected.

Summary of Comment 12-19

This comment states to add the following Policy LU 2.1 from Page 2-7 along with Goal Conservation and Open Space (COS) 18, Policy COS 18.1, and Policy COS 19.3:

Policy LU 2.1: Limit the amount of potential development in SEAs, including Joshua Tree Woodlands, wildlife corridors, and other sensitive habitat areas, through appropriate land use designations with very low residential densities, as indicated in the Land Use Policy Map (Map 2.1) of this Area Plan

Goal COS 18: Permanently preserved open space areas throughout the Antelope Valley

Policy COS 18.1: Encourage government agencies and conservancies to acquire mitigation lands in the following areas and preserve them as permanent open space: - SEA, including Joshua Tree Woodlands, wildlife corridors, and other sensitive habitat areas; Hillside Management Areas; - Scenic Resource Areas, including water features such as the privately owned portion of Elizabeth Lake, significant ridgelines, buttes, and other natural landforms; - land adjoining preserves, sanctuaries, State Parks, and National Forests; and – privately owned lands within the National Forest

Policy COS 19.3 Pursue innovated strategies for open space acquisition and preservation through the land development process, such as Transfers of Development Rights, Land Banking, and Mitigation Banking, provided that such strategies preserve rural character.

Response to Comment 12-19

The goal and policies have been added as requested.

Summary of Comment 12-20

This comment states to add the following language in Section 2.2.2.2: “The AVRCIS shows some habitat areas within the County’s EOAs, the county, however, has prioritized the EOAs for economic development projects and not conservation, and objects to land within an EOA as being an appropriate area for mitigation lands.”

Response to Comment 12-20

The following statement addressed the concern in the comment and is included in Section 3.4.2 “Areas within the Los Angeles County EOAs and the vicinity of other major foreseeable infrastructure and development projects are more likely to have higher future urbanization pressure; therefore, conservation priorities should not be identified in these areas when possible.” See the response to comment 2-2 for additional information.

Summary of Comment 12-21

This comment states to clarify in Section 2.3.1.2 the scale that is being addressed regarding air pollutant impacts, specifically nitrogen deposition.

Response to Comment 12-21

The scale has been clarified and supported with citation of scientific literature.

Summary of Comment 12-22

This comment states that in Table 2-10 the analysis is unclear and that Joshua trees need freezing temperatures, and that the Navarretia, turtle, and riparian bird species will be adversely affected if climate change results in loss of aquatic and riparian habitats.

Response to Comment 12-22

The table lists those species identified as climate vulnerable in the SWAP Species of Greatest Conservation Need, or are otherwise limited by range and dispersal capacity or dependence on riparian and aquatic habitats. Three of the species are SWAP Species of Greatest Conservation Need (SGCN) and the other five species were added based on the best available data and scientific literature, as well as input from species experts.

Summary of Comment 12-23

This comment states that information in Section 2.3.5.1 is incorrect, and that Tehachapi pocket mice get most or all of their water from food and typically aren’t limited by free water availability.

Response to Comment 12-23

The comment is correct, and the Tehachapi pocket mouse has been removed from this statement.

Summary of Comment 12-24

This comment states that lands within a mile of the Tehachapi Renewable Transmission Project and outside of SEAs should be considered potential solar expansion areas in Figure 2-22.

Response to Comment 12-24

Existing and approved renewable energy development in the RCIS area is shown on Figure 2-18. The figure does not include potential solar expansion areas because this would be speculative.

Summary of Comment 12-25

This comment states that DETO-4, which recommends fencing for Agassiz's desert tortoise, should be used with caution because fencing can provide perching opportunities for ravens. This comment suggests adding language to clarify this point.

Response to Comment 12-25

This action was modified to include consideration for measures to reduce the potential for ravens to use the fencing for perching.

Summary of Comment 12-26

This comment inquires whether credits can be developed for newly recognized sensitive resources that weren't considered during the initial development of the AVRCIS as the plan evolves and progress is assessed.

Response to Comment 12-26

Mitigation credits can be proposed for any focal species, non-focal species, or other conservation element by implementing conservation or habitat enhancement actions that contribute to the achievement of conservation goals and objectives outlined in this Antelope Valley RCIS and complies with CFGC 1851(d) or (g). Therefore, if the conservation goal and objective isn't outlined in the RCIS, it would not apply to a future newly recognized sensitive resources. The RCIS may be amended in the future to include new focal species, non-focal species, or other conservation elements as described in the RCIS Program Guidelines.

13. Center for Biological Diversity, February 10, 2020

Summary of Comment 13-1

This comment states that document would be improved by including pronghorn as a focal species because it would be an umbrella species for grassland and desert plant communities.

Response to Comment 13-1

Pronghorn was seriously considered as a focal species by the technical advisory committee and RCIS preparers. Due to the current status of this species and the limited occurrence in the RCIS area, it was decided not to include it as a focal species.

Summary of Comment 13-2

This comment states that the RCIS identifies nearly 48,000 acres of Department of Defense managed lands and approximately 43,000 acres of public lands that are considered "Protected Lands," but it is

unclear how much are managed or proposed to be managed for conservation purposes, especially with the Department of Defense's commitment to military readiness.

Response to Comment 13-2

Although data are not readily available for the current level of management on these lands across the RCIS area, the RCIS has been substantially updated to clarify the terminology and data sources in the methods for land protection status on currently protected and lands to be protected in the future.

Summary of Comment 13-3

This comment states that Table 2-2 needs to be updated to include the following conservation statuses:

Western Joshua Tree (*Yucca brevifolia*) is petitioned under the California Endangered Species Act as a threatened species.

Spreading navarretia (*Navarretia fossalis*) has a California Rare Plant Rank of 1B.1

Short-joint beaver tail (*Opuntia basilaris* var. *brachyclada*) has a California Rare Plant Rank of 1B.2

Mountain lion (*Felis concolor*) is petitioned under the CESA as a threatened species as part of the Southern California/Central Coast ESU

Response to Comment 13-3

Table 2-2 has been updated with the most recent conservation status for all focal species.

Summary of Comment 13-4

This comment states that the desert kit fox (*Vulpes macrotis arsipus*) is a special status species under State law because it is protected as a furbearing mammal under California Code of Regulations (CCR) Title 14, Section 460, and the statement on page 2-54 needs to reflect this status.

Response to Comment 13-4

The conservation status for desert kit fox has been updated in Table 2-3 and within the species profile to indicate that it is protected as a furbearing mammal.

Summary of Comment 13-5

This comment states that the Natural Community Alliances are confusing in Table 3-3 and that it is unclear if the alliances are represented by a single species.

Response to Comment 13-5

The table has been reorganized and formatted so that it is clear that these are the names of macrogroups, groups, and alliances.

Summary of Comment 13-6

This comment states that basing conservation goals on habitat is useful for some species, but does not address the conservation needs of others that may be substrate or hydrologically constrained, such as the alkali mariposa lily, which has specific hydrology/groundwater habitat requirements.

Response to Comment 13-6

It is true that some species have additional habitat requirements that are not easily captured with the species distribution modelling methods. In all cases prior to implementing a conservation investment or MCA, it is important to assess the on-the-ground condition of the habitat including these important microhabitat features.

Summary of Comment 13-7

This comment states that the document fails to analyze whether conserving cores and linkages is adequate to meet the goals and objectives of the RCIS, specifically as it relates to protection of focal species and conservation values as a whole in the Antelope Valley

Response to Comment 13-7

The establishment of quantitative conservation goals for the RCIS uses the high conservation value area acreages in the cores and linkages. Fulfilling the quantitative conservation goals of the RCIS in the cores and linkages would, by definition, meet the goals and objectives of the RCIS. The RCIS does allow considerable flexibility and therefore it is possible that conservation outside of the cores and linkages could contribute to fulfilling the goals and objectives of the RCIS. All else being equal, however, the better conservation outcome would be to fulfill the goals and objectives of the RCIS within the cores and linkages as much as possible.

Summary of Comment 13-8

This comment states that the original boundaries of the RCIS changed and the latest boundary does not include the best contiguous native grasslands.

Response to Comment 13-8

The change in the RCIS boundary was changed to remove Tejon Ranch at the request of their request, please see Comment Letter 10 for additional information. These changes eliminated some habitat areas, including native grasslands from the RCIS plan area.

Summary of Comment 13-9

This comment states that the authors do not support using mitigation funding to conduct species surveys because surveys do little to conserve or recover an imperiled species. The authors recognize that surveys are important for monitoring and evaluating effects of habitat improvement projects or identifying new populations. The document should include specific language that identifies the funding source for the different types of surveys or monitoring.

Response to Comment 13-9

The following statement and modifications have been made to clarify this point. “While species monitoring and additional research are important components of meeting the overall conservation goals and objectives of the RCIS, they, like many of the other actions, should not be expected to provide conservation credits to be used as compensatory mitigation if implemented in isolation. Therefore, species monitoring and additional research are listed as additional information needs in the conservation strategy for each species and not as separate actions.”

Summary of Comment 13-10

This comment states that the document needs to analyze the adequacy of protection based on land management/ownership by species and state that protected areas need to be fully protected in perpetuity or that additional acreage in specific locations will be needed to meet conservation goals or objectives.

Response to Comment 13-10

The definitions in the RCIS have been revised to match the definitions of the 2018 RCIS Guidelines. These definitions have been applied throughout the document to provide clarity regarding the level of protection needed to permanently protect species and habitats. Although data are not readily available for the current level of management on these lands across the RCIS area, the RCIS has been substantially updated to clarify the terminology and data sources in the methods for land protection status on currently protected and lands to be protected in the future.

Summary of Comment 13-11

This comment states that for species that have habitat requirements including water or hydrological processes, the goals/objectives need to include acquiring adequate water rights to maintain the water and hydrological processes upon which these species depend.

Response to Comment 13-11

If this were a requirement to provide conservation credits to be used as compensatory mitigation under an MCA, then these requirements would be specified as the time the MCA was established.

Summary of Comment 13-12

This comment states that efforts to protect multiple age-class-stands of tree species or woodlands need to be included, rather than focusing on old-growth stands because all successional phases are important over the long-term.

Response to Comment 13-12

The text has been revised to include multiple-age class stands.

Summary of Comment 13-13

This comment states that restoration in burned areas should include planting focal species and not only native shrubs, forbs, and grasses.

Response to Comment 13-13

The text has been revised to include planting young Joshua trees (caged to prevent herbivory), in addition to native shrubs, forbs, and grasses.

Summary of Comment 13-14

This comment states that conservation of desert vernal pools and alkaline playas would conserve more species that co-occur with the spreading navarretia, rather than focusing on occupied habitat alone.

Response to Comment 13-14

The text has been revised to include conservation of these ecosystems as a whole.

Summary of Comment 13-15

This comment states that for focal species that have recovery plans, recovery actions for those species should be included in the conservation strategy for those species, for example, Agassiz's desert tortoise and Mohave ground squirrel.

Response to Comment 13-15

Recovery plans were created by USFWS for vernal pool species, arroyo toad, mountain yellow-legged frog, Agassiz's desert tortoise, least Bell's vireo, California condor, and conservation strategies were created for the Mohave ground squirrel by CDFW. Goals and objectives for these species that are similar to recovery plan goals and objectives were identified.

Summary of Comment 13-16

This comment states that objectives for burrowing owl fail to include the most successful conservation strategies for this species: working cooperatively with local agricultural producers to coordinate crop plantings that benefit this species and installing burrows.

Response to Comment 13-16

Added "working with agricultural producers on the types of crops planted to benefit burrowing owl" to Conservation Action ID BUOW-9.

Summary of Comment 13-17

This comment states that golden eagle nest sites need to be protected in addition to foraging habitat.

Response to Comment 13-17

The action does now include nest sites.

Summary of Comment 13-18

This comment states that more information on how the MCA process and advance mitigation will operate is necessary in the document. Specifically, clarifications regarding any public processes

relating to mitigation, how advance mitigation is tracked and disclosed, and if progress reports on MCA holders would be publicly available.

Response to Comment 13-18

The MCA guidelines have not been finalized. The details about the MCA process will be detailed in the final guidelines when they are released by CDFW.

Summary of Comment 13-19

This comment states that not all previous comments were addressed in the draft RCIS. They stated that the previous comments were included as an attachment and requested that they be addressed.

Response to Comment 13-19

The previous comment letters were not attached so we were unable to address them.

14. Defenders of Wildlife, February 10, 2020

Summary of Comment 14-1

This comment states that Defenders of Wildlife has participated in the AVRCIS since the beginning of the process.

Response to Comment 14-1

We thank you and appreciate your continued participation.

Summary of Comment 14-2

This comment states that the assumption that federal lands are U.S. Department of Defense (DoD) lands are truly protected relative to long-term conservation needs further evaluation. The comment further states that federal lands are usually managed for multiple use that may result in habitat loss or fragmentation or increased human use. DoD lands are subject to uses in support of DoD Missions, which may conflict with protection of natural resources.

Response to Comment 14-2

Figure 2-19 shows the protected areas based on the GAP classification. The majority of federal lands are DoD lands and identified as unassigned public lands, which are considered protected; however, it is recognized that conservation actions could provide substantially more protection in many of these areas. Site-specific evaluation will be needed before any conservation investment or MCA development to determine the on-site habitat condition and current level of protection and management.

Summary of Comment 14-3

This comment states that local, regional, and state parks, wildlife sanctuaries, SEAs, and formal habitat management plan areas in the planning area need further evaluation to determine their effectiveness for sustaining natural communities.

Response to Comment 14-3

Agreed. Site-specific evaluation will be needed before any conservation investment or MCA development to determine the on-site habitat condition and current level of protection and management.

Summary of Comment 14-4

This comment states that the document should describe how the AVRCIS planning effort differs from existing local, state, and federal conservation programs in the immediate region; how the AVRCIS augments current regional conservation planning; and how it links to subsequent conservation land management implementation.

Response to Comment 14-4

The RCIS Guidelines (2018) require that an RCIS be consistent with any approved state or federal recovery plan, or other state or federal approved conservation strategy that overlaps with the RCIS area. In addition, an RCIS must be consistent with and complement any administrative draft natural community conservation plan (NCCP), approved NCCP, or federal Habitat Conservation Plan (HCP). The RCIS must take into account and be consistent with the SWAP (CDFW 2015). The AVRCIS addresses this in Section 1.7 *1.7, Relevant Conservation Plans and Policies*.

Summary of Comment 14-5

This comment states that pressures on ecological conditions, prescribed actions, and recommended measures described in the California SWAP are inadequately described in the document

Response to Comment 14-5

The RCIS has been updated to include sufficient detail from the SWAP at a level consistent with the RCIS guidelines and to the satisfaction of CDFW. Although the RCIS is intended to be consistent with the SWAP, it is not intended to comprehensively include all relevant information in the SWAP. Instead, the SWAP and other conservation plans and strategies should be used in concert with the RCIS when implementing conservation investments and MCAs.

Summary of Comment 14-6

This comment states that livestock grazing and ranching and invasive grasses should be added as a threat to the Alkali mariposa lily.

Response to Comment 14-6

Both livestock and invasive plants are now indicated as Primary Pressures and Stressors in Table 2-10.

Summary of Comment 14-7

This comment states that the AVRCIS should include additional discussion about wildfire as a natural component to ecosystems, specifically in reference to ecosystems that have undergone changes from land-use conversion and areas that are at risk from nonnative plant invasions following wildfire. Additionally, several plant species in some shrub or woodland land cover types

are not fire-adapted. The AVRCIS should also include discussion on anthropogenic causes of fire in addition to natural ones.

Response to Comment 14-7

Additional information and specificity about wildfire risk has been added to the RCIS.

Summary of Comment 14-8

This comment states that strategies involving grazing as a tool to manage vegetation conditions in grassland communities should include more information on managing the place and time that grazing would occur to benefit the ecosystem. The comment further states that using livestock grazing as a valuable tool to manage vegetation is a fallacious argument with no basis in real world applications for conservation and that statements in the RCIS should be verified through peer-reviewed literature. Further, for species such as Agassiz's desert tortoise, there is no evidence that livestock grazing will remove fine fuels and contribute to their protection.

Response to Comment 14-8

Grazing as a habitat management tool is generally addressed in Section 2.3.10.1. Text discussing the benefits of grazing for native species has been substantially revised to say that implementation of grazing as a habitat management measure should only occur where research has shown it will have benefits to native species and habitats.

Summary of Comment 14-9

This comment states that the reintroduction of pronghorn would be a far more valuable tool in managing vegetation within the plan area.

Response to Comment 14-9

Pronghorn was seriously considered as a focal species by the technical advisory committee and RCIS preparers. Due to the current status of this species and the limited occurrence in the RCIS area, it was decided not to include it as a focal species.

Summary of Comment 14-10

This comment states that off-highway vehicle (OHV) management and education outreach should extend to all conservation land management, rather than just those lands managed by the Bureau of Land Management (BLM).

Response to Comment 14-1

The BLM text that was provided as an example of OHV management issues has been reduced to minimize emphasis on BLM lands. Additional guidance for successful OHV management has been added to the RCIS.

Summary of Comment 14-11

This comment states that more narrative is needed to focus on current and past levels of ORV and OHV use on private, county, conservation, state, and federal lands; current levels of natural resource

damage caused by off-road vehicle (ORV)/OHV use, and measures that could address ORV/OHV use in the planning area. This comment states that an examination of aerial imagery can be used to determine levels of past and present ORV/OHV use and should be described in the document.

Response to Comment 14-11

Section 2.3.13 has been substantially revised to include additional narrative regarding OHV use and management. Examination of aerial imagery to evaluate past and present use in the RCIS area is beyond the scope of this document; however that information would be an important part of OHV management as a part of RCIS implementation.

Summary of Comment 14-12

This comment states that development of site management plans may not meet the definition of a conservation plan.

Response to Comment 14-12

The definitions have been updated throughout the RCIS to match those in the 2018 Guidelines, which provide clarity regarding requirements for conservation actions, enhancement actions, and conditions to meet to permanently protect habitat.

Summary of Comment 14-13

This comment states that conservation objectives must be achievable within in a 10-year period from approval of RCIS; however, the conservation objectives in this RCIS do not have a deadline, and this should be discussed in the final RCIS.

Response to Comment 14-13

Because implementation of this RCIS is voluntary, and resources available to the conservation community and others to invest in conservation and enhancement actions are limited and variable, there is no deadline to achieve these objectives, and all of the conservation goals and objectives will not likely be fully achieved within the next 10 years. Text has been added to clarify that the conservation priorities are what should be completed within 10 years. The location of conservation priorities will vary, depending on the conservation and mitigation needs and interests of the entities using the RCIS (e.g., which focal species and which actions). Note that the Program Guidelines *recommend* not require that conservation objectives be achievable within the 10-year lifespan of initial approval of the RCIS. Therefore, achievement of the conservation objectives within 10 years is a *goal* of the RCIS, not a requirement.

Summary of Comment 14-14

This comment states that funding surveys, monitoring, or studies for focal species and their habitat will not directly conserve those species or their habitat; nor will it meet the definition of conservation action from the RCIS guidelines.

Response to Comment 14-14

All surveys identified as conservation actions have been removed from the actions lists and identified as “Additional Information Needs” for that species.

Summary of Comment 14-15

This comment asserts that considerable survey information exists in the planning area for focal species, specifically surveys related to projects authorized by city, state, or federal entities; ongoing monitoring, research, and modeling being conducted by agencies; established conservation monitoring programs, and ongoing research and monitoring projects.

Response to Comment 14-15

While there is existing survey information and ongoing monitoring and research by federal, state, and local entities, there are still remaining data gaps that we have identified as useful to further the understanding of specific species and further refine the overall understanding of the conservation needs of those species. These data gaps have been identified as “Additional Information Needs” under applicable species.

Summary of Comment 14-16

Funding surveys for alkali mariposa lily should be placed in a lower priority that would not reduce funding for direct conservation efforts. Inventories and surveys should be postponed until habitat acquisitions are completed.

Response to Comment 14-16

See response to comment 14-14. The timing of surveys should correspond to the purpose of the survey. Surveys to determine presence and suitability for mitigation prior to site acquisition have a different purpose than surveys conducted for monitoring and management purposes within an MCA or other protected area.

Summary of Comment 14-17

This comment states that conducting studies of California juniper would not contribute to conservation of the species and should not be considered a conservation objective.

Response to Comment 14-17

See response to comment 14-14.

Summary of Comment 14-18

This comment states that conducting studies of Joshua tree would not contribute to conservation of the species and should not be considered a conservation action.

Response to Comment 14-18

See response to comment 14-14.

Summary of Comment 14-19

This comment states that conducting studies of spreading navarretia would not contribute to conservation of the species and should not be considered a conservation action.

Response to Comment 14-19

See response to comment 14-14

Summary of Comment 14-20

This comment states that there is considerable survey information for spreading navarretia and additional surveys may not be warranted.

Response to Comment 14-20

See response to comment 14-15.

Summary of Comment 14-21

This comment states that funding surveys for focal species and their habitats does not meet the definition of a conservation action and would not result in the conservation of the species or habitat.

Response to Comment 14-21

See response to comment 14-14

Summary of Comment 14-22

This comment states that funding surveys for focal species and habitats should be postponed until all known populations or habitat is acquired or protected.

Response to Comment 14-22

See response to comment 14-14

Summary of Comment 14-23

The comment states that there is no practical method to control nonnative invasive plants in focal species habitat and that nonnative invasive species are widespread and established within the planning area. The authors state that a more effective way of controlling nonnative invasive annual grasses would be removing livestock grazing and effective control of unauthorized recreational vehicle use. Specifically, this comment is related to desert tortoise (invasive grasses) and LeConte's thrasher (ephemeral washes/lower slopes of the Transverse Mountain Ranges bordering the planning area).

Response to Comment 14-23

Removing livestock grazing and controlling unauthorized OHV use have been added to actions for controlling spread of nonnative plants.

Summary of Comment 14-24

This comment states that installing simple road signs are ineffective in reducing desert tortoise mortality. Instead, the comment states that high-visibility kiosks with relevant interpretive panels and maps installed next to trailheads and points of entry for recreational vehicle use are more effective. Additionally, a 25-mph speed limit on all unpaved roads in desert tortoise habitat may also be effective in reducing mortality.

Response to Comment 14-24

High-visibility kiosks and a 25-mph speed limit have been added to the tortoise actions.

Summary of Comment 14-25

This comment states that funding surveys for focal species and their habitats does not meet the definition of a conservation action and would not result in the conservation of the species or habitat.

Response to Comment 14-25

See response to comment 14-14

Summary of Comment 14-26

This comment states that agencies have considerable survey information for focal species and there is no need for entities involved with the RCIS to conduct surveys or inventory

Response to Comment 14-26

See response to comment 14-15

Summary of Comment 14-27

This comment states that funding surveys for focal species and their habitats does not meet the definition of a conservation action and would not result in the conservation of the species or habitat.

Response to Comment 14-27

See response to comment 14-14

Summary of Comment 14-28

This comment states that agencies have considerable survey information for focal species and there is no need for entities involved with the RCIS to conduct surveys or inventory

Response to Comment 14-28

See response to comment 14-15

Summary of Comment 14-29

This comment states that funding surveys and conducting monitoring for focal species and their habitats does not meet the definition of a conservation action and would not result in the conservation of the species or habitat.

Response to Comment 14-29

See response to comment 14-14

Summary of Comment 14-30

This comment states that livestock grazing practices are probably not necessary or effective in the Mojave desert environment and that there is no supporting available science relative to this claim. Re-introducing pronghorn would be a more effective tool to maintaining grass height than traditional livestock grazing.

Response to Comment 14-30

See responses to comment 14-8 and comment 14-9.

Summary of Comment 14-31

This comment states that it is unclear what species-specific measures would be included in management plans for burrowing owl. Specifically, it is unclear what level of rodenticide use would ever occur or be desired on conservation lands or ecological reserves.

Response to Comment 14-31

The action is to include species-specific measures in management plans that prohibit rodenticides and emphasize the conservation and expansion of ground squirrel colonies. In agricultural areas the action is to work with agricultural land operators on agricultural easements to minimize potential impacts on burrowing owls that may occupy these areas, including use of poisons, herbicides, and rodenticides with anticoagulant.

Summary of Comment 14-32

This comment states that the AVRCIS should adopt and incorporate all applicable conservation management practices from CDFW's 2012 Burrowing Owl report.

Response to Comment 14-32

Additional conservation management actions have been added for burrowing owl from the 2012 Burrowing Owl Report.

Summary of Comment 14-33

This comment states that the entity that would be responsible for development land management strategies conducive to burrowing owl should be named in the AVRCIS. The BUOW-7 10.3 conservation action should be reworded such that it provides information about existing land

management strategies and how they can contribute to the long-term conservation of burrowing owl regionally.

Response to Comment 14-33

This recommendation has been added to BUOW-7 (renumbered as BUOW-6). The entity that would be responsible for development land management strategies conducive to burrowing owl is not known because this will occur when conservation investments and MCAs are established under the RCIS.

Summary of Comment 14-34

This comment states that livestock grazing practices or the removal thereof are probably not effective to conserve or enhance condor habitat in the Mojave desert environment and that there is no supporting available science relative to this claim. The USFWS has developed land management strategies to enhance and increase foraging habitat for this species. Re-introducing pronghorn would be a more effective tool to maintaining grass height than traditional livestock grazing.

Response to Comment 14-34

See responses to comment 14-8 and comment 14-9.

Summary of Comment 14-35

This comment states that a legitimate conservation action that would benefit the California condor would include installing permanent livestock enclosures in active livestock use areas.

Response to Comment 14-35

It is not clear what this comment means. Installing an enclosure in an active livestock use areas would seemingly exclude livestock such that it would no longer be an active livestock use area.

Summary of Comment 14-36

This comment states that conservation measures for the California condor do not adhere to the principal of "SMART" objectives (Specific, Measurable, Attainable, Relevant, Time-bound).

Response to Comment 14-36

Not all objectives were adherent to the SMART objectives expectations. The Guidelines (2018) state that objectives should be SMART; however, this is not a requirement.

Summary of Comment 14-37

This comment states that funding surveys and conducting monitoring for focal species and their habitats does not meet the definition of a conservation action and would not result in the conservation of the species or habitat.

Response to Comment 14-37

See response to comment 14-14

Summary of Comment 14-38

This comment states that it is unclear who would implement the lead reduction program and enforce a permanent ban on the use of lead ammunition per the Ridley-Tree Condor Preservation Act. Additionally, it is unclear if the action would apply to dedicated conservation lands or the entire plan area.

Response to Comment 14-38

Activities such as this would be informed or implemented by the AVRCIS Implementation Committee, should one be formed, or any other appropriate entity that chooses to implement such actions.

Summary of Comment 14-39

This comment states that a preferable conservation method for California condor would be to design and implement an education program describing mortality risk associated with lead ammunition to inform the public in the RCIS planning area.

Response to Comment 14-39

This has been added to the actions for California condor.

Summary of Comment 14-40

This comment states that funding surveys for golden eagles and their habitats does not meet the definition of a conservation action and would not result in the conservation of the species or habitat.

Response to Comment 14-40

See response to comment 14-14

Summary of Comment 14-41

This comment states that agencies have considerable survey information for golden eagles and there is no need for entities involved with the RCIS to conduct surveys or inventory

Response to Comment 14-41

See response to comment 14-15

Summary of Comment 14-42

This comment states that it is unclear who would implement the lead reduction program and enforce a permanent ban on the use of lead ammunition per the Ridley-Tree Condor Preservation Act. Additionally, it is unclear if the action would apply to dedicated conservation lands or the entire plan area.

Response to Comment 14-42

Activities such as this would be informed or implemented by the AVRCIS Implementation Committee, should one be formed, or any other appropriate entity that chooses to implement such actions.

Summary of Comment 14-43

This comment states that a preferable conservation method for golden eagle would be to design and implement an education program describing mortality risk associated with lead ammunition to inform the public in the RCIS planning area.

Response to Comment 14-43

This has been added to the actions for golden eagle.

Summary of Comment 14-44

The comment states that there is no practical method to control nonnative invasive plants in focal species habitat and that nonnative invasive species are widespread and established within the planning area. The authors state that a more effective way of controlling nonnative invasive annual grasses would be removing livestock grazing and effective control of unauthorized recreational vehicle use. Specifically, this comment is related to LeConte's thrasher (ephemeral washes/lower slopes of the Transverse Mountain Ranges bordering the planning area).

Response to Comment 14-44

See response to 14-23

Summary of Comment 14-45

This comment states that LBVI-3, 14.2 and 14.3, should be clarified to include removal of nonnative giant reed (*Arundo donax*), saltcedar (*Tamarix ramosissima*), and pepperweed (*Lepidium latifoium*) from suitable Least bells' vireo habitat, and that trapping of brown-headed cowbird (*Molothrus ater*) would be conducted where necessary to secure breeding outcomes for least Bell's vireo.

Response to Comment 14-45

These actions have been included.

Summary of Comment 14-46

This comment states that there may be suitable migratory least Bell's vireo habitat in the planning area that this species may use in the spring and fall in addition to suitable breeding habitat.

Response to Comment 14-46

These actions have been included.

Summary of Comment 14-47

This comment states that conservation actions for least Bell's vireo should include removing livestock grazing, recreational vehicle use, homeless encampments, litter, high camping/swimming use, and water diversions in riparian habitat occupied by this species.

Response to Comment 14-47

These actions have been included.

Summary of Comment 14-48

This comment states that conservation actions for least Bell's vireo should include designing site-specific invasive plant control, restoration and revegetation, riparian habitat fencing, and wildfire suppression/post-fire reclamation plans and associated implementation.

Response to Comment 14-48

These objectives and actions have been included.

Summary of Comment 14-49

This comment states that LBVI-4 14.3 is redundant with LVBI-1, and more detail should be included to clarify the intent of the action.

Response to Comment 14-49

Actions have been revised and clarified.

Summary of Comment 14-50

This comment states that there is no supporting documentation that prescribed burning, mowing, and livestock grazing would maintain grassland habitat for the long-term conservation of the loggerhead shrike. This comment further states that this species is wide-ranging, and there is no supporting documentation that vegetation manipulation is effective for conservation in the long-term. Prescribed fire and livestock grazing may be temporally beneficial, but may present a separate set of constraints and risks to this species and others.

Response to Comment 14-50

The action has been deleted.

Summary of Comment 14-51

This comment states that prescribed fire may be beneficial to the loggerhead shrike, but has risks and constraints associated with its use, and livestock grazing is seldom ecologically appropriate in the desert. It continues to state that limited and controlled short-term livestock grazing may be an appropriate method of invasive plant control where it is determined to be beneficial to a focal species.

Response to Comment 14-51

See responses to comment 14-8, 14-9, and 14-50.

Summary of Comment 14-52

This comment states that funding surveys for loggerhead shrikes and their habitats does not meet the definition of a conservation action and would not result in the conservation of the species or habitat.

Response to Comment 14-52

See response to comment 14-14

Summary of Comment 14-53

This comment states that funding surveys for long-billed curlews and their habitats does not meet the definition of a conservation action and would not result in the conservation of the species or habitat.

Response to Comment 14-53

See response to comment 14-14

Summary of Comment 14-54

This comment states that agencies and other entities have considerable survey information for long-billed curlews and there is no need for entities involved with the RCIS to conduct surveys or inventory

Response to Comment 14-54

See response to comment 14-15

Summary of Comment 14-55

This comment is regarding LBCU-3 16.4, and states that the authors are unaware of any irrigated rice crops in the planning area. Additionally, determining if long-billed curlews are using agricultural fields would be achieved under the monitoring action, LBCU-2.

Response to Comment 14-55

The action has been revised.

Summary of Comment 14-56

This comment states that funding surveys for mountain plover and their habitats does not meet the definition of a conservation action and would not result in the conservation of the species or habitat.

Response to Comment 14-56

See response to comment 14-14

Summary of Comment 14-57

This comment regarding MOPL-3 17.3, and states that suitable wintering habitat for this species should be identified within the planning area, along with habitat management practices that would enhance and increase suitable wintering habitat. Monitoring mountain plover use of wintering habitat would be included in monitoring described in MOPL-2.

Response to Comment 14-57

The actions have been revised. Identification of wintering habitat and beneficial management practices would be accomplished through implementation of the actions.

Summary of Comment 14-58

This comment states that agricultural practices detrimental to mountain plover habitat suitability should be identified in the RCIS.

Response to Comment 14-58

See response to comment 14-36.

Summary of Comment 14-59

This comment is regarding MOPL-5, and states that it is unclear how protecting and conserving fossorial mammal populations on suitable mountain plover habitat is beneficial to the species. Additionally, it is unclear how protection and conservation of fossorial mammals would be implemented.

Response to Comment 14-59

The action has been deleted.

Summary of Comment 14-60

This comment states that funding surveys for northern harrier and their habitats does not meet the definition of a conservation action and would not result in the conservation of the species or habitat.

Response to Comment 14-60

See response to comment 14-14

Summary of Comment 14-61

This comment states it is unclear what entity will monitor human disturbance to focal raptor species nests and how focal raptor species nest sites would be protected.

Response to Comment 14-61

These actions have been substantially revised. In general, all conservation actions and monitoring would be conducted by the entity implementing an MCA or other conservation effort supporting the goals and objectives of the RCIS. The RCIS does not specify or require any entity to be responsible for any particular action identified in the RCIS.

Summary of Comment 14-62

This comment states that land use practices that maintain nesting and foraging habitat for focal raptor species, as well as adverse land use practices, should be described in the RCIS.

Response to Comment 14-62

These actions have been substantially revised.

Summary of Comment 14-63

This comment states that funding surveys for prairie falcon and their habitats does not meet the definition of a conservation action and would not result in the conservation of the species or habitat.

Response to Comment 14-63

See response to comment 14-14

Summary of Comment 14-64

This comment states that agencies and other entities have considerable survey information for prairie falcons and there is no need for entities involved with the RCIS to conduct surveys or inventory

Response to Comment 14-64

See response to comment 14-15

Summary of Comment 14-65

This comment states that more appropriate conservation actions for prairie falcon may include installation of protective vehicle parking barriers at the base of documented nesting sites and signs and outreach materials to inform the public about the risk of close human presence to this species.

Response to Comment 14-65

These actions have been substantially revised.

Summary of Comment 14-66

Monitoring nest sites is not a conservation action and would not result in conservation of the species. Further, the entity that would be responsible for monitoring nest sites should be identified in the RCIS.

Response to Comment 14-66

See response to 14-14 and 14-42

Summary of Comment 14-67

This comment states that land use practices that maintain nesting and foraging habitat for focal raptor species, as well as adverse land use practices, should be described in the RCIS.

Response to Comment 14-67

These actions have been substantially revised.

Summary of Comment 14-68

This comment is regarding PRFA-3 and states that application of this conservation action could be implemented through the MCA portion of the RCIS program and/or through other conservation agreements with willing landowners.

Response to Comment 14-68

Agreed. These actions have been substantially revised.

Summary of Comment 14-69

This comment states that funding surveys for Swainson's hawks and their habitats does not meet the definition of a conservation action and would not result in the conservation of the species or habitat.

Response to Comment 14-69

See response to comment 14-14

Summary of Comment 14-70

This comment states that agencies and other entities have considerable survey information for Swainson's hawks and there is no need for entities involved with the RCIS to conduct surveys or inventory

Response to Comment 14-70

See response to comment 14-15

Summary of Comment 14-71

This comment states that the RCIS should include best management practices (BMPs) for Swainson's hawk nesting sites and to support water and crop rotation needs to sustain Swainson's hawk as a distinct population segment in the planning area.

Response to Comment 14-71

These actions have been substantially revised.

Summary of Comment 14-72

This comment states that the RCIS should include Swainson's hawk habitat acquisition and management measures through conservation or mitigation agreements, easements, or direct sale to willing landowners.

Response to Comment 14-72

Agreed. These actions have been substantially revised.

Summary of Comment 14-73

This comment states that funding surveys for tri-colored blackbird and their habitats does not meet the definition of a conservation action and would not result in the conservation of the species or habitat.

Response to Comment 14-73

See response to comment 14-14

Summary of Comment 14-74

This comment states that known tricolored blackbird sites at Myrick Canyon and potential nesting areas at Fairmont Reservoir should be characterized and monitored, and associated habitat should be protected through acquisition of conservation easement.

Response to Comment 14-74

These locations have been added to the actions.

Summary of Comment 14-75

This comment states that landowners near Fairmont Reservoir should be informed of properties that support tricolored blackbirds so that impacts from maintenance activities do not affect tricolored blackbird habitat.

Response to Comment 14-75

The actions have been updated to include this recommendation.

Summary of Comment 14-76

This comment states that the RCIS should include relevant information provided by the CDFW's Tricolored Blackbird Working Group.

Response to Comment 14-76

These actions have been substantially revised and relevant information provided by the CDFW's Tricolored Blackbird Working Group.

Summary of Comment 14-77

This comment states that conservation actions for willow flycatcher should include removing livestock grazing, recreational vehicle use, homeless encampments, litter, high camping/swimming use, and water diversions in riparian habitat occupied by this species.

Response to Comment 14-77

These actions have been included.

Summary of Comment 14-78

This comment states that conservation actions for willow flycatcher should include designing site-specific invasive plant control, restoration and revegetation, riparian habitat fencing, and wildfire suppression/post-fire reclamation plans and associated implementation.

Response to Comment 14-78

These objectives and actions have been included.

Summary of Comment 14-79

This comment states that funding surveys for willow flycatcher and their habitats does not meet the definition of a conservation action and would not result in the conservation of the species or habitat.

Response to Comment 14-79

See response to comment 14-14

Summary of Comment 14-80

This comment states that agencies and other entities have considerable survey information for willow flycatchers and there is no need for entities involved with the RCIS to conduct surveys or inventory

Response to Comment 14-80

See response to comment 14-15

Summary of Comment 14-81

This comment states that desert kit fox conservation actions are included under the American badger section of the draft and need to be moved to the appropriate species section.

Response to Comment 14-81

The correction has been made.

Summary of Comment 14-82

This comment states that movement corridor studies for mammals is a monitoring and adaptive management action and not a conservation action. Further, it is unclear how and who would be conducting the studies. Caltrans is completing a wildlife movement corridor study in portions of the planning area and there have been considerable movement corridors studies completed, so that additional studies may be redundant and unnecessary.

Response to Comment 14-82

See response to comment 14-14.

Summary of Comment 14-83

This comment states that livestock grazing practices are probably not necessary or effective in the Mojave desert environment and that there is no supporting available science relative to this claim.

Response to Comment 14-83

See responses to comment 14-8.

Summary of Comment 14-84

This comment states that monitoring mammal roadway mortality is a monitoring and adaptive management action that needs to move to the monitoring and adaptive management section of the RCIS. Additionally, mortality monitoring on roadways is conducted by Caltrans.

Response to Comment 14-84

See response to comment 14-14.

Summary of Comment 14-85

This comment states that habitat modeling conducted during preparation of the RCIS identified high-value wildlife crossing locations where wildlife crossing structures may be effective; therefore, an additional study is not necessary.

Response to Comment 14-85

Field studies will be needed to verify model results.

Summary of Comment 14-86

This comment states that BMPs that promote habitat use by badgers should be included in the final RCIS.

Response to Comment 14-86

Appropriate BMPs would be identified for individual conservation investment and MCA areas based on the best available science and information.

Summary of Comment 14-87

This comment recommends that Conservation Action DEKF-2 be moved to the adaptive management and monitoring portion of the plan. It further states that Caltrans and other entities track this data so it may not be necessary to include as a monitoring task under the RCIS.

Response to Comment 14-87

This Conservation Action has been removed. See response to comment 14-14.

Summary of Comment 14-88

This comment states that habitat modeling conducted during preparation of the RCIS identified high-value wildlife crossing locations where wildlife crossing structures may be effective; therefore, an additional study is not necessary

Response to Comment 14-88

Field studies will be needed to verify model results.

Summary of Comment 14-89

This comment states that an appropriate conservation action based on SMART objectives planning would be to identify a number of culverts or wildlife crossing structures and monitor the success in a specific timeframe

Response to Comment 14-89

This recommendation is reasonable. The connectivity modeling in coordination with field surveys can be used to identify appropriate locations for crossing structures. The number and location will depend on the opportunities and needs identified by field survey work.

Summary of Comment 14-90

This comment states that the final RCIS should include BMPs for enhancing linkages for desert kit fox and other mammals, including documentation supporting the effectiveness of practices to enhancing habitat for these species.

Response to Comment 14-54

See response to comment 14-52.

Summary of Comment 14-91

This comment is regarding DEKF-4, and states that the RCIS should determine if new road crossings are needed in an area for wildlife or have been previously planned through a wildlife travel study or infrastructure improvement.

Response to Comment 14-91

Actions have been revised for kit fox and badger to include this recommendation.

Summary of Comment 14-92

This comment states that is unclear if new wildlife crossings are needed over the California Aqueduct.

Response to Comment 14-92

The action now states that connectivity studies and roadway mortality data from the RCIS area should be used to identify locations for wildlife crossing structures at places identified as high-value wildlife crossing areas across major roadways and the California Aqueduct.

Summary of Comment 14-93

This comment states that livestock grazing practices are probably not necessary or effective in the Mojave desert environment and that there is no supporting available science relative to this claim. Re-introducing pronghorn would be a more effective tool to maintaining grass height than traditional livestock grazing.

Response to Comment 14-93

See responses to comment 14-8 and comment 14-9.

Summary of Comment 14-94

This comment states that land use practices that maintain and enhance habitat for desert kit fox should be included in the final RCIS and implemented through conservation agreements or easements.

Response to Comment 14-94

Appropriate land use practices would be identified for individual conservation investment and MCA areas based on the best available science and information.

Summary of Comment 14-95

This comment states that funding surveys for Mohave ground squirrel and their habitats does not meet the definition of a conservation action and would not result in the conservation of the species or habitat.

Response to Comment 14-95

See response to comment 14-14

Summary of Comment 14-96

This comment states that surveys may be necessary to review current Mohave ground squirrel occurrence data.

Response to Comment 14-96

Surveys and monitoring recommendations are now included in the Additional Information Needs section.

Summary of Comment 14-97

This comment states that funding surveys for Mohave ground squirrel and their habitats does not meet the definition of a conservation action and would not result in the conservation of the species or habitat.

Response to Comment 14-97

See response to comment 14-14

Summary of Comment 14-98

This comment states that agencies and other entities have considerable survey information for Mohave ground squirrel, including the CEC study of this species' distribution for DRECP and there is no need for entities involved with the RCIS to conduct surveys or inventory

Response to Comment 14-98

The "Additional Data Needs" portion of Section 3.4.5.25 of the RCIS has been updated to reflect that there is considerable information available for this species. See response to comment 14-15.

Summary of Comment 14-99

This comment states that the USGS has recently completed climate change and plant community modelling efforts within the western Mojave Desert, focused on identifying how to best ensure the recovery of the Mohave ground squirrel during climate change.

Response to Comment 14-99

The "Additional Data Needs" portion of Section 3.4.5.25 of the RCIS has been updated to reflect that there is considerable information available for this species

Summary of Comment 14-100

This comment states that the CDFW has prepared a Mohave Ground Squirrel Conservation Strategy in 2019 and this should be incorporated into the final RCIS.

Response to Comment 14-100

The Mohave Ground Squirrel Conservation Strategy has been incorporated.

Summary of Comment 14-101

This comment states that areas adjacent to Edwards Air Force Base identified for long-term Mohave ground squirrel conservation and appropriate land buffers should be included in the final RCIS document. Other key areas for Mohave ground squirrel conservation may include the vicinity of the Rio Tinto Borax mine and Kramer Junction, where mine expansion, highway expansion, and solar development may threaten habitat for this species.

Response to Comment 14-101

This recommendation has been added to the actions.

Summary of Comment 14-102

This comment states that agencies and other entities have considerable survey information for willow flycatchers and there is no need for entities involved with the RCIS to conduct surveys or inventory

Response to Comment 14-102

See response to comment 14-15

Summary of Comment 14-103

This comment states that land use and management practices that promote the conservation of Mohave ground squirrel and those that are detrimental to the species should be discussed in the RCIS. For example, livestock grazing and subsequent forage competition and establishment of nonnative invasive plants.

This comment further states that the authors recommend that livestock grazing in Mohave ground squirrel habitat should be curtailed until research demonstrates that grazing is consistent with the long-term conservation of the species.

Response to Comment 14-103

These actions have been substantially revised. See response to comment 14-8 for additional information.

Summary of Comment 14-104

This comment states that agencies and other entities have considerable survey information for mountain lion and there is no need for entities involved with the RCIS to conduct surveys or inventory

Response to Comment 14-104

See response to comment 14-15

Summary of Comment 14-105

This comment states that funding surveys for Mohave ground squirrel and their habitats does not meet the definition of a conservation action and would not result in the conservation of the species or habitat.

Response to Comment 14-105

See response to comment 14-14

Summary of Comment 14-106

This comment states that agencies and other entities have considerable survey information for willow flycatchers and there is no need for entities involved with the RCIS to conduct surveys or inventory

Response to Comment 14-106

See response to comment 14-15

Summary of Comment 14-107

This comment states that an appropriate conservation action for mountain lion would be to develop region-specific interpretative information to inform the public about the presence of mountain lions in the planning area; appropriate protection measures for humans, pets, and livestock; and how the RCIS planning effort is helping to conserve the species.

Response to Comment 14-107

These actions have been substantially revised and include measures recommended here.

Summary of Comment 14-108

This comment states that an appropriate conservation action for mountain lion would be to enhance mule deer populations within the study area, since they are the primary prey species of mountain lions. Further, legal and unlawful hunting of mule deer within designation conservation areas should be addressed in the final document.

Response to Comment 14-108

These actions have been substantially revised and include measures recommended here.

Summary of Comment 14-109

This comment states that TEMO-2 is a conservation action pertaining to burrowing owl and should be changed to Tehachapi pocket mouse.

Response to Comment 14-109

The correction has been made.

Summary of Comment 14-110

This comment states that there is little information regarding the current distribution of the Tehachapi pocket mouse in the planning area; therefore, there is a need to conduct inventories before any conservation actions can be specified. Additional inventories for this species should be included in a Data Needs section of the final RCIS.

Response to Comment 14-110

This has been moved to the Additional Information Needs section.

Summary of Comment 14-111

This comment states that the importance of bridge infrastructure to nesting birds should be highlighted in the final RCIS (e.g., SR-138 stream crossings).

Response to Comment 14-111

This addition has been included in the discussion of bridge structure design for habitat connectivity.

15. Land Veritas Corp, February 10, 2020

Summary of Comment 15-1

This comment suggests a requirement to the MCA process to first use mitigation from approved mitigation banks prior to other mitigation options.

Response to Comment 15-1

This suggestion will need to be addressed by the MCA Guidelines, which have not been finalized. The details about the MCA process will be detailed in the final guidelines when they are released.

Summary of Comment 15-2

This comment states that the description of the Bank in Section 2.2.4.2 includes the following species as known to occur: coast horned lizard (*Phrynosoma blainvillii*), burrowing owl (*Athene cunicularia*), mountain lion (*Puma concolor*), and northern harrier (*Circus hudsonius*)

Response to Comment 15-2

These species have been added to the description.

Summary of Comment 15-3

This comment states that language should be added to clarify that the mitigation Bank provides CEQA mitigation for any type of project, including, but not limited to, renewable energy projects, and that it also provides mitigation opportunities for impacts on stream, lake, and riparian habitat.

Response to Comment 15-3

The clarification has been made in the mitigation bank description.

Summary of Comment 15-4

This comment states that Land Veritas coordinated over 5 years to entitle the Bank, and planned and funded restoration design, performance monitoring, interim/long-term management and reporting procedures. Land Veritas requests that any new MCA covering resources for which the Bank has credits require the depletion of the Bank's credits prior to releasing new ones

Response to Comment 15-4

This suggestion will need to be addressed by the MCA Guidelines, which have not been finalized. The details about the MCA process will be detailed in the final guidelines when they are released.

16. Southern California Edison, February 10, 2020

Summary of Comment 16-1

This comment clarifies ownership of gas and electric transmission lines in the AVRCIS. Specifically, Southern California Edison (SCE) does not own and operate all gas and electric transmission lines within the AVRCIS boundary. Since SCE is an electric-only utility, the gas transmission lines are owned/operated by SoCalGas or a third-party pipeline operator. Additionally, electric transmission lines within the AVRCIS may have other owner/operators. All SCE transmission lines are operated by the California Independent System Operator (CAISO)

Response to Comment 16-1

The corrections have been made.

Summary of Comment 16-2

This statement suggests that the AVRCIS should be more specific when discussing the types of transmission lines within the AVRCIS area.

Response to Comment 16-2

A description of the range of kilovolt (kV) transmission lines was added to the RCIS.

17. California Construction and Industrial Materials Association, February 10, 2020

Summary of Comment 17-1

This comment states that the AVRCIS is not consistent with the Los Angeles County Plan or the Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP), or the Sustainable Communities Strategy (SCS) as they related to regional mineral resources.

Response to Comment 17-1

The RCIS is a voluntary, nonbinding, and non-regulatory regional planning process intended to result in higher-quality conservation outcomes. An RCIS establishes conservation goals and objectives and describes conservation actions that may be used as a basis to provide advance mitigation or to inform other conservation planning processes and investments. The high-value conservation areas and conservation priorities were based on the best available science and data. It is expected that, on occasion, local land use plans may indicate planned future urbanization and infrastructure development in areas that also have high conservation value as identified in the RCIS. Because the RCIS is voluntary, nonbinding, and non-regulatory there is, by definition, no inconsistency or conflict with local land use plans.

Summary of Comment 17-2

This comment states that the AVRCIS lacks discussion and consideration for existing mineral resource facilities.

Response to Comment 17-2

The AVRCIS is consistent with the current 2018 Program Guidelines and meets all substantive standards. Because the AVRCIS was originally submitted prior to September 2017, this AVRCIS complies with the 2018 Program Guidelines, which allows for some reliance on the 2017 Guidelines for documents submitted prior to September 2017. The requirements for this RCIS are detailed in Section 1.4.7.

Summary of Comment 17-3

This comment states that the participants listed in the AVRCIS do not reflect the regional stakeholders.

Response to Comment 17-3

Public outreach was conducted according to the RCIS Program Guidelines. The public and stakeholder involvement process is described in Sections 1.4, 1.5, and is summarized here:

The Antelope Valley RCIS development process began in March 2016. The process was initiated by the Desert and Mountains Conservation Authority (DMCA), in collaboration with the California Energy Commission (CEC). ICF was the lead technical consultant on the RCIS document, working under the direction of Steering and Advisory committees (see Chapter 6, List of Preparers and Reviewers). The RCIS process benefited from multiple layers of outreach, briefings, and opportunities for input from the Antelope Valley community; non-profit organizations, including environmental, conservation, and community organizations; business interests; regulatory agencies; and federal, state, local, and tribal governments.

A public meeting was held on March 7, 2017, to provide information to the public on the AVRCIS effort, and to solicit comments from interested parties. Public notice was provided more than 30 days prior to the public meeting, as described in Section 1.5. The County of Los Angeles Board of Supervisors and city councils of Lancaster and Palmdale were directly notified of the public meeting and the availability of the public review draft of the Antelope Valley RCIS. The meeting was announced a month in advance (February 3, 2017) via email distributed to: Desert and Mountain Conservation Authority (DMCA) listserv, LA County Significant Ecological Areas (SEA) listserv; Antelope Valley Area Plan (AVAP) listserv; and the full AVRCIS stakeholder list (i.e., compilation of individuals representing conservation, transportation, and regulatory agencies). Additionally, the notice was published in the March 2017 Lakes & Valleys Gazette and was posted on the DMCA's website.

As further described in Section 1.5, DMCA followed all Stakeholder and Public Outreach requirements of the RCIS program, including notice to the Los Angeles County Board of Supervisors and city councils of Palmdale and Lancaster at least 60 days prior to the Public Review Draft becoming available.

In addition to the required public outreach, the Antelope Valley RCIS benefited from detailed input from interested parties through the Steering Committee, Advisory Committee, and Technical subcommittees, which were comprised of nonprofit organizations including conservation, environmental, and community; federal and state agencies; local jurisdictions; and businesses. The group members and participation in the RCIS development are described in Section 1.4.2.

Summary of Comment 17-4

This comment states that the draft AVRCIS should include impartial and unbiased information to accurately describe the regional mineral resources present in the County of Los Angeles.

Response to Comment 17-4

See response to comment 17-2.

Summary of Comment 17-5

This comment states that the AVRCIS should recognize that aggregate must be obtained from nearby sources to minimize economic and environmental costs.

Response to Comment 17-5

See response to comment 17-2.

18. Association of Rural Town Councils, February 4, 2020

Summary of Comment 18-1

This comment acknowledges that the Association of Rural Town Councils (ARTC) was represented at AVRCIS Steering Committee meetings.

Response to Comment 18-1

Your attendance and participation are appreciated.

Summary of Comment 18-2

This comment states that the High Desert Corridor, which would be located in the AVRCIS boundary, would create a barrier to wildlife, including endangered species, affect unaltered habitat, and create conditions that would affect rural lifestyles based on low-density development.

Response to Comment 18-2

The High Desert Corridor project has been updated to reflect that Caltrans no longer plans to build the highway, but that the rail portion of the project is still a planned project. The RCIS addresses wildlife connectivity in many areas of the document. Actions to improve wildlife connectivity are included for many species.

Summary of Comment 18-3

This comment states that the AVRCIS fails to identify wildlife crossing areas between Antelope Acres and Interstate 5, which is a crucial connection from the Transverse, San Gabriel, Tehachapi, and Sierra mountain ranges.

Response to Comment 18-3

Interstate 5 is located several miles west of the RCIS area, and does not include any modeling outside of the RCIS boundary. Figure 2-9 shows the major linkage areas identified in other wildlife connectivity modeling efforts to provide the larger regional connectivity context for connectivity to these important areas. The data and methods for modelling wildlife connectivity are included in Appendix G. The modelling provided a regional-scale analysis of wildlife connectivity. Additional local-scale wildlife crossing areas will need to be identified using other data and field verification. Actions regarding wildlife connectivity may be implemented where appropriate throughout the RCIS area.

Summary of Comment 18-4

This comment states that the Los Angeles County planning policies for protection of important wildlife areas discussed in the AVRCIS are inadequate to protect Antelope Valley because residential development in the Antelope Valley is exempt from the SEA Ordinance and Implementation Guide, which limits potential development in SEAs.

Response to Comment 18-4

The high-value conservation areas and conservation priorities identified in this RCIS were based on the best available science and data. The SEAs are shown in the RCIS for context, but were not expected to be in complete alignment with the high-value conservation areas of this RCIS because they were developed with different methods and/or objectives.

Summary of Comment 18-5

This comment states that the Antelope Valley has been identified in the *Desert Renewable Energy Conservation Plan* (DRECP) as a Development Focus Area, which failed to identify recovering agricultural areas and grasslands as conservation targets.

Response to Comment 18-5

The AVRCIS did use land cover data and species models developed for the DRECP; however, the modelling to identify high conservation value areas was conducted specifically for the AVRCIS and at a scale appropriate for this RCIS.

Summary of Comment 18-6

This comment states that the AVRCIS should include a discussion of the “Solar Heat Island Effect” and how it pertains to development in the Antelope Valley.

Response to Comment 18-6

The AVRCIS is consistent with the current 2018 Program Guidelines and meets all substantive standards. The “Solar Heat Island Effect” was not considered by CDFW to be a recommended or required topic in an RCIS.

Summary of Comment 18-7

This comment states that the ARTC is supportive of the AVRCIS because it can inform ARTC of the Antelope Valley's natural heritage, provide possibilities for conservation efforts, and indicate the importance of wildlife and connectivity in Antelope Valley to other natural areas.

Response to Comment 18-7

Your support and contributions are helpful and appreciated.

19. Building Industry Association, February 5, 2020

Summary of Comment 19-1

This comment states that the AVRCIS would be used to regulate land use, challenge and/or stop housing projects, and become an economic downfall for the Antelope Valley, as indicated by an environmental group submitting a draft version of the AVRCIS to a LA County land use hearing to impede a project.

Response to Comment 19-1

The RCIS is a voluntary, nonbinding, and non-regulatory regional planning process intended to result in higher-quality conservation outcomes. It is intended to support future infrastructure and urban development by expanding the mitigation options for projects requiring habitat mitigation.

Summary of Comment 19-2

This comment states that the AVRCIS is not consistent with the LA County General Plan and the AVAP. CDFW, the RCIS Proponent, and the RCIS development team support do not support the misuse of this, or any, RCIS.

Response to Comment 19-2

The high-value conservation areas and conservation priorities were based on the best available science and data. It is expected that, on occasion, local land use plans may indicate planned future urbanization and infrastructure development in areas that also have high conservation value as identified in the RCIS. Because the RCIS is voluntary, nonbinding, and non-regulatory there is, by definition, no inconsistency or conflict with local land use plans.

Summary of Comment 19-3

This comment states that the AVRCIS identifies EOAs as high conservation priorities, and they should be removed from AVRCIS boundaries.

Response to Comment 19-3

See response to comments 2-2 and 19-2.

Summary of Comment 19-4

This comment states that CDFW should reject the AVRCIS and work with local jurisdictions to ensure that local land planning and designations, including EOAs, are included in the final document.

Response to Comment 19-4

See response to comment 2-1 for a summary of public outreach and stakeholder involvement. The outreach requirements have been met and implemented in good faith for inclusion of all interested entities. Many stakeholders were involved in the development of the AVRCIS, therefore, rejecting the AVRCIS is not appropriate. See the response to comment 2-2 for additional information on how EOAs are addressed in the AVRCIS.

20. City of Lancaster, February 3, 2020

Summary of Comment 20-1

This comment states that the City of Lancaster was not included in the creation of the document.

Response to Comment 20-1

Brian Ludicke from City of Lancaster attended the July 19, 2016, Advisory Committee meeting, and he and his colleague were on an email update that we sent out to all Steering and Advisory on July 28, 2016, with information on future meetings, etc. Additionally, 10 members of the Lancaster City Council were directly contacted early in the RCIS development process. Public outreach was conducted according to the RCIS Program Guidelines. The public and stakeholder involvement process is described in Section 1.5.

Summary of Comment 20-2

This comment states that the City of Lancaster is supportive of conservation and good environmental practices, but balanced with housing and economic growth, and the draft AVRCIS is not well balanced and does not consider critical needs for the city's future.

Response to Comment 20-2

The high-value conservation areas and conservation priorities were based on the best available science and data. It is expected that, on occasion, local land use plans may indicate planned future urbanization and infrastructure development in areas that also have high conservation value as identified in the RCIS. Because the RCIS is voluntary, nonbinding, and non-regulatory there is, by definition, no inconsistency or conflict with local land use plans. The RCIS is intended to support future infrastructure and urban development by expanding the mitigation options for projects requiring habitat mitigation.

Summary of Comment 20-3

This comment states that the AVRCIS was grandfathered in to the previous RCIS process, prior to the changes in AB 2087 that went into effect on January 1, 2017. The City of Lancaster expressed alarm that all stakeholders were not involved in creation of the AVRCIS.

Response to Comment 20-3

The AVRCIS is consistent with the current 2018 Program Guidelines and meets all substantive standards. Because the AVRCIS was originally submitted prior to September 2017, this AVRCIS complies with the 2018 Program Guidelines, which allows for some reliance on the 2017 Guidelines for documents submitted prior to September 2017. The requirements for this RCIS are detailed in Section 1.4.7. See response to comment 2-1 for a summary of public outreach and stakeholder involvement.

Summary of Comment 20-4

This comment states that CDFW should reject the draft AVRCIS to restart the steering committee process with more stakeholders.

Response to Comment 20-4

See response to comment 2-1 for a summary of public outreach and stakeholder involvement. The outreach requirements have been met and implemented in good faith for inclusion of all interested entities. Many stakeholders were involved in the development of the AVRCIS, therefore, rejecting the AVRCIS is not appropriate.

Summary of Comment 20-5

This comment states that AVRCIS designations should be removed from the boundaries of the City of Lancaster's sphere of influence.

Response to Comment 20-5

See response to comment 20-2.

Summary of Comment 20-6

This comment states that the AVRCIS is not allowed to stop or challenge any current or future infrastructure, housing, or economic growth projects that could be crucial to the Antelope Valley.

Response to Comment 20-6

The RCIS is voluntary, nonbinding, and non-regulatory, and therefore does not stop or challenge any current or future infrastructure, housing, or economic growth projects.

Summary of Comment 20-7

This comment states that the AVRCIS should not be exempt from current guidelines for RCISs.

Response to Comment 20-7

See response to comment 20-3.

21. Californians for Homeownership, February 8, 2020

Summary of Comment 21-1

This comment states that the AVRCIS did not include an adequate discussion of future housing developing nor does it address the housing access and affordability crisis in California.

Response to Comment 21-1

The AVRCIS is consistent with the current 2018 Program Guidelines and meets all substantive standards. Figure 2-22 displays all approved, recorded, pending, and inactive potential subdivision activity areas and economic opportunity areas based on data available at the time of RCIS preparation.

Summary of Comment 21-2

This comment states that the AVRCIS did not adequately consider equity implications of placing limits on housing development in areas where new housing can be more affordably developed. Further, this comment states that the state must ensure that its environmental regulations and strategies benefit all Californians, regardless of income, race, or physical or developmental disability.

Response to Comment 21-2

See response to comment 21-1.

Summary of Comment 21-3

This comment notes that the AVRCIS has no impact on land use rules that enable development, and therefore does not contain consideration of reforms intended to address the housing crisis.

Response to Comment 21-3

The RCIS is voluntary, nonbinding, and non-regulatory, and therefore has no impact on land use rules that enable development.

Summary of Comment 21-4

This comment states that the Californians for Homeownership will seek to intervene on behalf of public interest in the development of housing in the region should any party attempt to use the AVRCIS to interfere with the rights of any landowner or developer.

Response to Comment 21-4

See response to comment 21-3. CDFW, the RCIS Proponent, and the RCIS development team support do not support the misuse of this, or any, RCIS.

22. Greater Antelope Valley Association of Realtors, February 5, 2020

Summary of Comment 22-1

This comment states that the Greater Antelope Valley Association of Realtors (GAVAR) was not aware of the document nor were they involved in its creation, and that GAVAR is heavily involved with all plans, legislation, ordinances, and governmental activities that occur within the Antelope Valley.

Response to Comment 22-1

Public outreach was conducted according to the RCIS Program Guidelines. The public and stakeholder involvement process is described in Sections 1.4, 1.5. See response to comment 2-1 for a summary of public outreach and stakeholder involvement. The outreach requirements have been met and implemented in good faith for inclusion of all interested entities.

Summary of Comment 22-2

This comment states the draft AVRCIS is at complete odds with the AVAP. The draft AVRCIS designates growth areas (EOAs) as potential high resources that are available for mitigation.

Response to Comment 22-2

An RCIS establishes conservation goals and objectives and describes conservation actions that may be used as a basis to provide advance mitigation or to inform other conservation planning processes and investments. The high-value conservation areas and conservation priorities were based on the best available science and data. It is expected that, on occasion, local land use plans may indicate planned future urbanization and infrastructure development in areas that also have high conservation value as identified in the RCIS. Because the RCIS is voluntary, nonbinding, and non-regulatory there is, by definition, no inconsistency or conflict with local land use plans. See the response to comment 2-2 for additional information on how EOAs are addressed in the AVRCIS.

Summary of Comment 22-3

This comment states that the AVRCIS should be consistent with the SEAs in the AVAP and should focus mitigation opportunities in those areas.

Response to Comment 22-3

See response to comment 22-2.

Summary of Comment 22-4

This comment states that the AVRCIS was exempt from CDFW regulations and that it cannot be allowed to happen.

Response to Comment 22-4

The AVRCIS is consistent with the current 2018 Program Guidelines and meets all substantive standards. Because the AVRCIS was originally submitted prior to September 2017, this AVRCIS complies with the 2018 Program Guidelines, which allows for some reliance on the 2017 Guidelines for documents submitted prior to September 2017. The requirements for this RCIS are detailed in Section 1.4.7.

Summary of Comment 22-5

This comment states that the RCIS should be held to the same standards and the AVRCIS should not be approved under exemption—that the AVRCIS should be restarted to include all stakeholders in the Antelope Valley and not just environmental organizations.

Response to Comment 22-5

See response to comment 22-4.

Summary of Comment 22-6

This comment states that the EOAs should be removed from the AVRCIS boundary to be consistent with the Los Angeles County General Plan and AVAP.

Response to Comment 22-6

See response to comments 2-2 and 22-2.

23. Granite Construction Company, February 10, 2020

Summary of Comment 23-1

This comment states that Granite Construction Company opposes the AVRCIS because it did not consult with large regional landowners and regional employers to build consensus.

Response to Comment 23-1

Public outreach was conducted according to the RCIS Program Guidelines. The public and stakeholder involvement process is described in Sections 1.4, 1.5. See response to comment 2-1 for a summary of public outreach and stakeholder involvement. The outreach requirements have been met and implemented in good faith for inclusion of all interested entities.

Summary of Comment 23-2

This comment states that Granite Construction Company opposes the AVRCIS because it was prepared without consultation with local governments, which is mandated under the authorizing statute.

Response to Comment 23-2

The AVRCIS is consistent with the current 2018 Program Guidelines and meets all substantive standards. Ten local governmental agencies were consulted, consistent with the guidelines and local government representatives participated in the process.

Summary of Comment 23-3

This comment states that Granite Construction Company opposes the AVRCIS because it fails to protect and provide access to designated Mineral Resources Zones, which are afforded statutory protection. The AVRCIS ignores Mineral Resource Zones as existing designated areas of statewide importance.

Response to Comment 23-3

The AVRCIS is consistent with the current 2018 Program Guidelines and meets all substantive standards. Although Mineral Resource Zones are not a specific land use that was contemplated for discussion in an RCIS, an RCIS is not able to either offer protection of any land use or reassign any land use.

Summary of Comment 23-4

This comment states that the process to draft the AVRCIS was not inclusive, and the Steering Committee lacked participation from regional stakeholders and local governments, and thus lacked transparency, accountability, and the opportunity for the public to contribute.

Response to Comment 23-4

See response to comment 23-1.

24. City of Palmdale, February 4, 2020

Summary of Comment 24-1

This comment indicates that the City of Palmdale was not included in drafting the AVRCIS and should be a key stakeholder in the process.

Response to Comment 24-1

Public outreach was conducted according to the RCIS Program Guidelines. The public and stakeholder involvement process is described in Sections 1.4, 1.5. An invitation was extended to the City of Palmdale to participate in the RCIS process. Two staff from Palmdale Water District attended a public meeting. All City Council Members were included in the Public Review Comment Period notifications (email and individual letters). See response to comment 2-1 for a summary of public outreach and stakeholder involvement. The outreach requirements have been met and implemented in good faith for inclusion of all interested entities.

Summary of Comment 24-2

This comment states that the drafting of the AVRCIS lacked transparency and some environmental organizations are looking to use the document to limit the City of Palmdale's land use authority.

Response to Comment 24-2

See response to comment 24-1. CDFW, the RCIS Proponent, and the RCIS development team support do not support the misuse of this, or any, RCIS.

Summary of Comment 24-3

This comment states that the AVRCIS is inconsistent with the County of Los Angeles's General Plan, which has designated EOAs, and that the AVRCIS designates them as high conservation priorities, which negatively impacts the City of Palmdale's effort to promote housing and economic growth.

Response to Comment 24-3

The RCIS is a voluntary, nonbinding, and non-regulatory regional planning process intended to result in higher-quality conservation outcomes. An RCIS establishes conservation goals and objectives and describes conservation actions that may be used as a basis to provide advance mitigation or to inform other conservation planning processes and investments. The high-value conservation areas and conservation priorities were based on the best available science and data. It is expected that, on occasion, local land use plans may indicate planned future urbanization and infrastructure development in areas that also have high conservation value as identified in the RCIS. Because the RCIS is voluntary, nonbinding, and non-regulatory there is, by definition, no inconsistency or conflict with local land use plans. See the response to comment 2-2 for additional information.

Summary of Comment 24-4

This comment states that the City of Palmdale found inconsistencies and negative impacts from the AVRCIS in the City's boundaries and sphere of influence. The City of Palmdale is in the process of updating their General Plan and has concerns that the inconsistencies in the AVRCIS, and the city's General Plan could be misused by potential project proponents.

Response to Comment 24-4

See response to comment 24-3. The DMCA, the steering committee, CDFW, and the preparers of this RCIS do not condone the misuse of data in this RCIS under any circumstances.

Summary of Comment 24-5

This comment states that the AVRCIS is exempt from guidelines established in AB 2087 and that the AVRCIS should be held to the same standards as other RCIS documents.

Response to Comment 24-5

The AVRCIS is consistent with the current 2018 Program Guidelines and meets all substantive standards. Because the AVRCIS was originally submitted prior to September 2017, this AVRCIS complies with the 2018 Program Guidelines, which allows for some reliance on the 2017 Guidelines

for documents submitted prior to September 2017. The requirements for this RCIS are detailed in Section 1.4.7.

Summary of Comment 24-6

This comment states that the Antelope Valley is already subject to conservation priorities and additional conservation plans will harm what the City is trying to accomplish.

Response to Comment 24-6

See response to comment 24-4.

Summary of Comment 24-7

This comment states that the CDFW should reject the AVRCIS and require the preparers to consult with the City of Palmdale and other stakeholders that were not included in the initial draft.

Response to Comment 24-7

See response to comments 2-1 and 24-1 for a summary of public outreach and stakeholder involvement. The outreach requirements have been met and implemented in good faith for inclusion of all interested entities.

25. Fernand^eño Tataviam Band of Mission Indians, June 20, 2020

Summary of Comment 25-1

This comment states that the AVRCIS boundary encompasses a cultural landscape with Tribal Cultural Resources (TCRs) that are significant to the Fernand^eño Tataviam Band of Mission Indians (FTBMI). The comment defines those TCRs as sites, features, places, cultural landscapes, sacred places, and objects, including historical resources, unique archaeological resources, or non-unique archaeological resources with cultural value to a Native American Tribe. Further, it is important that Native American tribes have the opportunity to consult on land conservation projects to provide guidance on the treatment of TCRs.

Response to Comment 25-1

Native American Tribal consultations are suggested in the 2018 Guidelines, not required. The preparers of the RCIS recognize the importance of the Antelope Valley to FTBMI. Several meetings were held with FTBMI, San Miguel Band of Mission Indians, and the Tejon Indian Tribe subsequent to receiving the FTBMI comment letter. These meetings were very productive and resulted in the development of a new section of the AVRCIS (Section 1.6, *Tribal Coordination and Involvement*) addressing the history, TCRs, and interest of Native American tribes to be consult on land conservation projects including those that would be implemented through the RCIS. The Tejon Indian Tribe opted out of specific mention in the RCIS.

Summary of Comment 25-2

This comment states that Chapter 1 of the RCIS should acknowledge the tribal cultural landscape and include basic information on natural and cultural resources important to Native American

Tribes within the project area, for example, discussion of cultural use of plants and animals, geographic areas, such as water sources, and geological formations with significance to Tribes, and archaeological or TCR sites.

Response to Comment 25-2

This comment was addressed through the preparation of a new section of the AVRCIS (Section 1.6, *Tribal Coordination and Involvement*).

Summary of Comment 25-3

This comment states that there is no mention of collaborating with Tribes in the protection and conservation of habitats which exhibit biological, geological, or cultural resources that hold value for Native Americans. The authors recommend incorporating language that outlines efforts by the AVRCIS to work with Tribes, including FTBMI to assess and mitigate potential impacts on culturally important resources. This can be included in Section 1.4.1, *Building Blocks for Conservation Planning*. TCRs should also be acknowledged as a conservation priority during planning stages and considered in Section 1.4.1.1, *Primary Steps to Determine Conservation Priorities*.

Response to Comment 25-3

The new section of the AVRCIS addresses this comment (Section 1.6, *Tribal Coordination and Involvement*). In addition, both FTBMI and San Manuel Band of Mission Indians are explicitly included as interested participants and members of the Implementation Committee.

Summary of Comment 25-4

This comment states that for all projects requiring ground disturbance, including conservation projects, impacts on TCRs should be addressed. Tribes should be notified about projects encompassing TCRs, including FTBMI, to ensure that TCRs are identified and impacts mitigated.

Response to Comment 25-4

This is addressed in Section 1.6 and could be coordinated through tribal participation in the Implementation Committee.

Summary of Comment 25-5

This comment states that the FTBMI request to be included as one of the organizations on the Implementation Committee.

Response to Comment 25-5

FTBMI has been included as one of the organizations on the Implementation Committee.

Summary of Comment 25-6

This comment recommends that the DMCA collaborates and consults with Tribes in good faith to mitigate impacts on TCR throughout the RCIS process and implementation.

Response to Comment 25-6

See responses to Comment 25-4 and Comment 25-5.



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Habitat Conservation Planning Branch
Post Office Box 944209
Sacramento, CA 94244-2090
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



August 13, 2020

Paul Edelman
Desert Mountains Conservation Authority, and
Antelope Valley RCIS Steering Committee
44811 N. Date Ave., Suite G
Lancaster, CA 93534
edelman@smmc.ca.gov

Dear Mr. Edelman:

Comments based on CDFW's Substantive Review of the draft Antelope Valley Regional Conservation Investment Strategy

On November 21, 2019, the California Department of Fish and Wildlife (CDFW) deemed as complete, the draft Antelope Valley Regional Conservation Investment Strategy (RCIS) submitted to CDFW pursuant to Fish and Game Code (Fish & G. Code) section 1854(c)(2). At that time, CDFW began its internal substantive review of the draft RCIS. The substantive review was conducted by staff at CDFW's regional offices and headquarters. The purpose of this letter is to transmit CDFW's substantive review comments to help guide revisions to the draft RCIS.

The substantive review comments are based on an evaluation of whether this RCIS complies with the provisions of Fish and Game Code sections 1850-1861 and the RCIS Program Guidelines. Since the draft Antelope Valley RCIS was initiated prior to January 1, 2017, the Antelope Valley RCIS is subject to the June 2017 RCIS Guidelines except for specific sections of the September 2018 RCIS Guidelines. September 2018 RCIS Guidelines sections that apply to the Antelope Valley RCIS include sections 1.4, 2.1, 4.2.2, 4.2.4, 4.2.5.3, 4.6, 4.7, and 4.8, including all subsections of each (see September 2018 Guidelines, page 4-1, footnote 111).

Attached is a table of CDFW's substantive review comments. These include both required and suggested comments regarding general and specific concerns, issues, clarifications, corrections, requests for additional information, and other considerations. Required revisions must be made and are indicated by an "R". Suggested revisions are for your consideration and are indicated by an "S".

We acknowledge and appreciate the tremendous amount of effort and investment that went into development of this RCIS and recognize that this may take some time for you to finalize. At your convenience, CDFW is available to provide additional clarification or to discuss any of the comments we provided. Please feel free to contact me at (916) 207-2823 or by email at jeff.drongesen@wildlife.ca.gov or you may also contact


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Brandon Amrhein, Senior Environmental Scientist, at (916) 531-8563 or by email at brandon.amrhein@wildlife.ca.gov.

Sincerely,

DocuSigned by:


37E732799B3C452...

Jeff Drongesen, Chief
Habitat Conservation Planning Branch

ec: California Department of Fish and Wildlife

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Table of CDFW Substantive Comments for the Draft Antelope Valley RCIS

Comment #	Page #	Comment	Required/ Suggested
1	N/A	General Comment: The RCIS has several linking and formatting issues that make navigating the document difficult. The identified issues are as follows: 1) All of the figure names and numbers within the AV_Draft_RCIS_October2019.pdf are not recognized as text so they are not searchable when looking for key words; 2) Some of the headings do not appear in the bookmarks list, some heading bookmarks do not match the order of headings in the document, and many bookmarks do not hyperlink to the location in the document; and 3) Appendix H figures are out of order. Please consider fixing these issues so that the reader can navigate the document and find referenced figures.	S
2	N/A	General Comment: Preparation of this RCIS began in 2016. To ensure that it satisfies the best available science requirement (Fish & G. Code, § 1852(c)(14)), please check, incorporate, and cite major new sources and data that may significantly change or supplement the analysis. To help, please note that there are multiple comments and questions included in this table related to use of the best available scientific information. These include comments about outdated data and citations, missing citations, and missing or incorrect species information as it relates to species profiles, associations with natural communities, pressures and stressors, models, and strategies.	R
3	N/A	General Comment: The document is inconsistent in the use of scientific names and common names. Please ensure that the document (including figures and tables) is consistent regarding the names used for plants and animals (common name or scientific name). When scientific names for plants with a trinomial name are used, please consider using "var." or "ssp.", as appropriate, after the specific epithet.	S

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Comment #	Page #	Comment	Required/ Suggested
4	N/A	General Comment for Chapter 1: Include, as a footnote or text in the beginning of the RCIS, the following legal statement: "Nothing in this Regional Conservation Investment Strategy is intended to, nor shall it be interpreted to, conflict with controlling federal, state, or local law, including Fish and Game Code sections 1850-1861, or any Guidelines adopted by the Department of Fish and Wildlife pursuant to Fish and Game Code section 1858."	R
5	1-1	Section 1.1, First Paragraph: RCIS is no longer a pilot program and does not end on January 1, 2020. Please remove the end of the last sentence, "...which create a pilot regional conservation investment strategy (RCIS) program through January 1, 2020."	R
6	1-1	Section 1.1, Second Paragraph: There is a footnote defining the word "public agency" but it is not clear what the source of that definition is. Please cite the source of the footnote given for "public agency" or remove the footnote.	R
7	1-1	Section 1.1, Third Paragraph: Since the draft Antelope Valley RCIS was initiated prior to January 1, 2017, the Antelope Valley RCIS is subject to the June 2017 RCIS Guidelines except for specific sections of the September 2018 RCIS Guidelines. The September 2018 RCIS Guidelines sections (including all subsections) that apply to the Antelope Valley RCIS include Sections: 1.4 – Program Contacts; 2.1 – Terms, Abbreviations, Acronyms, and Definitions; 4.2.2 – Description of the RCIS Area; 4.2.4 - Consultation, Consistency and Compliance; 4.2.5.3 – Non-focal Species Information; 4.6 – Review and Approval Process; 4.7 – Amending an RCIS; and 4.8 – Updating and Extending an RCIS (see September 2018 Guidelines, page 4-1, footnote 111). Include the required elements from both the June 2017 and September 2018 RCIS Guidelines that apply to this RCIS and make appropriate edits in Section 1.4.7.	R

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Comment #	Page #	Comment	Required/Suggested
8	1-1	Section 1.1, Fourth Paragraph states: "Adoption of the Antelope Valley RCIS by CDFW is consistent with CFGC 1850(e) and 1852(c)(7)." CDFW does not "adopt" an RCIS and the sentence sounds pre-decisional. Please remove this sentence.	R
9	1-1	Section 1.1, Last Paragraph: In the second to last sentence, replace the word "should" with "shall" for correct legal language. The sentence should read: "Nothing in the Antelope Valley RCIS is intended to, nor shall it be interpreted to, conflict with state law or local ordinances."	R
10	1-2	The last paragraph on this page uses the term "MCA applicant". The RCIS program term is MCA sponsor. Change "applicant" to "sponsor" here and throughout the document.	R
11	1-4	Section 1.3, The third sentence starting with "The RCIS can be of use to anyone seeking..." should be clarified or expanded upon. This sentence is only true if the state (listed) species in question is designated as a focal or non-focal species in the RCIS. All resources under the authority of other agencies have the potential to use the RCIS (and more correctly MCAs under an approved RCIS) for mitigation and conservation purposes; however, those entities will need to approve individual MCAs for their use once the MCAs are created. In addition to the above corrections, consider adding the following language to better reflect Fish and Game Code section 1856(c): MCA credits would typically be used to meet compensatory mitigation obligations for CESA, LSA, and CEQA. Credits may be used to fulfill permit requirements of other local, state, or federal regulatory agencies, but those agencies must approve of the use of the credits. Ideally, those agencies would be involved in the creation of the MCA and its credits.	R

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Comment #	Page #	Comment	Required/ Suggested
12	1-8	Section 1.4.6, Second Sentence: "CDFW also has the option to extend the duration... after updating the RCIS..." Reword this statement to not give the impression that CDFW would be the primary entity to amend an RCIS. While CDFW can amend the RCIS, CDFW's primary role would be to review and approve an RCIS that is amended by the original RCIS proponent or other interested entity. Similarly, please reword the sentence in the second paragraph in Section 4.5 that states, "Additionally, CDFW may amend the RCIS through the amendment process..."	R
13	1-9	Figure 1-1: The mini map above the legend shows a different shaped RCIS area (in red). Please edit the mini map on this Figure to reflect the correct RCIS area.	R
14	1-10	Section 1.4.7: Please indicate which of the conditions for exemption the RCIS were meant to be exempt from the September 2018 RCIS Guidelines.	R
15	1-10	Section 1.4.7: The indented paragraph starting with "All RCISs are subject to..." appears that the text in the entire paragraph is directly from the RCIS Guidelines, which is not accurate. Please include the exact language from the RCIS Guidelines or do not indent this paragraph to make it appear that it is directly from the Guidelines.	R
16	1-15	Section 1.5: In compliance with Fish and Game Code section 1852(a), this section should include a discussion that describes how Los Angeles County, and other incorporated cities were consulted during development of the RCIS. Fish and Game Code section 1852(a) should also be included in Table 1-1 of Section 1.4.7.	R
17	1-15	Section 1.5, sixth paragraph: This paragraph references Fish and Game Code section 1854(c)(5) and indicates that its requirements will be met. To document this requirement, consider including the notification correspondence with Los Angeles County Board of Supervisors and the city councils in Palmdale and Lancaster as an appendix.	S

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Comment #	Page #	Comment	Required/ Suggested
18	1-15	Section 1.5: We recognize that you conducted tribal outreach as part of the development of this RCIS despite it not being included as a suggestion in the June 2017 RCIS Guidelines. CDFW also conducted tribal outreach in accordance with the Department's Tribal Communication and Consultation Policy. In this section, CDFW recommends including a discussion regarding the tribal communications and outreach conducted as a part of the RCIS development.	S
19	1-16	Section 1.6: In compliance with Fish and Game Code section 1852(c)(6), please consider Caltrans potential projects planned in the RCIS area as described in their Statewide Advance Mitigation Needs Assessment (SAMNA) for its relevance in determining reasonably foreseeable infrastructure development in the RCIS area.	S
20	1-16	Section 1.6.2: In Section 4.2.4, Consultation, Consistency and Compliance, of the September 2018 Guidelines applies to this RCIS. Section 4.2.4.2 states the RCIS's goals, objectives, and actions, shall be consistent with and compatible with state or federal recovery plans. This section also provides instructions for performing a consistency comparison that summarizes where the RCIS's goals, objectives and actions are consistent with recovery plans and where they differ. Please perform a consistency comparison of all applicable recovery plans and include that information in the RCIS. Also include an inconsistency explanation, where necessary.	R
21	2-4	Section 2.1.1.2, The first sentence states: "The California Coastal Range Open Woodland—Shrub—Coniferous Forest—Meadow Province overlaps with portions of the RCIS area along the area's western border." Based on a review of Figure 2-1 it appears this should read "southern border". Please review this text and correct, if needed.	R

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Comment #	Page #	Comment	Required/ Suggested
22	2-4	Section 2.1.2, The first sentence states: "There are two main watersheds within the RCIS area (Figure 2-2): the Northern Mojave River watershed, which covers approximately 98 percent of the RCIS area, and the Ventura–San Gabriel Coastal watershed, which overlaps with small portions of the RCIS area along the western border." However, Figure 2-2 does not depict where these two watersheds exist. Similarly, later in this paragraph the Mojave River is mentioned; however, Figure 2-2 does not depict the river (or it is not labeled). For context, please consider indicating in the figure where these watersheds and the Mojave River are located.	S
23	2-7	Section 2.1.3.1: Please include a discussion that indicates how Section 4.2.9.2 of the RCIS Guidelines (2017) were followed. Explain how mapping meets SCV standards and whether VegCAMP was contacted to determine the best available vegetation maps.	R
24	2-7	Section 2.1.3.1, Second Bullet: The bullet suggests that CDFW created the crosswalk for this RCIS. Please correct the sentence if a crosswalk was not performed by CDFW.	R
25	2-7	Section 2.1.3.2, Second Paragraph: Fix "error! Bookmark not defined".	R
26	2-9	Figures 2-3 and 2-4: There appears to be a discrepancy in these two figures. At the north border of the RCIS area, Rosamond Lake is depicted as "North American Warm Semi-Desert Cliff, Scree, and Rock Vegetation" on Figure 2-4 and not on Figure 2-3. Please resolve this apparent discrepancy.	R
27	2-14	Figure 2-8 depicts "Farmland of Local or Statewide Importance" yet there is no discussion on this designation or topic in the RCIS. Please consider including a discussion on this topic for context.	S

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Comment #	Page #	Comment	Required/ Suggested
28	2-14	Figure 2-8: There are two gray urban designations identified in the legend. These colors are too similar and cannot easily be differentiated. Please consider changing the color of one so that it can be seen in the figure effectively.	S
29	2-15	Section 2.1.3.2: The Natural Communities and Land Cover discussions on pages 2-15 to 2-27 should reference the appropriate land cover figures (Figures 2-4 through 2-8) as applicable. Please consider including figures that are referenced in this section.	S
30	2-27	Urban and Developed: The last sentence indicates there are "three land cover types in the RCIS area..."; however, the three types are not described in the discussion. Please discuss the three land cover types or reference another section of the RCIS where this information can be found.	R
31	2-28	Section 2.1.4: The first sentence states, "Focal species are species whose conservation needs are addressed through this Antelope Valley RCIS." This statement may be misinterpreted to mean that so long as a species' conservation needs are addressed, that species may be considered a focal species. While we do not think this is what you intended, the statement needs to be revised. An RCIS must specifically identify which species are to be considered focal species, along with requirements for the information that must be included for focal species, in accordance with the September 2018 RCIS Guidelines. Section 2.0, Standard Terminology, of the September 2018 Guidelines applies to this RCIS. "Focal species" and other terms and definitions in the RCIS that do not reflect those of the 2018 Guidelines need to be updated. For example, the term "RCIS applicant" has been replaced with the term "RCIS proponent" (see Section 4.3). Additionally, all definitions included in Appendix A should be compared to the 2018 RCIS Guidelines and updated where discrepancies occur.	R

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Comment #	Page #	Comment	Required/ Suggested
32	2-29	Footnote 4 on this page states: "If species of interest are not expected to occur in an RCIS area for more than 10 years, they should be added as focal species in future RCIS updates." This last sentence is unclear and is not consistent with language from the RCIS guidelines or statute. Please remove this last sentence for clarity.	R
33	2-30	Table 2-2: Please update Table 2-2 to include any changes in legal status. For example, Western Joshua Tree is petitioned under CESA as threatened, spreading navarretia has a California Rare Plant Rank of 1B.1, short-joint beavertail has a California Rare Plant Rank of 1B.2, and mountain lion is petitioned under CESA as threatened for the Southern California/Central Coast Evolutionarily Significant Unit (ESU).	R
34	2-30	Table 2-2: Crotch bumble bee (<i>Bombus crotchii</i>) was recently listed by CDFW and is not addressed in the RCIS. Consider adding the Crotch bumble bee to the RCIS as a focal species or non-focal species.	S
35	2-34	The last sentence on this page states: "In some cases, foraging distance was used to set the buffer distance; in other cases, home ranges were applied." Please define "foraging distance" and "home range". Also, it seems that there may be other potential buffer distances applicable to a species' primary activity areas as referenced in Table 2-5. For example, the buffer distances associated with nesting, or breeding, might be applicable and may be more important to a species long term success. Please explain why only "foraging distance" and "home range" distances were used. In Table 2-5: Please indicate what the buffer distance is associated with (i.e. foraging distance or home range) for each species.	R

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Comment #	Page #	Comment	Required/ Suggested
36	2-36	Section 2.1.4.5: In each of the focal species profiles consider indicating which of the figures (in Appendix F) is applicable to each species rather than simply referencing Appendix F. Additionally, in each of the focal species profiles under the "Distribution in the RCIS Area" sections, it would be helpful to explain the various features on the figure applicable to each species. For example, in Figure F-1 the legend identifies "Occurrence (2000-2016)". It is not clear what the significance of the "2000-2016" is or if you are only displaying occurrence data from those years. It would also help to define or explain for what "high occurrence SDM" and "DRECP" mean and, if needed, provide a citation in the context of the species and figure.	S
37	2-36	Section 2.1.4.5: In each of the focal species profiles it would be helpful to include the species-specific information from Table G-1 to indicate the data sources and the distribution modeling used for each species. At a minimum, Table G-1 and/or other appropriate sections should be referenced depending on the analysis conducted for the species. Additionally, each of the Predicted Habitat Distribution figures in Appendix F contains the same "Data Sources" information. The "Data Sources" information should be specific to each figure to avoid confusion or misinterpretations in data sources that do not apply. Lastly, we suggest identifying the location of Edwards Air Force base in these figures (as applicable) because many of the species profiles use the base as a landmark reference to indicate where species occurrences exist in the RCIS area. Please consider including Edwards Airforce Base in all figures where it is referenced.	S
38	2-36	Section 2.1.4.5: The descriptions in each of the species distribution sections only mention where potentially suitable habitat is located but does not mention the number and general location of known occurrences. Please consider including a summary of the number and general locations of known occurrences for each species and ensure that occurrence data is displayed on each of the species figures even if the occurrence data was not used to calculate predicted habitat.	S

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Comment #	Page #	Comment	Required/ Suggested
39	2-36	Section 2.1.4.5: In the "Distribution in the RCIS Area" sections of the focal species profiles there is a mix of terms used to describe the habitats applicable to each species. Some species discussions say X acres of "potentially suitable habitat" others say X acres of "mapped habitat". Similarly, some associated figures indicate "high occurrence SDM, DRECP" and others indicate "Species Distribution Model", while all the figures in Appendix F are titled "Predicted Habitat Distribution". CDFW understands these terms are likely associated with the distribution model that was used for each species; however, this can be confusing to the lay reader. If possible, use more consistent terminology where possible and, if several terms are necessary, describe or reference them when they are used in each of the species profiles so that the reader can understand or find the differences more readily.	S
40	2-36	Section 2.1.4.5, Second Paragraph: CDFW's List of Special Vascular Plants, Bryophytes, and Lichens is regularly updated. Please update information and citation from the 2017 list to the most current 2020 version: http://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109383&inline .	R
41	2-36	Habitat, First Sentence: The following reference: "California Department of Fish and Game 2012a is citing the RareFind 3 database. The current version of this database is Rarefind 5. Please check the Rarefind 5 database to ensure that the information previously found using RareFind 3 is still accurate and update the analysis with any new information of relevance and update the reference to RareFind 5. Please ensure this correction is made elsewhere in the document wherever it is referenced.	R
42	2-38	Habitat: Include a reference to the statements made about the needs and dispersal distance of Joshua Tree's pollinating moth.	R

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Comment #	Page #	Comment	Required/ Suggested
43	2-39	Status and Range: In the first sentence, there is a mislabeling. Please change "California Native Plant Rank 1B.2" to "California Rare Plant Rank 1B.2" and make this same correction elsewhere in the document.	R
44	2-39	Status and Range: A reference to "California Department of Fish and Game 1997" is made in this section, which is referring to the Natural Diversity Data Base, RareFind Report. This reference is outdated and has been replaced with RareFind 5, an online application. Please remove the "California Department of Fish and Game 1997" reference here, and anywhere else it is referenced. Please check the Rarefind 5 database to ensure that the information cited is still accurate and update the analysis with any new information of relevance and update the reference to RareFind 5.	R
45	2-39	The Distribution in the RCIS Area section states that there is other potentially suitable habitat within the RCIS area beyond the single documented occurrence for the species. Consider adding the described potential suitable habitat to Figure F-4 and include a citation for the source of this information.	S
46	2-40	Coast Horned Lizard, Status and Range: The statement that populations within the RCIS Area "are probably stable or slightly imperiled" should have some supporting evidence or explanation with citations. Please provide an explanation for this status determination or explicitly state if it is speculative.	R
47	2-43	Western Pond Turtle, Distribution in the RCIS Area: The text describes occurrences, yet there are no occurrences displayed on Figure 2-9. Rather, Figure 2-9 displays "ponds, lakes, reservoirs". Please consider including the occurrence points on Figure F-9 even if there are few, and explain why you chose to display "ponds, lakes, reservoirs" in the species profile discussion. The extra information presented in the text box on Figure F-9 should also be discussed in the species profile discussion.	S

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Comment #	Page #	Comment	Required/Suggested
48	2-44	California Condor, Status and Range: Please include citations for the information pertaining to the current range, as none are listed.	R
49	2-44	California Condor, Status and Range: Please check with USFWS (Steve Kirkland, steve_kirkland@fws.gov), if you have not already done so, to see if they have telemetry data in the Antelope Valley. This data might help inform habitat usage in the Antelope Valley. Also, consider reviewing https://birdsoftheworld.org/bow/species/calcon/cur/introduction , for more up-to-date information on species accounts and distribution.	R
50	2-44	Habitat, last sentence: Please include a citation for the following statement: "Condors tend to forage within 31 to 44 miles of nests but may travel up to 112 miles in search of food."	R
51	2-44	Golden Eagle, Status and Range: This section states that the golden eagle is protected under the Migratory Bird Treaty Act (MBTA). The MBTA also protects the other bird species in the RCIS; however, it is not mentioned in their respective species profile discussions. Please include a similar discussion of the MBTA in the other applicable species profiles.	R
52	2-44	Golden Eagle, Status and Range: It does not appear that CDFW's GOEA Biogeographic Information and Observation System (BIOS) layer was used in the analysis of this species. To ensure the most up-to-date information was considered, please review this data and update the analysis as necessary. Also, review new reports, literature, and data provided by the FWS to supplement your golden eagle information and analysis as needed: https://www.fws.gov/mountain-prairie/migbirds/species/birds/golden_eagle/ .	R

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Comment #	Page #	Comment	Required/Suggested
53	2-45	Golden Eagle, Status and Range: Include a citation for the statements made about the range/distribution, habitat, and population numbers discussed (e.g. "Numbers are now reduced near human population centers."). Also, please review the information in the following link for more up-to-date information on species accounts and distribution: https://birdsoftheworld.org/bow/species/goleag/cur/introduction .	R
54	2-46	Le Conte's Thrasher, Habitat: Please include a citation for the information in sentences two and three regarding this species' habitat and vegetation preferences. Also, consider whether chollas (<i>Opuntia</i> spp.) and Joshua Trees (<i>Yucca brevifolia</i>) should also be mentioned as habitat for this species, as indicated by Sheppard 1970.	R
55	2-47	Loggerhead Shrike, Status and Range and Figure F-15: The last sentence suggests that Loggerhead Shrike only occupies the Joshua Tree woodland in the RCIS area. However, Figure F-15 shows dozens of occurrences throughout the Antelope Valley. Please ensure the text is reconciled with data represented in Figure F-15.	R
56	2-47	Loggerhead Shrike, Status and Range: The last sentence in this section indicates that "the species is known from a few observations in the Palmdale region in Joshua Tree woodland." However, Loggerhead Shrikes have been detected in almost every block in the Mojave Desert region of the Antelope Valley-Lancaster area, as reported from surveys for the Los Angeles County breeding bird atlas, and therefore do not only occupy just Joshua Tree woodland in the RCIS area. Please review this breeding bird atlas and other relevant regional survey data and update the habitat section to include other potential habitats such as desert scrub and mesquite woodland.	R

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Comment #	Page #	Comment	Required/ Suggested
57	2-47	Loggerhead Shrike: Under the Joshua Tree species profile on page 2-38 it indicates that Loggerhead Shrike use that habitat, yet, in the Loggerhead Shrike habitat discussion on page 2-47 there is no mention of Joshua Tree habitat use by this species. Please revise the text of these species discussions to clearly link them together.	R
58	2-49	Habitat: Please include a citation for the following sentence: "Mountain plovers respond to changes in areas occupied by prairie dogs; the size of the colony may positively influence breeding mountain plover density."	R
59	2-49	Northern Harrier, Status and Range: Please include a citation for the statements made about their range and distribution as discussed in the third, fourth, and fifth sentences. The following link contains an accurate species account of the Northern Harrier if more information is needed: https://birdsoftheworld.org/bow/species/norhar2/cur/introduction .	R
60	2-49	Northern Harrier, Status and Range: There is no information provided about population trends or numbers for this species. We suggest including this information to be consistent with other species discussions and we suggest making sure that other species profiles include similar information. Sources we recommend reviewing include the California Bird Species of Special Concern, for an accurate species account, and the North American Breeding Bird Survey, for data/records that may supplement the species profile.	S
61	2-50	Northern Harrier, Habitat: Please include a citation for the following statement "... and the species has been extirpated from much of the rest of Los Angeles County."	R

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Comment #	Page #	Comment	Required/ Suggested
62	2-50	Prairie Falcon Status and Range, and Habitat: This section could be bolstered to talk more about CA specifically - range, breeding records, and population numbers. For example, it is not clear if this species is using the RCIS area as breeding or wintering/foraging habitat (or both). Please review the following link for additional information to supplement the Prairie Falcon species account: https://birdsoftheworld.org/bow/species/prafal/cur/introduction . Additionally, please review the North American Breeding Bird Survey data for potential additional species profile information.	R
63	2-51	Status and Range: In other species profiles, the species are described as listed under "state/federal law" while in this section you specify "CESA". For consistency, please consider choosing a consistent term and apply it to all applicable species profiles, including Mojave ground squirrel.	S
64	2-51	Status and Range: In the third sentence it states, "In California, the Swainson's Hawk is vulnerable to extirpation due to its very restricted range (primarily the Central Valley)..." This sentence is not completely accurate. Portions of the Central Valley have high Swainson's Hawk densities; the Antelope Valley does have a much smaller population compared to the Central Valley. Therefore, extirpation in the state is inaccurate. Please rephrase this sentence for accuracy. For more up-to-date information on Swainson's Hawk status and range, please review Battistone et al. 2019 and update the species profile with this information, as necessary.	R
65	2-51	Status and Range: The fifth sentence starting with "Much of this decline..." needs to be revised for accuracy. Historic declines occurred not only in Southern California, but elsewhere in its range, and recent records of breeding in Southern California (Battistone et al. 2019) have been made. Please review Battistone et al. 2019 and check CNDDDB for more recent records and update the species profile and associated figure, as necessary.	R

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Comment #	Page #	Comment	Required/Suggested
66	2-51	Status and Range: Include a citation for the sentence starting with "It is estimated that this region once supported 270 to..."	R
67	2-51	Status and Range: Please review and update the second sentence in the second paragraph starting with "In California, most breeding occurs..." which currently references CDFW's 2007 information. This information should be updated to include new information from Battistone et al. 2019.	R
68	2-51	Habitat: The first sentence indicates the species is primarily a "grassland bird" which sounds somewhat incomplete and confusing. Perhaps reword this sentence to say "Swainson's Hawks primarily forage in grasslands and sparse shrublands..." for added clarity. Additionally, this section should indicate that SWHA depend heavily on agricultural habitat for much of their foraging. Additional discussion on the foraging and breeding habitat would also be useful. Please reference all facts presented in these sections.	R
69	2-53	Modeled Distribution: In this section it would be helpful to provide some additional information regarding the colonies (blue dots) depicted in Figure F-21 and the source of this data.	S
70	2-53	Flycatcher, Habitat: Please include a citation for the sentence that starts with "However, in lowland riverine habitats, contiguous willow..."	R
71	2-55	Kit Fox, Habitat: The last sentence indicates that kit foxes use agricultural areas, especially orchards, for foraging and movement. Please provide a citation for this statement.	R

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Comment #	Page #	Comment	Required/ Suggested
72	2-55	Mohave Ground Squirrel: In the heading, the two versions of the Mohave Ground Squirrel genus name should be reversed. <i>Xerospermophilus</i> is the correct current genus, while <i>Spermophilus</i> is the old name and should be placed in brackets. Please make this correction here, and elsewhere in the document, as necessary.	R
73	2-55	Mohave Ground Squirrel, Habitat: In the second paragraph, a (Mohave Ground Squirrel Working Group 2011) is referenced. Please update this reference to the Mohave Ground Squirrel Conservation Strategy (CDFW 2019) and review this source for more accurate habitat associations. Please check to see where this correction may need to be repeated in the document.	R
74	2-56	Modeled Distribution: Please review the statewide multi-scale habitat model (Dellinger et al. 2020) to determine if the predicted habitat analysis and associated figure should be updated.	R
75	2-58	Section 2.1.5.1, Habitat Connectivity: The California Aqueduct presents a significant barrier in north/south movement along the southern Antelope Valley. Please expand the discussion of the California Aqueduct to include its effect on wildlife movement/linkages in this area. This may inform additional conservation or habitat enhancement measures for wildlife corridors that may be included in the Conservation Actions.	R
76	2-65	2.1.5.4: Several of the features listed in this section are not displayed in Figure 2-12 and some of the ponds, lakes, and reservoirs in the figure are obscured by their labels. For clarity, it would be helpful to describe and refer to the data sets used to populate the features displayed in Figure 2-12. Please consider labeling and displaying the water features/habitats described in Section 2.1.5.4 and explaining/describing the features more thoroughly in the text.	S

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77	2-65	2.1.5.4: Please consider identifying and including riparian habitat as a key aquatic habitat in this discussion and in Figure 2-12. This habitat may help to indicate where valuable ephemeral streams, washes, and drainages occur within the RCIS area. Since the bulk of riparian habitat in the RCIS area is ephemeral, the current analysis is likely overlooking significant portions of important riparian habitat. Additionally, this section would be improved by including more discussion regarding the episodic/ephemeral features in arid and semi-arid environments and how fluvial geomorphology play important roles in determining CDFW jurisdictional features in these environments. Other important aquatic resources that might be considered in this section are alkali wetlands and clay pan systems. If any of these suggested additional habitats are already covered elsewhere as "other conservation elements", for example, as Natural Communities of Conservation Importance, then we suggest indicating and referring to them in the Key Aquatic Habitat discussion.	S
78	2-68	Section 2.2.2: Agricultural land use designations appear to be missing from table 2-7 and Figure 2-13. Is this correct? Additionally, it is not clear what land use designations are lumped under each of the consolidated land use designations on Figure 2-7. Please provide this missing information.	R

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Comment #	Page #	Comment	Required/ Suggested
79	2-68	Section 2.2.2.1, second paragraph: The following sentence states: "The County must act as the steward for natural resources and available open space areas, and conserve and protect these lands and resources from inappropriate development patterns." This sentence reads like a command. In accordance with Fish and Game Code sections 1851(l), 1852(b), and 1852(c)(7), "Regional conservation investment strategies are intended to provide scientific information for the consideration of public agencies, are voluntary, and do not create, modify, or impose regulatory requirements or standards, regulate the use of land, establish land use designations, or affect the land use authority of or exercise of discretion by, any public agency (emphasis ours)." Please clarify or remove this sentence to alleviate this perception.	S
80	2-73	Section 2.2.2.2: The Antelope Valley Area plan is discussed but is not displayed in any figure. The Area Plan should be indicated on a Figure for clarity (maybe Figure 2-14). Please include the Area Plan in a figure and update this section to refer to it.	R
81	2-73	Section 2.2.2.2, last paragraph, states: "The Area Plan encourages development within EOAs, including fewer policy restrictions around resources such as water features, riparian areas, groundwater recharge basins, and national forests..." This sentence appears to indicate that the Area Plan has fewer restrictions than may be present elsewhere within the County. Please verify that this statement is accurate.	R
82	2-77	California Aqueduct: This section describes the aqueduct entering the RCIS area "at its northeastern end and runs diagonally across State Route 138 and through the entire southern portion of the RCIS area east to west." This appears to be a mistake. The aqueduct enters at the RCIS area at its northwestern end. Please correct this error. Additionally, it would be helpful to mention the State Water Project in this section as Figure 2-15 identifies it that way in the legend.	R

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Comment #	Page #	Comment	Required/ Suggested
83	2-79	Section 1.6: Please consider reviewing the desert tortoise, and wetlands and waters elements, and other applicable resources in Caltrans Advance Mitigation Program draft "Mojave Desert Section Regional Advance Mitigation Needs Assessment" (RAMNA, February 2020), part of which covers the Antelope Valley area, for its relevance/contribution as part of the RCIS's conservation strategy. The RAMNA is expected to be finalized in August or September 2020 and contains several strategies that could affect conservation actions in this RCIS. For additional information, visit the program webpage: https://dot.ca.gov/programs/environmental-analysis/caltrans-biology/strategic-biological-planning-advance-mitigation-innovation/advancemitigation .	S
84	2-85	Section 2.2.4.1: The definitions for protection and preservation likely will not be consistent with the definitions of these terms that are being developed for the future MCA Guidelines. Please note, the current Draft MCA Guidelines includes an update to Section 2 of the RCIS Guidelines with additional terms specific to RCIS implementation. Please either avoid using these terms or consider making the definitions consistent with the Draft MCA Guidelines definitions. Similarly, we recommend that other terms defined in Appendix A be avoided or be consistent with the September 2018 RCIS Guidelines or the Draft MCA Guidelines, as applicable.	S
85	2-85	Section 2.2.4: Last bullet: Please define the "IUCN definition of a protected area" for context in this discussion of unassigned public lands.	R
86	2-91	Petersen Ranch Mitigation Bank: In the discussion of the Petersen Ranch, first paragraph, on page 2-91, Figure 2-21 is referenced and shows various resources in the Bank; however, Santa Paula Creek Mitigation Bank has no figure. Please either include a figure for each bank or remove Figure 2-21. If the figures are retained, please describe the source of the data that is presented in the figures. For example, indicate if the data is CNDDDB occurrence points, data from annual monitoring reports, or something else.	R

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Comment #	Page #	Comment	Required/ Suggested
87	2-92	Figure 2-20: We suggest indicating where the Peterson Ranch and Santa Paula Creek Banks are located on the mini maps.	S
88	2-94	Section 2.3: Consider adding all cannabis grows (permitted and unpermitted) in this section. If possible, describe how the introduction of cannabis cultivation might impact the landscape and land use of Antelope Valley. Consider impacts to focal species as they relate to likely increases in groundwater withdrawals and potential impacts to localized hydrology which may alter or affect conservation actions associated with "Working Lands". If appropriate, consider updating potential Conservation Actions and priorities that may be susceptible due to all cannabis cultivation. For information pertaining to potential impacts of cannabis cultivation on fish and wildlife resources see: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=160552&inline .	S
89	2-94	Section 2.3: In the second sentence of the second paragraph it states that there are 8 primary pressures; however, 15 are listed in the bullets and in Table 2-9. Please correct this sentence.	R
90	2-95	Table 2-9: Renewable energy should be indicated as a pressure to all raptor focal species. These birds may be affected through collisions with heliostats or solar arrays, and foraging habitat can be impacted by solar facilities. Please update the table to show renewable energy as a pressure to these species.	R
91	2-95	Table 2-9: In the "Mountain Plover" row, please add checks for Climate Change, Fire/Fire Suppression, renewable energy, and invasive plants given their importance in shaping habitat characteristics that could affect Mountain Plovers.	R

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Comment #	Page #	Comment	Required/Suggested
92	2-102	2.3.5: This section should include a discussion regarding the Sustainable Groundwater Management Act (SGMA) as it contains required groundwater management practices that could affect conservation actions of this RCIS. SGMA should also be discussed in Section 1.6, Relevant Conservation Plans and Policies.	R
93	2-104	Section 2.3.7.1: This section should discuss rodent control efforts, specifically anticoagulant poisoning. This is a significant problem throughout Southern California populations of medium and large carnivores. Please include a discussion about the use of anticoagulants in rodenticides and how these activities can impact wildlife species.	R
94	2-104	2.3.7.1: Table 2-10 is referenced in the first sentence of this section; however, Table 2-10 pertains to climate-vulnerable focal species in the Antelope Valley RCIS. It appears there is a table missing or Table 2-10 was accidentally referenced. Please correct this error.	R
95	2-108	2.3.11: The last paragraph indicates that Edwards Air Force Base is considered as an open space and "has been identified as the Edwards core habitat area for this RCIS." Please indicate which figure displays the Edwards core habitat area and reference Section 3.2.4, Mapping Habitat Core Areas and Landscape Linkages, as necessary.	R
96	2-109	Section 2.3.12: This section states that the Little Rock Creek Fan production region "produces an estimated 12.7 tons per year..." This volume of mining seems small. Is this supposed to say "million tons" or some other multiplier? Please check this number for accuracy.	S

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Comment #	Page #	Comment	Required/Suggested
97	2-114	Section 2.4.1: The top of the page lists specific focal species that need additional survey efforts. Please consider adding the American badger to this list since very little is known about badgers in California. A better understanding of occurrences, ecology, and habitat uses and requirements in California is needed for this species.	S
98	3-8	Table 3-2: Loggerhead Shrike depend on desert scrub and desert riparian areas especially in the Southern California region. We recommend marking the Desert and Foothills/Riparian habitats for Loggerhead Shrike.	S
99	3-12	Section 3.2.1.3: It is unclear to us if the analysis considered the distance created by large impediments to movement. For example, if two parcels in a movement corridor are bisected by a highway and the closest crossing is a culvert a half-mile away, are those neighboring parcels still considered adjacent? We suggest clarifying how barriers are considered in the landscape analysis and how this specifically is reflected in resistance values.	S
100	3-17	Section 3.2.1.4, Second Paragraph: The first sentence uses the incorrect term for California Native Diversity Database. Please change "Native" to "Natural" to read "California Natural Diversity Database."	R
101	3-33	The first sentence of the page indicates that the RCIS area was divided into 15 core habitat areas and 18 landscape linkages. This conflicts with Figure 3-20, which shows 13 habitat core areas and 17 linkages. Please reconcile the two numbers of core areas and linkages.	R

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Comment #	Page #	Comment	Required/ Suggested
102	3-41	Footnote g of Table 3-10 explains that the conservation targets are calculated based on the Habitat of Higher Conservation Value. This value includes lands that are already protected in addition to lands that are currently unprotected. The purpose of the general amount (i.e., conservation target) is to identify how much of each habitat still needs to be permanently protected to meet the goals and objectives of the RCIS (see Fish & G. Code, § 1852(c)(9)). Please recalculate the general amount (i.e., conservation target) so it is based on the unprotected lands in the higher conservation value habitat.	R
103	3-37	Section 3.3: It is unclear how the 90/75/50 percent conservation targets were selected. Please provide the reason for why these specific percentages were applied as a conservation target to each category and include a citation, as appropriate.	R
104	3-46	Many of the actions within Sections 3.4.4 of the RCIS call for acquiring land “through fee title purchase or conservation easement.” In many circumstances, protection through fee title purchase may not meet the requirements for creating permanent credits through an MCA. To ensure consistency with the eventual MCA Guidelines, please change all instances of the above-mentioned statement to "perpetually protect through a conservation easement or other approved real estate instrument."	R
105	3-46	Sections 3.4.4 and 3.4.5: Fish and Game Code section 1852(c)(8) states that the RCIS must include measurable objectives and Fish and Game Code section 1854(e) requires that the metrics be consistent and incorporate both area and habitat quality. Many metrics included in the RCIS do not incorporate both area and habitat quality. Please include in the RCIS the metrics for both area and habitat quality that would be used in implementing conservation actions and habitat enhancement actions.	R

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Comment #	Page #	Comment	Required/ Suggested
106	3-46	Section 3.4.4: Given that shifts in distribution are anticipated (as stated in the climate change issues and consideration section for many focal species), areas of predicted climate stability or higher elevation should be identified as priorities. Please consider adding areas of climate stability and/or higher elevations as Conservation Actions and Priorities for focal species, as appropriate.	S
107	3-46	Section 3.4.4: Some recommendations in the strategy that benefit one focal species may negatively affect another focal species or other conservation element. For example, Objective 5.3 on page 3-53, refers to managing fire risk through the reduction of fuel loads in each site, which is often accomplished through grazing or cutting and applying herbicides. Those treatments may present a threat to other sensitive species. We recommend checking actions for focal species that share habitats to make sure they do not contradict each other or benefit one species while harming another. If measures are potentially contradictory, we recommend indicating when measures are or are not appropriate, such as when one species is present versus when both species are present.	S
108	3-46	Section 3.4.4: The RCIS has multiple measures intended to manage brown-headed cowbird, such as LBVI-3 14.2 & 14.3. In Antelope Valley, ravens present a significant threat to local sensitive species. Please consider including actions, where appropriate, to eliminate or address other nuisance species (e.g., ravens) that are known to have a direct impact on the focal species. Consider referencing the behavior-focused education "crumb clean" campaign (https://www.parks.ca.gov/?page_id=29882) used in the Northwest California area to reduce corvid populations and their adverse effect on marbled murrelets.	S

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Comment #	Page #	Comment	Required/ Suggested
109	3-47	Objective 1.3: The use of the phrase "Increase habitat preservation on protected lands" seems confusing. Section 2.2.4.1 of the RCIS defines "preservation" as "additional conservation measures above and beyond basic land protection... and includes funding and implementation of long-term management and monitoring." If the intent of this objective is an increase in ecological value on protected lands, please consider removing the word "preservation" and replacing it with "value". Please consider this comment for other species that have similarly stated objectives.	S
110	3-51	The first sentence of the Climate Change section suggests that the Western Joshua Tree range will shift with climate change. Although suitable climatic conditions for Western Joshua Tree may shift with climate change, there may be little evidence that the distribution of Joshua Tree will move in step with these climatic shifts. Please consider revising the first sentence of Climate Change section to read to something like, "Joshua Tree is currently distributed broadly throughout the RCIS area; however, suitable climatic conditions for Joshua Tree may shift to higher elevations in response to climate change." Otherwise, please include a citation to support the idea that Joshua Tree range will shift with climate change.	R
111	3-53	Objective 5.4 calls for translocation. CDFW generally does not promote translocation. Translocation should only be used as a last option since creating new occurrences can be quite difficult and there is no certainty that it would work. If translocation is kept as an action, either a citation needs to be provided for research that backs up the feasibility of creating new occurrences for the beavertail cactus or this objective should be written similar to that of Objective 4.3. For further information, please see http://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=3173	R

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Comment #	Page #	Comment	Required/ Suggested
112	3-58	Conservation Actions DETO-3 & DETO-7, aimed at reducing subsidized predation pressure, would also help the two horned lizard species. Please consider adding these actions to Tables 3-16 and 3-17.	S
113	3-63	Table 3-21: CACO-4 addresses the specific threat of micro-trash, but there are many other threats to California condor (e.g., lead contamination, stock tanks). Please consider adding actions that address other specific threats to California condor. For example, consider revising actions to reference the complete lead ban regulations now in effect. Also, consider the potential lead exposure from activities not covered under the lead ammo ban, such as dispatching cattle or other farm animals. This is also often a source of lead for eagles and other scavengers. Consider making similar revisions regarding lead exposure to the GOEA actions.	S
114	3-65	Table 3-22 only includes land acquisition as an avenue for protecting nest sites. Consider including other actions to protect nest sites that do not require land acquisition.	S
115	3-67	Objective 13.2: Le Conte's thrashers do not require "dense" patches of these plants, more "moderate" to "sparse" patches of desert vegetation (Sheppard 1970). This objective also does not mention chollas (<i>Opuntia</i> Spp.) or Joshua Trees. Consider revising the objective to read, "Improve nesting and foraging habitat for LeConte's thrasher on protected or preserved lands by excluding recreational vehicle use in wash areas with creosote bush (<i>Larrea tridentata</i>), saltbush (<i>Atriplex</i> spp.), chollas (<i>Opuntia</i> spp.), and/or Joshua Tree (<i>Yucca brevifolia</i>) present."	S
116	3-71	Objective 16.2: Since curlew are a year-round resident in this area, "wintering grounds" may be a bit misleading in this context. Consider revising this objective to read, "Increase the number of protected and preserved known occupied habitats for long-billed curlew."	S

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Comment #	Page #	Comment	Required/ Suggested
117	3-77	Table 3-30: To enhance habitat, additional suitable trees should be protected. Please consider adding actions for planting trees, protecting young trees not yet suitable for nesting, and other similar actions.	S
118	3-77	SWHA-4: Crop type is important, but so is crop diversity. Crop diversity (crops that provide foraging habitat) is important to achieve prey availability across the season. This is tied to how different crops are managed (harvested) across the season and how these activities tie to prey availability for SWHA. Please consider reviewing literature about crop diversity (e.g., Battistone et al 2019) and consider adding crop diversity to this action.	S
119	3-85	Table 3-35: Additional objectives and actions could be considered for Mohave ground squirrel. Please review CDFW's Mohave Ground Squirrel Conservation Strategy for possible additional actions.	R
120	3-87	Objective 26.4: Some movement studies have been completed already (Dellinger et al. 2020) and should be reviewed prior to new studies being conducted. Consider editing this objective to include a literature review before planning new studies.	S
121	3-88	Section 3.4.4.27: Considering the lack of recent information on the Tehachapi Pocket Mouse, consider adding goals, objectives, or actions to address this issue.	S
122	3-94	Conservation Actions and Priorities section: No priorities were included for Key Aquatic Habitats. Goals, objectives, actions, and priorities must be identified for all focal species and other conservation elements. Please include priorities for Key Aquatic Habitats.	R

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Comment #	Page #	Comment	Required/ Suggested
123	4-1	The Introduction to Chapter 4 states: "... a regional conservation investment strategy (RCIS) can be used immediately to inform decisions related to..." An RCIS generally estimates habitat locations and does not provide site-specific information. Therefore, the RCIS should not be the sole source of information to inform such decisions. To more accurately reflect uses of an RCIS, please consider changing this statement to something like, "... a regional conservation investment strategy (RCIS) can be used immediately to assist in informing decisions related to..."	S
124	4-2	Section 4.3 states that, for the Antelope Valley RCIS, the implementation sponsor is the same as the applicant [proponent]. Since "implementation sponsor" is not an RCIS Program term and is defined as being the same as the proponent of the Antelope Valley RCIS, consider removing the term "implementation sponsor" throughout the document and replace it with "sponsor". If the term is kept, we recommend that the definition be moved to Section 4.1, where the term first appears.	S
125	4-2	Section 4.3 includes a definition for "implementation sponsor", which is inconsistent with the definition included in Appendix A. If this term is not removed (see comment 124), please replace the definition in Appendix A with the definition provided in Section 4.3.	R
126	4-2	Footnote 1 states: "The Program Guidelines state that '[a]n updated RCIS means...' See Section 4.5, Amending the RCIS..." Sections 4.7, Amending an RCIS and Section 4.8, Updating and Extending an RCIS, of the September 2018 RCIS Guidelines apply to this RCIS. The quoted text and other references or information in the RCIS pertaining to amending or updating the RCIS that are based on the June 2017 RCIS Guidelines need to be updated to reflect any changes included in the September 2018 RCIS Guidelines.	R

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Comment #	Page #	Comment	Required/ Suggested
127	4-3	Section 4.3.1, Second Bullet: "Assessing progress toward meeting this RICS's goals and objectives, through conservation investments and mitigation actions, at least once every 10 years, or until all mitigation credits are used..." Section 4.2.6 of the Guidelines (2017) says that to create MCAs there must be "A process for... tracking the progress of, and evaluating the effectiveness of conservation actions and habitat enhancement actions... at least once every 10 years, until all mitigation credits are used." To be consistent with the statute and Guidelines, please remove the word "or". This change must also be made in Section 4.3.1.2.	R
128	4-3	Section 4.3.1, Last Paragraph: "CDFW will maintain a list and status of all MCAs that are active in the RCIS area on their website." This may not be accurate as CDFW may decide on a different format for posting required information to our website. Please either remove these sentences or make them consistent with Fish and Game Code section 1856(k).	R
129	4-3	Section 4.3.1.2 states: "DMCA will coordinate to use data from CDFW to compile the status of MCAs being used in the RCIS area, as well as progress toward meeting the conservation goals and objectives of this RCIS." In addition to requesting data from CDFW, when feasible, DMCA must also use other readily available sources that may provide information about conservation and habitat enhancement actions implemented outside of an MCA. Please edit this statement to indicate that other readily available sources will be used, when feasible.	R

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Comment #	Page #	Comment	Required/Suggested
130	4-5	Section 4.3.2.2: The last bullet states, "... undertaking periodic updates of this RCIS (at least every 10 years) based on significant new information on the focal species and their conservation." All scientific data must be reviewed in the document, not just data specific to focal species. Where new data is significantly different, the associated information in the RCIS must be updated. Please edit this sentence to indicate that all scientific data must be reviewed and updated, where applicable.	R
131	4-5	The second bullet at the top of the page states that the implementation committee may "Answer questions from users and potential users of this RCIS." Any questions pertaining to requirements for developing an MCA must be directed to CDFW. Please add a caveat to this bullet point to clarify that such questions must be directed to CDFW.	R
132	4-5	The third bullet at the top of the page states that the implementation committee may "Develop guidance, as needed, to clarify and refine components of this RCIS." Please note that clarifications and refinements to the RCIS would either be considered updates or amendments and must be submitted to CDFW for review and approval. Changes may not otherwise be made to the RCIS. Please add a statement to this bullet point to explain the purpose of the clarification and refinements (e.g., as adjustments to the RCIS during updates and amendments).	R

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Comment #	Page #	Comment	Required/ Suggested
133	4-6	The third bullet at the top of the page states: "An MCA provides certainty and predictability to the MCA sponsor for the future costs of project mitigation under state laws." Similar to use of bank credits for mitigation, the use of MCA credits must be assessed on a case-by-case basis by the permitting agencies. We suggest rewording this sentence to state something similar to the following: "Although the use of MCA credits to satisfy mitigation obligations for a particular project must be assessed on a case-by-case basis during the permitting phase, an MCA provides certainty and predictability to the MCA sponsor for the future costs of project mitigation that conservation and habitat enhancement actions undertaken pursuant to that MCA will constitute mitigation under applicable state laws."	S
134	4-6	The paragraph after the bullet points states, "A person or entity, including a state or local agency, with mitigation needs may choose to enter into an MCA with CDFW for a single, large mitigation site with multiple phases, a suite of mitigation sites..." This statement would suggest that smaller MCA projects and those that do not have multiple phases are not possible. Please consider changing this statement to express that MCAs may be created for a wider range of project size and complexity.	S
135	4-6	The paragraph after the bullet points states, "A person or entity... may choose to enter into an MCA with CDFW... or even a specific region (e.g., watershed boundary or municipality) within the RCIS area." An MCA must identify one or more distinct sites where specific conservation or habitat enhancement actions will be implemented. An MCA cannot be created for a region within the RCIS area. To accurately reflect what an MCA is, please remove the portion of this sentence that suggests that an MCA could be created for a region.	R

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Comment #	Page #	Comment	Required/Suggested
136	4-6	The end of the last paragraph of Section 4.4 states, "This RCIS does not support the development of MCA credits for non-focal species. If an MCA is developed to include non-focal species, it will need to describe how the ecological requirements of each non-focal species align with a focal species or other conservation element, and explain how the proposed conservation actions would provide for the non-focal species." Section 4.2.5.3, Non-focal Species Information, of the September 2018 Guidelines applies to this RCIS. This section requires non-focal species to be identified in an RCIS, along with specific information, to be considered for credits in an MCA. The second sentence in the quoted text above needs to be removed from the RCIS. Additionally, text throughout the document that suggests that MCAs may be created for species other than focal species must be removed, including the first sentence of the same paragraph referred to in this comment, the second and third bullets at the top of page 4-7, and all other locations in the RCIS.	R
137	4-6	The second sentence of Section 4.4.1 states, "Mitigation credits can be established for any conservation or enhancement action..." MCAs must be proposed and are not automatically guaranteed to be established for the actions. Please replace "established" with "proposed" in this sentence. Please also add the word "habitat" before "enhancement" since the correct term is "habitat enhancement action". A similar change needs to be made in the first sentence on page 4-7 and anywhere else similar statements are made.	R

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Comment #	Page #	Comment	Required/ Suggested
138	4-6	The last sentence of this page states, "CDFW must approve the release of all credits after the MCA sponsor meets performance-based milestones established by the MCA." The statute (Fish & G. Code, § 1856(g)(4)) does not state that CDFW must approve the release of credits if milestones are met. Rather, it states that for credits to be released, the entity shall demonstrate that milestones have been met and that CDFW will determine if they have been met. Please edit the statement in the RCIS to be consistent with the statute.	R
139	4-7	Section 4.4.1: The paragraph after the bullet points states, "An MCA developed under an RCIS must be consistent with any previously approved or amended RCIS, state or federal recovery plan, or other state or federal approved conservation strategy that overlaps with the RCIS area." The requirement for consistency with these plans is a requirement for RCISs, not for MCAs. Please remove this statement.	R
140	4-7	In footnote 3, the URL address indicated for CDFW banking information is out of date. Please update the link to https://www.wildlife.ca.gov/Conservation/Planning/Banking .	R
141	B-3	California Endangered Species Act: Please remove the last two sentences in the first paragraph, which begin with, "Therefore, take under CESA...", and "Rather, the courts have affirmed...". The quoted language in the first of these two sentences is potentially misleading and out of context and the second sentence is legally incorrect.	R

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Comment #	Page #	Comment	Required/ Suggested
142	B-3	California Endangered Species Act: Please revise the second paragraph to better reflect the requirements of CESA, as follows: "Like the ESA, the CESA allows exceptions to the prohibition for take that occurs during otherwise lawful activities. The requirements of an application for <u>an incidental take permit</u> under CESA are described in CFGC 2081(b). Incidental take of state-listed species may be authorized if an applicant submits an approved plan that <u>meets all of the requirements of CFGC 2081(b), including that it minimizes and "fully mitigates" the impacts of this take.</u> "	R
143	B-3	Natural Community Conservation Planning Act: Since there is no need to discuss the full definition of NCCPs in this document, please revise the first paragraph to read "Conservation is defined by CFGC Section 2805(d)" to avoid an over-truncated definition.	R
144	B-3	Natural Community Conservation Planning Act: The last sentence in the first paragraph seems confusing and appears to make a comparison between the standards of NCCP and HCP. Since a Habitat Conservation Plan is not a standard permitting mechanism for CDFW, we suggest that the comparison in the last sentence be made between NCCPs and individual take permits.	S
145	B-3	Streambed Alteration Agreement: The RCIS text modifies the statutory requirement such that it alters its meaning. To correct this section, please change the section title to " <u>Lake and Streambed Alteration Agreement</u> " and edit the first sentence to read "... enter into a <u>lake and streambed... or substantially change or use material from</u> the bed, channel, or bank of a river, stream, or lake; or use material from a streambed. " The last two sentences must also be deleted since they are legally incorrect. A 1600 agreement is a regulatory permit, albeit an unusual type.	R

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Comment #	Page #	Comment	Required/ Suggested
146	B-5	Appendix B: The last paragraph states, "For example, the Corps and USEPA could determine that the MCA meets Compensatory Mitigation Rule regulations and policies for in-lieu fee programs and approve the MCA as an enabling instrument for such programs." An in-lieu fee program may be based on an RCIS's information, but nothing in the MCA statute would allow an MCA to function as an in-lieu fee program. The viability of an MCA functioning in this manner is purely speculation at this point and until the MCA guidelines are finalized CDFW cannot offer a formal opinion on this matter. Please remove all discussion regarding the potential interaction of in-lieu fee programs and MCAs here, in the second paragraph of page B-7, and anywhere else in the RCIS where similar statements are made.	R
147	B-7	Appendix B, last paragraph on this page, states, "As described previously for the CWA and Porter-Cologne Act, MCA-based mitigation credits are provided for under the federal ESA with USFWS approval." The associated footnote number 14 references Fish and Game Code section 1856(c). This sentence appears to indicate that the federal ESA mentions and incorporates MCA credits, which it does not. Please clarify what is intended in this sentence. Did you, instead, intend to mean that nothing in the federal ESA disallows use of MCA credits?	R
148	Appendix D	CDFW can only approve up to eight RCISs except for RCISs accompanied by a letter to the CDFW Director from a state water or transportation infrastructure agency that meets the requirements of Streets and Highways Code section 800.6(j). We recommend seeking a State Infrastructure Mitigation Letter, as described in Section 4.6.1.1 of the RCIS Program Guidelines (September 2018 version), and include a copy of the letter in Appendix D.	S

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Comment #	Page #	Comment	Required/Suggested
149	General Appendix F	Appendix F: Model accuracy is an important criterion in determining model quality and suitable uses. Several maps appear to have many species occurrence points that are not captured by the modeled distribution. This could indicate a high omission error and low Area Under the Curve (AUC) value, an issue with the threshold choice, or might be due to map resolution. Please include the AUC score for each model on the map. For models with AUC <0.7, please provide an explanation for the low score and the justification for use of the model.	R
150	General Appendix F	In many cases, the number of occurrences that are represented in the maps in Appendix F do not reflect the number of occurrences identified in CNDDDB. Please either verify and update the occurrence data for all species or include an explanation for the discrepancy.	R
151	Figure F-5	Beavertail cactus occurrences were provided a buffer, but some other species occurrences were not. Please describe or elaborate on the decision process for when and how species were provided with a buffer.	R
152	Figure F-5	Please determine if the known occurrence of short-joint beavertail in Kentucky Springs Canyon, along Angeles Forest Highway, is within the RCIS area and if it is included in the analysis.	R
153	Figure F-8	Figure F-8 does not appear to show the historic record of Desert Tortoise along Lovejoy Buttes, which is supported by CNDDDB. Please ensure that the historic records of Agassiz's Desert Tortoise, as supported by CNDDDB, are included in the analysis and figure.	R
154	G-4	Threshold SDMs: There are many options for model thresholds, and the choice of threshold has a significant effect on the final map of potentially suitable habitat. Please describe why MSS was chosen as the threshold and include references.	R

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Comment #	Page #	Comment	Required/ Suggested
155	G-4	Threshold SDMs: In the second paragraph, clarify the methodology in the "From here, we took values... " sentence. Why were the data split into two classes, and what impact does this have on the RCIS model? Please include any references. Both classes show values higher than the MSS value. Please clarify the "The higher valued class..." sentence that states that the higher class identified areas higher than the MSS value.	R
156	G-18	It is unclear is the RCIS used existing connectivity analysis results or if unique connectivity analysis was run for the RCIS. If a unique analysis was performed, the RCIS needs to include an explanation of how that analysis conforms with Section 4.2.9.5 of the Guidelines (2017) and, more specifically, with CDFW's Guidance for Fine-Scale Wildlife Connectivity Analysis (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=93018&inline).	R
157	G-18	High-Habitat Connectivity: The California Desert Linkages Network and Desert Renewable Energy Conservation Plan (DRECP) identified a focal species linkage within the RCIS area, but that linkage is not included in the connectivity assessment of the RCIS. Please discuss the DRECP linkage in the context of the RCIS connectivity analysis.	R
158	G-21	Effects of Climate Change: There are no references included. Please add relevant references for the methodology used to assess the effects of climate change on connectivity.	R

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Comment #	Page #	Comment	Required/ Suggested
159	G-21	Effects of Climate Change: An existing dataset on vegetation climate refugia is referenced on pg. 3-93 (Thorne et al. 2016) but is not used in the analysis or discussed further in the document. Please consider adding a comparison map of the Thorne et al. climate refugia dataset and the climate refugia dataset developed for the RCIS. Please also consider in what ways the areas identified as refugia are the same or different, and why.	S
160	Appendix H and I	Appendices H and I do not include the pie charts mentioned on page 3-99. The third bullet of Step 3 on page 3-99 indicates that the pie charts in Appendices H and I should be used to identify the distribution of conservation values. Please either include the pie charts or remove mention of them in Section 3.5 and elsewhere in the RCIS.	R



BUILDING INDUSTRY LEGAL DEFENSE FOUNDATION

December 10, 2021

Hon. Clint Lorimore
President
Southern California Association of Governments
900 Wilshire Blvd., Suite 1700
Los Angeles, CA 90017

RE: SoCal Greenprint Planning Advisory Task Group

Dear President Lorimore and Planning Advisory Task Group:

As you know, the Building Industry Legal Defense Foundation (BILD) alongside the region's business and labor advocacy associations have submitted letters, and testified, on numerous occasions to: (a) support a "Greenprint" that fulfills the mitigation requirement in the Agricultural and Biological Resources sections of the Program EIR for Connect SoCal 2020 of helping identify high quality conservation lands for voluntary mitigation acquisitions; and (b) vigorously oppose a "Greenprint" that interferes with, undermines, or otherwise provide any support to opponents of approved Housing Elements, transportation and other infrastructure plans, and housing, infrastructure, and economic development projects that comply with and implement these approved plans.

We have also repeatedly asked SCAG staff to do what Connect SoCal's Natural and Working Lands Appendix required, which was to start what was described as a "multi-year" Greenprint process with a "draft White Paper" that described the purpose, criteria, process, and future use of Greenprint.

All of our concerns have been summarily dismissed and ignored. Executive Director Ajise has flatly told us that Greenprint was intended to guide "development" not just "conservation" in the region, so it was critical that Greenprint apply even to the built infill environment of our cities and counties. Further that the Greenprint "datasets" represented the "best available scientific data" in the judgment of the Greenprint Science Advisory Board which was selected and managed solely by SCAG staff and its sole-source consultant The Nature Conservancy, which as we have repeatedly also said is problematic.

Our members build almost all of the housing that is constructed in the region. We are united in telling SCAG that Greenprint harms housing development. Greenprint's fans are those that sue local governments to block approved housing and infrastructure; they have testified that they want

to use Greenprint to “change” locally-approved plans and projects. SCAG’s lawyers have opined that Greenprint cannot “BY ITSELF” (emphasis provided by SCAG’s outside counsel) be used to upend previously-approved CEQA documents – and we agree, it is the third party use of Greenprint in CEQA lawsuits that turns SCAG into a weapon against locally-approved Housing Elements and transportation projects. Will SCAG indemnify local cities, counties and transportation agencies for arming Greenprint’s fans with the legal weapon to subvert the decision of local elected officials?

Instead of starting with the White Paper, it appears that the subcommittee is planning to roll right past Greenprint into locating “mitigation lands” for the region’s transportation projects. Will this “mitigation land” SCAG designation likewise plow local control under the bus, and prioritize infill and other land as mitigation to stop development of the housing and transportation infrastructure that Greenprint’s no-growth advocates support?

Finally, the region is on the verge of qualifying for potentially more than \$100 BILLION dollars in federal infrastructure and climate investment. The rush to adopt a “Greenprint” – without the required White Paper process – is blatantly aimed at providing new CEQA lawsuit claims against not just housing, but also long-planned (and CEQA-analyzed) infrastructure projects. SCAG staff’s collusion with anti-housing no-growth litigators against local government is on a solid path to assure that the region will treat the “Build Back Better” federal dollars as just another round of lawsuits that enrich lawyers instead of the labor, business, housing, and actual people in the region who need approved housing and infrastructure plans actually implemented – quickly.

Sincerely,

A handwritten signature in black ink, appearing to be 'AW', with a long horizontal line extending to the right.

Adam Wood
Administrator
Building Industry Legal Defense Foundation
17192 Murphy Avenue, #14445
Irvine, CA 92623