

Master Response 9

Administrative Issues

Table MR9-1. Comments Addressed in Master Response 9

Comment	Commenter
G1-1	U.S. Department of Agriculture Forest Service (Moore, Randy)
G1-2	U.S. Department of Agriculture Forest Service (Moore, Randy)
G1-3	U.S. Department of Agriculture Forest Service (Moore, Randy)
G1-4	U.S. Department of Agriculture Forest Service (Moore, Randy)
G1-5	U.S. Department of Agriculture Forest Service (Moore, Randy)
G1-6	U.S. Department of Agriculture Forest Service (Moore, Randy)
G1-7	U.S. Department of Agriculture Forest Service (Moore, Randy)
G2-1	U.S. Environmental Protection Agency (Goforth, Kathleen)
G2-6	U.S. Environmental Protection Agency (Goforth, Kathleen)
G2-7	U.S. Environmental Protection Agency (Goforth, Kathleen)
G2-13	U.S. Environmental Protection Agency (Goforth, Kathleen)
G2-14	U.S. Environmental Protection Agency (Goforth, Kathleen)
G3-1	Kern County Planning Department (James, Ted)
G3-2	Kern County Planning Department (James, Ted)
G3-3	Kern County Planning Department (James, Ted)
G3-4	Kern County Planning Department (James, Ted)
G3-5	Kern County Planning Department (James, Ted)
G3-6	Kern County Planning Department (James, Ted)
G3-7	Kern County Planning Department (James, Ted)
G3-8	Kern County Planning Department (James, Ted)
G3-9	Kern County Planning Department (James, Ted)
G3-10	Kern County Planning Department (James, Ted)
G3-11	Kern County Planning Department (James, Ted)
G3-12	Kern County Planning Department (James, Ted)
G3-13	Kern County Planning Department (James, Ted)
G3-14	Kern County Planning Department (James, Ted)
G3-15	Kern County Planning Department (James, Ted)
G3-16	Kern County Planning Department (James, Ted)
G3-17	Kern County Planning Department (James, Ted)
G3-18	Kern County Planning Department (James, Ted)
G3-19	Kern County Planning Department (James, Ted)
G3-20	Kern County Planning Department (James, Ted)
I162-1	Boyd, Ramon
I424-1	Duchamp, Mark
I424-2	Duchamp, Mark
I424-3	Duchamp, Mark

Comment	Commenter
I424-4	Duchamp, Mark
I425-2	Duchamp, Mark
I425-5	Duchamp, Mark
I426-1	Duchamp, Mark
I426-2	Duchamp, Mark
I426-3	Duchamp, Mark
I426-4	Duchamp, Mark
I426-5	Duchamp, Mark
I426-6	Duchamp, Mark
I426-7	Duchamp, Mark
I426-8	Duchamp, Mark
I426-9	Duchamp, Mark
I426-10	Duchamp, Mark
I426-11	Duchamp, Mark
I426-13	Duchamp, Mark
I624-1	Hamber, Janet
I625-1	Hamber, Janet
I625-2	Hamber, Janet
I626-1	Hamber, Robert
I626-2	Hamber, Robert
I626-3	Hamber, Robert
I626-4	Hamber, Robert
I626-14	Hamber, Robert
I626-15	Hamber, Robert
I626-16	Hamber, Robert
I626-17	Hamber, Robert
I626-18	Hamber, Robert
I626-19	Hamber, Robert
I626-20	Hamber, Robert
I627-14	Hamber, Robert
I627-15	Hamber, Robert
I627-16	Hamber, Robert
I627-17	Hamber, Robert
I627-18	Hamber, Robert
I627-19	Hamber, Robert
I627-20	Hamber, Robert
I627-21	Hamber, Robert
I627-43	Hamber, Robert
I682-2	Hinds, Leo Mark
I682-3	Hinds, Leo Mark
I682-4	Hinds, Leo Mark
I682-5	Hinds, Leo Mark

Comment	Commenter
I682-8	Hinds, Leo Mark
I682-9	Hinds, Leo Mark
I930-1	MacKay, Linda
I930-4	MacKay, Linda
I930-5	MacKay, Linda
I930-6	MacKay, Linda
I930-7	MacKay, Linda
I930-8	MacKay, Linda
I930-9	MacKay, Linda
I930-10	MacKay, Linda
I930-11	MacKay, Linda
I930-12	MacKay, Linda
I930-13	MacKay, Linda
I930-14	MacKay, Linda
I930-15	MacKay, Linda
I930-16	MacKay, Linda
I948-14	Manning, Jeffrey A
I948-15	Manning, Jeffrey A
I1054-1	Moore, Stan
I1123-1	Normann, Ken
I1163-9	Palmer, Bruce
I1301-1	Risebrough, Bob
I1350-1	Sachau, B
I1450-1	Snyder, Noel
I1463-1	Stafford, Lynn
I1463-2	Stafford, Lynn
I1463-3	Stafford, Lynn
I1463-4	Stafford, Lynn
I1463-5	Stafford, Lynn
I1463-7	Stafford, Lynn
I1463-8	Stafford, Lynn
I1463-9	Stafford, Lynn
I1607-1	Wallace, Sylvia
I1607-3	Wallace, Sylvia
I1607-4	Wallace, Sylvia
I1658-1	Willer, Benjamin
01-1	California Native Plant Society (Suba, Greg)
01-2	California Native Plant Society (Suba, Greg)
01-6	California Native Plant Society (Suba, Greg)
02-4	Center for Biological Diversity (Keats, Adam)
02-5	Center for Biological Diversity (Keats, Adam)
02-6	Center for Biological Diversity (Keats, Adam)

Comment	Commenter
03-3	Center for Biological Diversity (Keats, Adam)
03-4	Center for Biological Diversity (Keats, Adam)
03-5	Center for Biological Diversity (Keats, Adam)
04-1	Center for Biological Diversity (Keats, Adam)
04-2	Center for Biological Diversity (Keats, Adam)
04-3	Center for Biological Diversity (Keats, Adam)
04-4	Center for Biological Diversity (Keats, Adam)
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04-332	Center for Biological Diversity (Keats, Adam)
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04-541	Center for Biological Diversity (Keats, Adam)
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Comment	Commenter
04-545	Center for Biological Diversity (Keats, Adam)
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04-560	Center for Biological Diversity (Keats, Adam)
07-1	Santa Clarita Organization for Planning and the Environment (Lutness, David)
07-2	Santa Clarita Organization for Planning and the Environment (Lutness, David)
07-3	Santa Clarita Organization for Planning and the Environment (Lutness, David)
08-1a	Santa Clarita Organization for Planning and the Environment (Lutness, David)
08-2	Santa Clarita Organization for Planning and the Environment (Lutness, David)
08-3	Santa Clarita Organization for Planning and the Environment (Lutness, David)
08-4	Santa Clarita Organization for Planning and the Environment (Lutness, David)
010-1	TriCounty Watchdogs (de Leeuw, Jan)
010-2	TriCounty Watchdogs (de Leeuw, Jan)
010-3	TriCounty Watchdogs (de Leeuw, Jan)
010-4	TriCounty Watchdogs (de Leeuw, Jan)
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010-12	TriCounty Watchdogs (de Leeuw, Jan)
010-13	TriCounty Watchdogs (de Leeuw, Jan)
010-16	TriCounty Watchdogs (de Leeuw, Jan)
010-17	TriCounty Watchdogs (de Leeuw, Jan)
010-19	TriCounty Watchdogs (de Leeuw, Jan)

Comment	Commenter
010-20	TriCounty Watchdogs (de Leeuw, Jan)
010-22	TriCounty Watchdogs (de Leeuw, Jan)
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010-32	TriCounty Watchdogs (de Leeuw, Jan)
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010-37	TriCounty Watchdogs (de Leeuw, Jan)
010-38	TriCounty Watchdogs (de Leeuw, Jan)
010-39	TriCounty Watchdogs (de Leeuw, Jan)
010-44	TriCounty Watchdogs (de Leeuw, Jan)
011-1	TriCounty Watchdogs (de Leeuw, Jan)

9.1 Summary of Substantive Comments

The following summarizes the substantive comments received on the Draft EIS and Draft TU MSHCP that were administrative in nature. Table MR9-1 provides a list of the commenters and a reference to the individual comment, as summarized below. The parenthetical reference after each summary bullet below indicates where a response to that comment is provided.

- Clarifications.
 - Clarification requests from the U.S. Department of Agriculture (USDA) regarding the Pacific Crest National Scenic Trail. (Response provided in Section 9.2.1.1, Clarifications Requested by the U.S. Department of Agriculture Regarding the Pacific Crest National Scenic Trail.)
 - Clarification requests from Kern County. (Response provided in Section 9.2.1.2, Clarifications Requested by Kern County.)
 - Miscellaneous editorial corrections and clarifications. (Response provided in Section 9.2.1.3, Miscellaneous Editorial Corrections and Clarifications.)
- Miscellaneous nonspecific comments and opinions such as introductory comments, conclusive comments, or opinion statements. (Response provided in Section 9.2.2, Miscellaneous Nonspecific Comments and Opinions.)
- Perceived flaws and inconsistencies in the documents.
 - General flaws. (Response provided in Section 9.2.3.1, General Document Flaws.)
 - Flaws identified in *The Mountain Enterprise* Article (Response provided in Section 9.2.3.2, *The Mountain Enterprise* Article.)
 - Center for Biological Diversity (CBD) Plan description comments. (Response provided in Section 9.2.3.3, Center for Biological Diversity Project Description Comments.)
- Scope of the Covered Lands
 - Consideration of existing oil field leases in the Covered Lands. (Response provided in Section 9.2.4.1, Oil Field Leases.)
 - Consideration of existing inholdings in the Covered Lands. (Response provided in Section 9.2.4.2, Inholdings.)
- Requests to extend the comment period. (Response provided in Section 9.2.5, Requests to Extend Comment Period.)
- References cited by CBD. (Response provided in Section 9.2.6, References Cited by the Center for Biological Diversity.)

9.2 Responses to Substantive Comments

9.2.1 Clarifications

A variety of comments requested technical corrections and clarifications. This response discusses those requests in the following categories: clarifications requested by the USDA, clarifications requested by Kern County, and miscellaneous clarification and correction requests.

9.2.1.1 Clarifications Requested by the U.S. Department of Agriculture Regarding the Pacific Crest National Scenic Trail

The USDA provided comments regarding the characterization of the Pacific Crest National Scenic Trail in the Draft TU MSHCP and Draft EIS, and attached the *Federal Register* notice identifying the selected route. They requested the correct title for the Pacific Crest National Scenic Trail be used in the EIS, and that Section 3.4, Existing Land Uses, of the TU MSHCP reference the portion of Covered Lands identified as a selected route for the Pacific Crest National Scenic Trail selected route. The USDA also requested that Section 3.8.4, Non-Motorized Transportation, of the EIS reference the Pacific Crest National Scenic Trail, because the selected location for the Pacific Crest National Scenic Trail is in the Covered Lands.

The Services acknowledges receipt of the *Federal Register* notice with the selected route for the Pacific Crest National Scenic Trail. Section 2.1.2, Overview of Activities Considered in the Alternatives, and Section 4.0.4.2, Other Reasonably Foreseeable Actions, in Volume I of this Supplemental Draft EIS discuss the status of the efforts to reroute the Pacific Crest National Scenic Trail. Similarly, Section 3.4, Existing Land Uses, of the TU MSHCP describes existing land uses in Covered Lands. The Pacific Crest National Scenic Trail is not an existing land use—it is a potential future land use that has not yet been subject to formal proposal—and is therefore not referenced in this section of the TU MSHCP, or described as a reasonably foreseeable action in the cumulative effects analysis in this Supplemental Draft EIS. Specifically, the Ranchwide Agreement includes provisions for the negotiation of an offer for dedication of approximately 10,000 acres to accommodate the rerouting of the Pacific Crest National Scenic Trail from its current location to the east and south of Tejon Ranch to on the floor of the Antelope Valley to a new alignment crossing the ranch. Although the general path of the Pacific Crest National Scenic Trail was envisioned by the U.S. Forest Service to cross Tejon Ranch in the future (38 *Federal Register* [FR] 2832), no dedication of such easement has been made by the ranch and no formal proposal has yet been made to relocate the trail from its current location south and east of the ranch. Under the TU MSHCP, if a future route for the Pacific Crest National Scenic Trail is proposed within the Covered Lands, the Service must review and approve the route for the trail, in coordination with the U.S. Forest Service, based on the trail's compatibility with the conservation values of the TU MSHCP Mitigation Lands and compliance with the Federal Endangered Species Act (ESA). Section 3.8.3, Nonmotorized Transportation, in Volume I of this Supplemental Draft EIS discusses the presence of existing publicly dedicated bicycle and pedestrian routes in Covered Lands. As described above, the Pacific Crest National Scenic Trail does not transect Covered Lands. Therefore, no change has been made to this section.

9.2.1.2 Clarifications Requested by Kern County

Kern County reviewed the Draft TU MSHCP and requested clarifications of a general nature, clarifications of the TU MSHCP's relationship to the TMV Specific Plan and clarifications related to other developments. Each of these three categories is discussed below.

General Clarifications

The commenter noted that Kern County Board of Supervisors is the regulatory body with land use authority for approval of land uses on Tejon Ranch and stated that comments are being provided to ensure accuracy of information presented in the TU MSHCP. Specific general clarification comments are provided below.

- The commenter noted that the TMV Specific Plan is in draft form, and requested that the final documents add "Draft" when referencing the TMV Specific Plan, fix language that appears to assume approval of the TMV Specific Plan, clarify that neither the Tejon Ranchcorp (TRC) nor the offsite infrastructure for the Tejon Castac Water District (TCWD) has present entitlement from the County, and reflect such changes in the text and figures of the TU MSHCP.
- The commenter objected to the introduction language on page 1-1 of the Draft TU MSHCP that appeared to assume that development in accordance with the general plan would result in fragmented habitat, because no such development has been approved.
- The commenter requested that the introduction clarify that the lands to the east are private, not public.
- The commenter requested clarification regarding why the project description stated that the fuel management plan, which is part of (and applicable to the full) TMV Specific Plan, only covers 1,700 acres.
- The commenter stated that the "CSA" is not defined, but appears to be referring to the Condor Study Area; to avoid confusion with County Service Areas, the commenter suggested that the documents simply spell out the reference rather than using an acronym.

The commenter's statement that Kern County Board of Supervisors is the entity with land use authority in Tejon Ranch is acknowledged. Regarding the commenter's recommended modification to identify the TMV Specific Plan as "Draft," this was appropriate at the time the Draft TU MSHCP was out for public review; since that time, however, the TMV Specific Plan and the Tejon Mountain Village Environmental Impact Report (TMV EIR) have been approved by the Kern County Board of Supervisors (Kern County 2009). These approvals are reflected in both the revised TU MSHCP and this Supplemental Draft EIS. Similarly, because the TMV Project and associated infrastructure were approved by the Kern County Board of Supervisors in 2009, the language in the TU MSHCP referencing "approval" of the TMV Project by the County has not been modified.

Regarding the commenter's concerns about characterization of a more fragmented landscape under Kern County's general plan on page 1-1 of the Draft TU MSHCP, it is acknowledged that the Kern County Board of Supervisors has not approved land use plans that would result in a more fragmented landscape. The statement on page 1-1 of the Draft TU MSHCP references development that could occur in the Covered Lands under existing Kern County zoning and land use designations. General plan land use designations are depicted in Figure 10-2 of the TU MSHCP, including the 4.3, Specific Plan Required, zoned areas. Potential development allowed under the general plan land use designations would require additional approvals from the Kern County Board of Supervisors. Regarding the commenter's request to clarify statements on page 1-1 of the Draft TU MSHCP regarding public lands to the east, the existing public lands to the east of Tejon Ranch, as shown on TU MSHCP Figure 1-1, include lands owned by the Bureau of Land Management and California State Lands Commission, as well as private lands. Accordingly, the TU MSHCP has been revised to clarify that Tejon Ranch and the Covered Lands are situated between an assortment of existing public lands to the west and a checkerboard of public lands to the east.

The 1,772-acre estimate for fuel modification in the TU MSHCP is the same as the 1,773-acre secondary impact area identified in the TMV EIR. (Note that the acreage estimate for fuel modification in the TU MSHCP and EIS has been corrected from 1,772 to 1,773 acres in this

Supplemental Draft EIS.) This fuel management is a permitted use in open space in the TU MSHCP, and the effects and benefits to Covered Species of the fuel modification activities in the 1,773 acres are discussed further in Master Response 7, Edge Effects, Fuel Modification, and Wildlife Habitat Connectivity, in Volume II of this Supplemental Draft EIS. It is recognized that the fire protection plan for the TMV Project will apply to the entire 26,417-acre TMV Specific Plan Area, not just the 1,773-acre fuel modification area. For the purposes of the TU MSHCP, any fuel modification in the TMV Specific Plan Development Envelope is considered part of the Disturbance Area.

Regarding references to the 37,100-acre Condor Study Area, CSA was defined on the Acronyms and Abbreviations list on Draft TU MSHCP page xxi as the Condor Study Area; however, in response to this comment and to avoid confusion between the abbreviation used in the TMV Specific Plan and the TMV EIR, the TU MSHCP and EIS have been revised to spell out Condor Study Area rather than use the acronym.

Clarifications Regarding the TU MSHCP's Relationship to the TMV Specific Plan

The commenter recommended modification of the definition of the TMV Planning Area in the Final TU MSHCP, and noted that Draft TU MSHCP Figure 1-3 should show the portion of Oso Canyon that is in Kern County and in the TMV Project. The commenter further requested an explanation for why the TMV Specific Plan has 21,350 acres of open space and the TMV Planning Area has 23,001 acres of open space. The commenter requested revisions to Table 2-1 in the Final TU MSHCP to clarify that the area west of Interstate 5 (I-5) is not in the TMV Specific Plan Area. The commenter asked how the TU MSHCP would be implemented or modified if the draft TMV Specific Plan or other commercial and residential development activities, such as the Lebec/Existing Headquarters area, undergo revisions through the County's environmental and public review process. Finally, the commenter stated that the TMV Planning Area (28,353 acres) appears to not coincide with the TMV Specific Plan Area (26,417 acres).

Revisions to the TU MSHCP have been made to clarify the components of the TMV Planning Area, which does not equate with the TMV Specific Plan Area. The TMV Planning Area consists of three components: the TMV Specific Plan Area (i.e., TMV Project), Oso Canyon, and West of Freeway. The TMV Planning Area is 28,253 acres in size, and includes the 26,417 acre TMV Specific Plan Area. Total open space in the TMV Planning Area is 23,001 acres, as referenced in the comment. This includes the 21,335 acres of open space in the TMV Specific Plan Area, as well as 1,666 additional acres that would be preserved as open space. (Note: the commenter indicates that TMV Specific Plan open space is 21,350 acres. The correct acreage is 21,335 acres.) The Oso Canyon development area identified as part of the TMV Planning Area in the TU MSHCP is not located in the TMV Specific Plan Area. Revisions to the TU MSHCP have also been made to clarify that the area west of I-5, West of Freeway, is a component of the TMV Planning Area, not the TMV Specific Plan Area. The description of the development areas has been clarified in Section 2, Plan Description and Activities Covered by Permit, of the TU MSHCP, and summarized in Table 2-1 in Chapter 2, Proposed TU MSHCP and Alternatives, in Volume I of this Supplemental Draft EIS.

Regarding implementation of the TU MSHCP relative to the land use authority of Kern County and revisions to Commercial and Residential Development Activities that might result from Kern County reviews and land use approvals, no features of the TU MSHCP replace the land use authority of Kern County in review and approval of development in these areas. To the extent that future Kern County development approvals in these areas are within the parameters of these development areas, as described in the Draft TU MSHCP (e.g., 5,252 acres may be disturbed in the TMV Planning Area), there would be no effect on implementation of the TU MSHCP.

Finally, as noted above, the TMV Planning Area consists of three components: the TMV Specific Plan Area, Oso Canyon, and an area West of Freeway. The TMV Specific Plan includes the TMV Project,

and the area defined as West of Freeway includes County designations in the Frazier Park/Lebec Specific Plan and the O'Neill Canyon Specific Plan.

Clarifications Regarding Other Development in the TU MSHCP

The commenter requested several clarifications regarding the development areas listed below.

- **Ranch Headquarters.** The commenter noted that the Draft TU MSHCP seems to depict the Ranch Headquarters on the west side of I-5 while the commenter is only aware of Ranch Headquarters being on the east side of I-5. The commenter further noted that in the general plan land use designation area 4.3 (Specific Plan Required), development would require County approval. The commenter noted that the TU MSHCP does not create a commitment on the part of the County to approve any future development proposals. The commenter included the Maximum Land Use Density Table for the general plan 4.3 area for reference.
- **Oso Canyon.** The commenter stated that the Draft TU MSHCP includes 1,666 acres in Oso Canyon and that inclusion of this area in the TMV Specific Plan boundary would require a General Plan/Specific Plan amendment subject to review under the California Environmental Quality Act (CEQA), and approval by the Kern County Board of Supervisors. The commenter also stated that Figure 1-3 in the TU MSHCP incorrectly shows Oso Canyon in Los Angeles County.
- **Grapevine.** The commenter requested that the Grapevine development be described as a “proposed development” in the environmental setting section of Section 3.5 of the Draft TU MSHCP. The commenter requested clarification in Section 4.2.3.5 of the Draft TU MSHCP regarding the status of the Grapevine development and stated that an expectation of development of this project is speculative at this time.
- **Wind Wolves.** The commenter requested that clarification be provided in Section 3.5 in the Draft TU MSHCP that the Wind Wolves Preserve lands are private lands in the jurisdiction of Kern County and subject to the Kern County General Plan and the Kern County Zoning Ordinance.
- **Lebec.** The commenter noted that a portion of the area surrounding Ranch Headquarters are depicted in the Draft TU MSHCP as “...may be within a 4.3 (Specific Plan Required) General Plan area named Lebec”, and provides the Density Table for the Lebec 4.3 area from the Kern County General Plan.

Regarding Ranch Headquarters, the Draft TU MSHCP recognizes that the physical Ranch Headquarters (or TRC headquarters) is located east of I-5. The description of the development areas in the TU MSHCP has been clarified to explain that the Lebec/Existing Headquarters Area includes the 170-acre Lebec area west of I-5 and the Ranch Headquarters area east of I-5. It is recognized that future development in this area would require review and approval by Kern County and that the existing headquarters areas falls in the Kern County General Plan land use designation 4.3 area named Lebec.

Regarding Oso Canyon, the Oso Canyon development area is identified as part of the TMV Planning Area in the Draft TU MSHCP, and is not located in the TMV Specific Plan Area. The portion of Oso Canyon that is considered in the TU MSHCP is located in Kern County and more clearly identified on Figure 2-1 in the revised TU MSHCP.

In response to the comments regarding Grapevine, the text in Section 4.2.3.5, Other Actions Likely to Affect Tejon Ranch Critical Habitat, of the TU MSHCP has been modified to clarify the discussion of this conceptual project.

In response to the comment regarding Wind Wolves Preserve, the text in Section 3.5, Planned Surrounding Land Uses Outside Covered Lands, of the TU MSHCP has been modified to clarify the status of these private lands within the jurisdiction of Kern County.

Regarding Lebec, as discussed above, the Lebec/Existing Headquarters Area includes the 170-acre Lebec area west of I-5 and the Ranch Headquarters area east of I-5. Clarification of the same has been made in both the TU MSHCP and Supplemental Draft EIS. It is recognized that future development in this area would require review and approval by Kern County.

9.2.1.3 Miscellaneous Editorial Corrections and Clarifications

Commenters make a variety of comments requesting corrections and clarifications to the Draft TU MSHCP and EIS, including the following:

- One commenter suggested that the Service correct a cross referencing error in the Draft EIS to Section 4.2.2.3.
- One commenter noted that the description of the Proposed TU MSHCP Alternative in Section 4.2.3 of the Draft EIS appeared to misstate the area within which development would not occur.
- Two commenters stated concerns that language in the two following quotes was conflicting: “Tejon poppy was not observed during surveys in the Covered Lands”; “No individuals of Tejon poppy have been observed in the Covered Lands, so the only loss would be that of modeled habitat until or unless future surveys reveal the species’ presence in areas where Covered Activities would remove them” (Draft TU MSHCP at page 6-63); and “Because this species was found in the surveyed portion of Covered Lands, the potential of this species to occur elsewhere in suitable habitat on non-surveyed portions of Covered Lands is high...” (Draft TU MSHCP at page 6-64).
- One commenter questions references to the TMV Planning Area boundary on Draft EIS Figures 2-7 and 2-8.

Regarding Draft EIS Section 4.2.2.3 (*sic*) (this is a cross-referencing error; the comment actually refers to Draft EIS Section 4.2.2.2, Potential Surface Water Flow and Groundwater Recharge Effects), the commenter is correct that Draft EIS Section 4.2.2.2 should have cited Section 3.2.1.2, Surface Drainages. That section describes surface drainages as “generally intermittent and sustain flows only after extended wet periods or large storm events.” References in this Supplemental Draft EIS have been updated as appropriate, and every effort has been made to confirm the cross references.

Regarding Draft EIS Section 4.2.3, development would not occur in the 116,523-acre TU MSHCP Mitigation Lands, which consist of Established Open Space (93,522 acres) and TMV Planning Area Open Space (23,001 acres). Additionally, development would not occur in the Existing Conservation Easement Areas (12,795 acres). Section 4.2.3, Proposed TU MSHCP Alternative, in this Supplemental Draft EIS has been revised to clarify this.

The statement that Tejon poppy was found in the Covered Lands cited by commenter is incorrect in the Draft TU MSHCP. The text in Section 6.3.6, Tejon Poppy, of the TU MSHCP has been revised as follows:

Because this species was found ~~within the surveyed portion of~~ adjacent to Covered Lands, the potential of this species to occur ~~elsewhere~~ within suitable habitat on non-surveyed portions of Covered Lands is high...

The statements in the Draft EIS regarding the lack of presence of the Tejon poppy in the Covered Lands are correct.

Finally, Figures 2-7 and 2-8 in the former Draft TU MSHCP showed the TMV Planning Area boundary, which is incorrectly labeled on the legend. The TMV Planning Area boundary has been revised in the figures in Chapter 2, Proposed TU MSHCP Alternatives, in Volume I of this Supplemental Draft EIS.

9.2.2 Miscellaneous Nonspecific Comments and Opinions

A number of commenters provided nonspecific comments, information, and/or general opinions regarding the TU MSHCP and EIS. These comments do not address specific features of the TU MSHCP and EIS and are addressed in the following categories: nonspecific comments and opinions.

9.2.2.1 Nonspecific Comments

The following nonspecific comments were provided on the Draft EIS and/or Draft TU MSHCP.

- Various commenters provided their group's or individual's description or credentials.
- Various commenters provided introductory remarks or explanations to their comments.
- Various commenters cross reference or include other comment letters.
- Various commenters requested copies of the final documents; one commenter requested a copy of the Pacific Advanced Civil Engineering (PACE) report (2006); two commenters request a paper copy of the Draft TU MSHCP and Draft EIS.
- One commenter stated he does not support the Draft TU MSHCP because the plan has no provision for hunting and another commenter requested that the Service deny the TU MSHCP approval because hunting, fire prevention, control of feral pigs, and coyote hunting are not part of the plan.
- One commenter apologized for submitting comments late. One commenter stated he would be sending additional comments. One commenter submitted photos of condors that he had posted on the internet. Another commenter stated they reserve their right to submit additional comments on the EIR.

The Service acknowledges the receipt of descriptions and credentials submitted by all commenters, as well as other letters referenced and introductory remarks provided in all comment letters. Substantive responses to topics raised by commenters in introductory remarks, as amplified by subsequent specific comments in those letters, are provided in the appropriate master responses.

Regarding requests for copies of public notices and specific documents, the revised documents will be made available to all commenters during the public review period for this Supplemental Draft EIS. A copy of the PACE report was sent to the appropriate commenter in July 2009; of note, however, Draft EIS Section 3.2.1.4, Castac Lake, incorrectly listed the PACE report with a publication date of 2003. The PACE report was published in 2006. This Supplemental Draft EIS has been revised to correct the citation to the PACE report.

Regarding commenters disapproval of the TU MSHCP because it has no provisions to allow hunting (or fire prevention), as described in Section 3.4, Existing Land Use, of the TU MSHCP, while hunting is not a Covered Activity under the TU MSHCP, commercial hunting is an existing activity that will continue on the Covered Lands and throughout the ranch. Ongoing commercial hunting programs at the ranch will continue to include those for feral pigs as well as for elk, deer and other traditional game animals. There is no existing hunting program at the ranch for coyotes. As described in Chapter 2, Proposed TU MSHCP and Alternatives, in Volume 1 of this Supplemental Draft EIS, commercial hunting is assumed to continue to occur throughout the Covered Lands unless otherwise noted. Fire protection (called fuel modification) is a Covered Activity.

Regarding the submission of comments a day late, the Service acknowledges receipt of the comments. Regarding reserving rights to provide additional comments on the EIR, to the extent that the commenter is directing comments to the TMV EIR, that document is not before the Service.

9.2.2.2 Opinions

The following opinions were provided on the Draft EIS and/or Draft TU MSHCP.

- One commenter provided a letter detailing opinions about the character and motivations and comments of another commenter.
- Various commenters expressed opinions that Tejon Ranch is a *de facto* natural reserve or should be maintained as such, and support the fight against urbanizing it.
- One commenter expressed the opinion that Tejon Ranch is partially owned and fully controlled by Wall Street asset strippers and claimed that their money has convinced Sierra Club, Audubon California, Natural Resources Defense Council, and others to support the TU MSHCP. Commenters claimed that these entities justify their support by stating that urbanization will occur on only 10% of the site, with the remaining 90% forever protected, mitigation measures (including lead ammunition ban), and provision of a full-time job for a biologist. The commenter claimed that Tejon Ranch is practicing a type of blackmail by threatening the dismemberment of the ranch and its piecemeal sale.
- One commenter expressed his opinions that protecting 90% of the condor habitat is not enough, development is not needed because there are empty housing tracts and homes throughout Kern County; that the Kawaiisu Indians have been “killed off” and kept from being listed on the National Registry of Native Americans because of the Tejon Ranch Company; that the Tejon Ranch Company has no conservation intentions, asserting that it has historically “bought politicians” while simultaneously “taking away from people of California.” The commenter asked the Service to stop “this cycle of oppressive behavior”.
- One commenter requested that the Service protect the birds instead of developers.
- Various commenters expressed their opinion that development should be less than the current plans.
- Various commenters expressed the opinion that government authorities and agencies should support the interests of the people they represent and that the Service should do everything possible to protect local species.
- Various commenters expressed appreciation of the comprehensive TU MSHCP or support for the TU MSHCP and appreciation for the commitment of Tejon Ranch to environmental stewardship and sensitive development patterns.
- Various commenters expressed their disapproval of the TU MSHCP and requested that the Service deny the application.

The above comments express the commenters’ opinion as to the qualifications, opinions, and credentials of other commenters, the actions of the Tejon Ranch Company, general sufficiency of the proposed preservation under the TU MSHCP, the proper action by the Service, or the type of development that should be proposed. These comments do not address the sufficiency of the environmental analysis in the Draft EIS and TU MSHCP. Therefore, no additional responses are provided. Please refer to Master Response 8, Regulatory Considerations, in Volume 2 of this Supplemental Draft EIS for a detailed discussion of the standards and processes associated with ESA Section 10.

9.2.3 Perceived Flaws in the Documents

A number of commenters generally stated that the Draft TU MSHCP and/or the Draft EIS are large and difficult to comprehend. The comments state that the documents and maps contain flaws and inconsistencies requiring that they be withdrawn and recirculated or denied. Many comments did not provide information to support these contentions. Many commenters cited an article from *The Mountain Enterprise* newspaper (a two-part article published on April 10, 2009 and April 17, 2009) (Hedlund and Penland 2009) to support their contention. Another commenter alleged that TU MSHCP and Draft EIS have inconsistent project descriptions and inaccurate maps, and that together such errors and omissions make any reasonable assessment impossible. The response below addresses the above comments in three parts: commenters' general statements, *The Mountain Enterprise* article, and the CBD comments on this topic.

9.2.3.1 General Document Flaws

Various commenters expressed general and introductory remarks and opinions regarding document flaws without citing specific flaws in the Draft EIS or Draft TU MSHCP. Some commenters stated that the maps are unclear and without sufficient topographic references. Commenters suggested withdrawing the Draft EIS and Draft TU MSHCP from public review due to these flaws.

These comments express the commenters' opinions and refer generally to errors and inconsistencies, but do not raise particular issues or identify particular flaws. For the reasons described in Chapter 1, Purpose and Need for the Federal Action, in Volume 1 of this Supplemental Draft EIS, the EIS is being recirculated for public review. The Draft TU MSHCP has also been updated. As part of the revision process, every effort has been made to provide consistency between the terminology and figures in the two revised documents.

9.2.3.2 The Mountain Enterprise Article

Commenters included a two-part article from *The Mountain Enterprise* dated April 10, 2009 and April 17, 2009 (Hedlund and Penland 2009). The first segment of the article recounts receipt of a hard copy of the Draft TU MSHCP and Draft EIS and provides a review of these documents. The second segment of the article provides responses received from the Service and TRC. The article claims that the documents are "fundamentally flawed." As summarized below, the article addressed general comments; alleged inconsistencies in the Draft TU MSHCP; alleged inconsistencies between the Draft EIS and Draft TU MSHCP; alleged inconsistencies regarding the description of the proposed development; and published the official responses to the first segment from the Service and TRC in the second segment. The comments are set forth and responded to in this order.

General Comments

The article generally described the Draft EIS and Draft TU MSHCP as a four-volume, approximately 5,000-page set, describes the reviewers and their credentials, and states that they spent 100 hours of review time. The article stated that the documents were "poorly edited, proofed, and coordinated", and that the sloppiness of the documents indicated they were released in haste, linked to the change in Washington administration. The article further stated that their review consisted of identifying discrepancies rather than reporting on the terms and conditions, and questions whether it was lawful for the Service to proceed given the documents' flaws.

In an attempt to clarify the terminology used in the EIS, the Service has added a summary table of common terms used to describe the various components of the alternatives to Chapter 2, Proposed TU MSHCP and Alternatives, in Volume 1 of this Supplemental Draft EIS. This table (Table 2-1), along with Tables 2-5 and 2-6 in that chapter, provide definitions for commonly used terms (e.g., Covered

Lands, Covered Activities, Condor Study Area, TMV Planning Area), and summarize the different land uses proposed under each of the alternatives in the EIS (e.g., number or proposed dwelling units, acreage of Development Envelope, acreage of Disturbance Area). The Service anticipates that these new and revised summary tables will assist the public in understanding the nature of the proposed action. Regarding the size of the documents, the TU MSHCP is not unusually large or atypical for this type of Federal action.

The Service was prepared to circulate the Draft EIS and Draft TU MSHCP at the time it was publicized in the *Federal Register*. It is the commenters opinion that it was released in haste due to a change in administration. Further, the Service disagrees that the public comment period was flawed or unlawful. Nevertheless, for the reasons provided in Chapter 1, Purpose and Need for the Federal Action, in Volume 1 of this Supplemental Draft EIS, the Service has decided to recirculate the EIS for public comment, and the applicant has made revisions to the TU MSHCP. Every effort has been made to provide consistency between the terminology and figures in the two revised documents.

Comments on Inconsistencies in the Draft TU MSHCP

The commenter identified the following inconsistencies in the Draft TU MSHCP.

- The commenter identified acreage discrepancies in Appendix C to the Draft TU MSHCP and the Tejon Ranch California Condor Conservation and Management Plan (Condor Plan) (Bloom 2008). Specifically, the article noted that the “TMV Specific Plan” is called out once as 7,800 acres (Bloom 2008, p. 4), referred to elsewhere as the proposed TMV development at 7,900 acres (Bloom 2008, p. 36), and referenced in other locations as the “TMV Planning Area” at 26,417 acres (Bloom 2008, p. 22).
- The commenter stated that, on Figure 4-6 of the Draft TU MSHCP, “the area labeled ‘TMV Planning Area’ (called out as 26,417 acres in the Condor Plan) is much smaller and wholly contained in the Specific Plan boundary (called out as 7,800 to 7,900 acres in the Condor Plan.),” and Figure 4-9 of the Draft TU MSHCP “shows a ‘proposed development’ (which is the same shape and location as Figure 4-6’s TMV Planning Area) also as wholly in the TMV Specific Plan boundary.” Thus, the article states that pages 4, 22, and 36 of the Condor Plan state the opposite of the information portrayed on Figures 4-6 and 4-9 of the Draft TU MSHCP, and that at least one map used different naming conventions to label TMV development.
- The commenter stated the boundary on Figure 4-10 in the Draft TU MSHCP, labeled TMV Planning Area, appeared to be the same boundary as that labeled TMV Specific Plan in Figure 4-9, noting that color convention is not consistent between the maps. Commenters also noted that the majority of the TMV Planning Area falls in condor critical habitat.
- The commenter stated that California condor critical habitat is not defined in the definitions section of the Draft TU MSHCP, but the term is used in both the maps and text.
- The commenter stated that the distinction between the Condor Study Area and California condor critical habitat is important because, according to the Draft EIS maps, the planned TMV development and other land uses on Tejon Ranch lie outside the Condor Study Area, giving the impression that there will be minimal effect on condors.
- The commenter stated that, “according to the HCP maps,” most of the proposed land development with Tejon Ranch, except Centennial, while outside the Condor Study Area, falls in designated California condor critical habitat.

Regarding references in the Condor Plan, as noted in the Executive Summary of the Draft TU MSHCP, that plan was prepared by the applicant for the TMV Project approved by Kern County. The Condor Plan reviewed the effect of the TMV Project on the condor and its critical habitat. The commenter is correct that the Condor Plan incorrectly referred to the 26,417-acre TMV Specific Plan area as the

TMV Planning Area on page 22. Additionally, the development area in the TMV Specific Plan approved by the County was 7,860 acres, which was rounded in one instance to 7,800 and to 7,900 in another instance.

The referenced development areas on Figures 4-6 and 4-9 of the Draft TU MSHCP were accurate. The Specific Plan Boundary was the same in both maps. The development areas were different between the maps because Figure 4-6 only showed development (in orange) proposed for coverage in the TU MSHCP and Figure 4-9 showed development (in yellow) identified in the Ranchwide Agreement, which includes proposed development outside the boundaries of the Covered Lands. The area labeled TMV Planning Area on Figure 4-6 was bigger than the Specific Plan Boundary and does not equate with the development areas shown in orange. The TMV Planning Area was not depicted on Figure 4-9 at all because Figure 4-9 was intended to show critical habitat in the context of proposed development on the ranch generally. Thus, both figures were correct. Although the outlines of the TMV Planning Area were correct on Figure 4-6, the Service agrees it would be helpful to more clearly depict that boundary; therefore, all these figures are clarified and/or corrected in this Supplemental Draft EIS as well as in the revised TU MSHCP. Figures 4-9 and 4-10 of the Draft TU MSHCP were created for two different purposes. Figure 4-9 depicted all proposed development as identified in the Ranchwide Agreement, including the TMV Specific Plan Development Envelope analyzed in the Draft TU MSHCP as well as other proposed development outside the Covered Lands. Figure 4-10 depicted California condor global positioning system (GPS) locations relative to condor critical habitat and does not depict any proposed development areas. The purple boundary depicted in Figure 4-9 was the TMV Specific Plan Area, while the red boundary depicted on Figure 4-10 was the TMV Planning Area, both of which were noted in the legends for those figures. It is not necessary to have the color conventions consistent between these figures, provided the legends for each figure accurately represent the information in the graphic. Regardless, as noted above, all these figures are clarified and/or corrected in this Supplemental Draft EIS as well as in the revised TU MSHCP, and every effort has been made to conform the colors, where possible.

The commenter is correct in noting that a majority of the TMV Planning Area is located in California condor critical habitat. For a discussion of the regulatory requirements related to critical habitat, please refer to Master Response 8, Regulatory Considerations, in Volume 2 of this Supplemental Draft EIS. For a discussion of effects of the Proposed TU MSHCP on California condor critical habitat, please refer to see Section 4.1, Biological Resources, in Volume 1 of this Supplemental EIS and Master Responses 1A through 1I in Volume II of this Supplemental Draft EIS.

A definition of federally designated critical habitat is included in Section 3.1.6, California Condor, in Volume 1 of this Supplemental Draft EIS, and has been added to Section 4.2, Potential Biological Impacts / Take Assessment, of the TU MSHCP.

Section 4.1, Biological Resources, including Figure 4.1-1, in Volume 1 of this Supplemental Draft EIS provides additional information and depicts the relationship of development to California condor critical habitat. Master Response 1B, California Condor Critical Habitat, in Volume 2 of this Supplemental Draft EIS provides further discussion of critical habitat in relation to the Condor Study Area.

Comments on Inconsistencies between the Draft EIS and Draft TU MSHCP

The following comments identified potential inconsistencies between the Draft EIS and Draft TU MSHCP.

- The commenter stated that there is no reference to California condor critical habitat in the Draft EIS, and that the Draft EIS only uses the term Condor Study Area. Therefore, comparing maps and text presentations in the Draft EIS with that of the Draft TU MSHCP regarding condor range is not possible. The commenter further stated that 61 out of 65 maps in the Draft EIS depict only

the Condor Study Area, instead of the much larger critical habitat boundary in Tejon Ranch. By referencing only the Condor Study Area instead of the designated critical habitat, the Draft EIS makes it appear as if there would be minimal effects on condors, and therefore fails to disclose effects on condors, including effects from utility easements and access.

- The commenter noted that the Draft EIS states there are 132,043 acres of critical habitat on the ranch and 570,400 acres of critical habitat in California, and the Draft TU MSHCP states there are 132,009 acres of critical habitat on the ranch and 605,190 acres of critical habitat in California.
- The commenter stated that while four figures in the Draft EIS depicted critical habitat, only two of them depicted the TMV Project in relationship to critical habitat (Figures 4.1-1 and 4.1-2).
- The commenter stated that Figures 4.1-1, 2-7 and 2-8 in the Draft EIS reversed the names of the Specific Plan Boundary and the TMV Planning Area development.
- The commenter stated that Figure 4.1-2 in the Draft EIS used all one color for “Development” without identifying individual development areas, such as the TMV Project or Centennial.
- The commenter stated that because condor critical habitat is not referred to anywhere in the text of the Draft EIS, except for one historical note, there is, therefore, no discussion of the cumulative effects of all Covered Activities on condor critical habitat.
- The commenter stated that the maps are hard to read at the 11-inch by 17-inch size, and states it is difficult to discern the different colors on the maps. The commenter stated that, in the Draft EIS, Figure 3.7-4, colors on the legend did not appear on the map; in Figure 2-1, the color on the map and legend were different; and Figure 4-11 was unreadable.

Critical habitat for the California condor was discussed in Section 3.1.6.1, Biological Resources, California Condor, Status and Distribution, Section 4.1.3.2, Proposed TU MSHCP Alternative-Potential Effects on Species, Covered Species, California Condor, and Section 4.1.6.1, Summary of Effects to California Condor, of the Draft EIS and depicted in Draft EIS Figures 3.1-4, 3.1-5, 4.1-1 and 4.1-2. The discussions and representations of critical habitat in the Draft EIS were consistent with those presented in the Draft TU MSHCP, including the use of identical figures (e.g., Draft EIS Figures 4.1-1 and 4.1-2 are the same as Figures 4.6 and 4.9 in the TU MSHCP). A discussion of California condor critical habitat is also provided in Sections 3.1 and 4.1, Biological Resources, in Volume 1 of this Supplemental Draft EIS. Additionally, new figures, which consistently depict California condor critical habitat with the Covered Lands, are also included in this Supplemental Draft EIS.

Master Response 1B, California Condor Critical Habitat in Volume 2 of this Supplemental Draft EIS, and, in particular, Section 1B.2.3, Definition and Significance of the Condor Study Area, in that master response, provides a discussion of the relationship between federally designated critical habitat and the Condor Study Area. As described in that master response, the Condor Study Area boundary is based on the Service’s review of the critical habitat boundary, on-the-ground topography, telemetry, historical condor use, and GPS condor data through 2007. It encapsulates the area most used by condors on Tejon Ranch for roosting, historically and currently, as well as suitable habitat for foraging, and reflects the 37,000-acre area initially identified and delineated by the Service’s Condor Recovery Program as a critical area of concern. Although development under the TU MSHCP has been designed to avoid the Condor Study Area, the Draft EIS analysis also included an assessment of the effects of the Covered Activities on federally designated critical habitat, as described in Section 4.1, Biological Resources. As such, the EIS adequately considers and discloses potential effects on both the Condor Study Area and federally designated critical habitat.

The Tejon Ranch critical habitat unit includes 134,871 acres. There are 127,774 acres (not including Not-A-Part Inholdings) of federally designated California condor critical habitat within the boundary of Tejon Ranch and 605,194 acres in the State of California. This Supplemental Draft EIS has been corrected to reflect these precise numbers.

Figures 3.1-4 and 3.1-5 in Section 3.1, Biological Resources, of the Draft EIS, did not depict proposed development in the Covered Lands because those figures were intended to reflect existing conditions in the Covered Lands. Figures 4.1-1 and 4.1-2, included in Section 4.1, Biological Resources, of the Draft EIS, did depict the TMV Project (as well as other development under the Proposed TU MSHCP Alternative). Figure 4.1-2 also showed other developments under the Ranchwide Agreement. Regardless, as noted above, all these figures are clarified and/or corrected in this Supplemental Draft EIS as well as in the revised TU MSHCP.

The TMV Planning Area was correctly labeled on Figure 4.1-1 of the Draft EIS; however, the Service agrees it is helpful to more clearly differentiate the TMV Planning Area and the TMV Specific Plan Area boundaries on that figure. The commenter is correct that the TMV Planning Area boundary was incorrectly labeled on Figures 2-7 and 2-8 in the Draft EIS. All these figures are clarified and/or corrected in this Supplemental Draft EIS.

The purpose of Figure 4.1-2 of the Draft EIS was to disclose and depict all proposed development referenced in the Ranchwide Agreement, not to identify or analyze individual development projects. Regardless, as noted above, all these figures are clarified and/or corrected in this Supplemental Draft EIS as well as in the revised TU MSHCP.

As noted above, the Draft EIS, as well as this Supplemental Draft EIS, include a discussion of the effects of all of the alternatives on California condor critical habitat, as well as an analysis of the cumulative effects of the proposed alternatives with other projects that may occur in the future. Please refer to Chapter 4, Environmental Consequences, for a discussion of the approach used in this Supplemental Draft EIS to complete the cumulative effects analysis.

Figure 3.7-4 in the Draft EIS showed the Kern County General Plan land use designations for the Covered Lands, which are now out of date after the approval of the TMV Project. Figure 2-1 of the TU MSHCP, referenced in the comment, accurately depicted the Proposed TU MSHCP Land Use Summary. The colors that appear on the legend are the same as those that appear on the map. Figure 4-11 of the TU MSHCP, identified in the comment as unreadable, depicts the final Condor Study Area demarcation, existing and permitted power lines, power plants, and other structures. The comment does not indicate how the map was unreadable. Regardless, as noted above, all these figures are clarified and/or corrected in this Supplemental Draft EIS as well as in the revised TU MSHCP.

Comments on the Description of the Proposed Development

The following comments were provided on the description of the proposed development.

- The commenter stated that the Draft EIS, Section 2.3.3.1.3, discussion of the TMV Planning Area and the TMV Specific Plan Area is confusing in its breakdown of total acreages for these areas (26,417 acres vs. 28,253 acres) and its breakdown of development footprint acreages (7,800 vs. 7,900 acres).
- The commenter stated that the Draft EIS uses the term *TMV Project* as a “catch-all” that combines the Specific Plan and the Planning Area components and notes that the Draft EIS states that the TMV Project would include “up to 3,450 residences, up to 160,000 square feet of commercial development, two golf courses, an equestrian center, up to 750 hotel rooms, and up to 350,000 square feet of support uses”.
- The commenter stated that Draft EIS Figure 2-10 was unclear in its depiction of the west of I-5 portion of the TMV Planning Area, showing “three different, non-contiguous patches of the same color,” which would support “approximately 173 dwelling units and 304,920 square feet of commercial space.”

- The commenter stated that the Draft EIS states that TRC is not currently planning to develop the Lebec/Existing Headquarters area, but then states that development of that area would be consistent with the Kern County General Plan.
- The commenter stated that the Draft EIS states that implementation of the TU MSHCP would result in the disturbance of 5,533 acres (4% of Covered Lands), 3,633 dwelling units, and 1,804,390 square feet of commercial space. The commenter questioned the Draft EIS's determination of open space acreage, stating that the actual acreage of development is controversial and "ridiculously small," and hypothesize that the developers are "counting as 'open space' all the acreage that they are selling to homeowners."
- The commenter stated that the 3,450 residences and 174 residences and 9 dwelling units described in the Draft EIS total 3,632 units not 3,633 units, and quotes Section 2.3.3.1.3 of the Draft EIS regarding Lebec/Existing Headquarters: "no current development plans for this area" and "1,339,470 square feet of commercial development would be consistent with the Kern County General Plan." Commenters stated that the dwelling unit areas are shown in the Kern County General Plan and that the commercial development of 1,339,470 exceeds 100 acres.
- The commenter stated that 160,000 square feet and 304,920 square feet of commercial space total 464,920 square feet of commercial space, not 1,804,390, as stated in the Draft EIS, and that the 350,000 square feet (30 acres) of hotel space should be considered commercial. The commenter asked if the commercial acreage is accurate with respect to including hotels and golf courses, and for the definition of the Disturbance Area. The commenters express concern about including open space from the 20- to 80-acre parcels and suggest including undeveloped areas from the 20- to 80-acre parcels within the disturbance footprint. Furthermore, commenters note that the analysis of Disturbance Areas should consider urban-wildland interface issues and address degradation in habitat values associated with greenbelt acreage, as opposed to uninterrupted open space not subject to edge effects.

As noted under General Comments above, the Service has added a summary table of common terms used to describe the various components of the alternatives to Chapter 2, Proposed TU MSHCP and Alternatives, in Volume 1 of this Supplemental Draft EIS. The Service anticipates this table (Table 2-1) will assist the public in understanding the nature of the proposed action.

The description of the development area for each of the alternatives, and its relationship to the assumed Disturbance Area, has been clarified in Chapter 2, Proposed TU MSHCP and Alternatives, and the methods discussion in Section 4.1, Biological Resources, in Volume 1 of this Supplemental Draft EIS. Under the Proposed TU MSHCP Alternative, the TMV Planning Area is 28,253 acres (Table 2-1). As summarized in Table 2-5, the Development Envelope for the Proposed TU MSHCP Alternative is assumed to be 8,817 acres, and the maximum Disturbance Area in this Development Envelope would be 5,533 acres. Within the TMV Specific Plan Area and Oso Canyon, a subarea in the TMV Planning Area, the Development Envelope is assumed to be 8,366 acres and the Disturbance Area would be 5,082 acres. Because the exact location of disturbance in the Development Envelope is not known, the EIS analyzes the full Development Envelope as if it were all permanently affected.

Regarding use of the term *TMV Project* as a "catch-all," in this Supplemental Draft EIS, the terms *TMV Planning Area* and *TMV Specific Plan Area* (which encompasses the TMV Project) are separately defined and referenced. These terms are also defined in Table 2-1.

The Service concurs that the color distinctions in the map legend of Figure 2-10 of the Draft EIS could be clarified, and has revised all the figures to more clearly depict the area West of Freeway. The commenter correctly notes that no development plans are currently proposed in West of Freeway; however, because development could occur there during the 50-year proposed term of the incidental take permit (ITP), development consistent with the general plan land use designations is analyzed in this Supplemental Draft EIS under all alternatives except the No Action Alternative.

The commenter also correctly quotes Section 2.3.3.1.3 of the Draft EIS. The Service acknowledges that the Lebec/Existing Headquarters Area is not included in the TMV Specific Plan Area. Chapter 2, Proposed TU MSHCP and Alternatives, in Volume 1 of this Supplemental Draft EIS has been revised to more clearly describe the development areas. Similarly, The TU MSHCP has been revised to more clearly describe the Development Envelope and the Disturbance Areas.

Regarding characterization of the total number of dwelling units in the Draft EIS as “3,632 units, not 3,633 units,” as explained in Chapter 2, Proposed TU MSHCP and Alternatives, in Volume 1 of this Supplemental Draft EIS, a total of 3,632 dwelling units is assumed to occur under the Proposed TU MSHCP Alternative. The breakdown of residential units and commercial square footage is summarized for each alternative in Table 2-5. The Draft EIS did not mischaracterize the total proposed commercial square footage under the Proposed TU MSHCP Alternative, as the total includes the square footage that could be constructed in all of the development areas (Draft EIS, page 2-12). As noted above, this Supplemental Draft EIS provides a summary of the commercial square footage that could be constructed under each alternative in Table 2-5 in Chapter 2, Proposed TU MSHCP and Alternatives. . Note that the resort uses (750 hotel rooms and up to 350,000 square feet that could be developed as hotel lobby support services, food and beverage service, golf clubhouses, equestrian facilities and private recreation facilities) are not included in the commercial development totals described above, but are accounted for in the ground disturbance acreage.

With respect to calculating the Disturbance Area in areas designated as agricultural under the Kern County General Plan, the general plan allows for one dwelling unit on 80- and 20-acre lots, so an average permanent land Disturbance Area of 2 acres is assumed. This disturbance factor reflects the amenities and services typically associated with homes on large rural lots, as well as residential and ancillary structures, driveways, and landscaped areas. Chapter 2, Proposed TU MSHCP and Alternatives, in this Supplemental Draft EIS provides a more detailed description of the methodology used to calculate the Disturbance Areas for each of the alternatives considered in this Supplemental Draft EIS.

Please refer to Master Response 7, Edge Effects, Fuel Modification and Wildlife Habitat Connectivity, in Volume 2 of this Supplemental Draft EIS for a discussion of potential edge effects as they relate to wildlife habitat.

Comments Relating to the Second Segment of *The Mountain Enterprise* Article

The following comments were provided on the second segment of *The Mountain Enterprise* article (Hedlund and Penland 2009).

- The second segment of the article follows up on the conclusions of the first segment by publishing the responses from the Service and the applicant.
- The Service responded that the documents were “comprehensive draft documents” and were “weighty” to allow the process to be as transparent as possible. The Service encouraged further public comments.
- The applicant responded that it disagreed with the article’s conclusion that there are “major flaws” in the documents and encouraged further public participation. The applicant further provided the credentials of Pete Bloom, the primary author of the Condor Plan.
- The second segment concluded with *The Mountain Enterprise* editors' opinions that the reviewers were not concerned with length of the documents or their complexity, and reiterates the “sloppiness” and “contradictions” described in Part One. The article notes that the newspaper article was not intended to be a public comment for the record, but questions the meaning of a public comment period when the documents are so flawed.

The Service acknowledges the information provided in response to the April 10, 2009 article in *The Mountain Enterprise* (Hedlund and Penland 2009), and notes the comments summarized above. Please refer to the responses provided to the specific concerns raised in the first segment. As described above, where appropriate, the information in the EIS and TU MSHCP have been updated and clarified to provide a more clear understanding of the proposed action. Further, this Supplemental Draft EIS and revised TU MSHCP are being circulated for additional public review and comment.

Regarding the characterization of their articles as reporting, not public comment, and the articles' intent to motivate reporting about the Draft EIS and Draft TU MSHCP, the comments are noted.

Regarding the concerns as to the meaningfulness of the public comment period given perceived document flaws, the Service notes that this Supplemental Draft EIS and revised TU MSHCP are being circulated for additional public comment.

9.2.3.3 Center for Biological Diversity Project Description Comments

One commenter stated that the Draft TU MSHCP and Draft EIS contain the following inaccurate and inconsistent project descriptions and maps that confuse the reader and make assessment of the project impossible.

- The commenter stated that the Draft TU MSHCP contains inconsistencies regarding the acreage of totals of the development components and does not use a uniform system for describing the components. As an example, the comment points to the description of the Development Envelope of the TMV Project, which is referenced slightly differently in two places in the Draft TU MSHCP (7,860 Development Envelope or 7,800 Disturbance Area), but then is not included in Table 2-1 of the TU MSHCP. The commenter also noted that the Condor Plan, Appendix C to the Draft TU MSHCP, refers to a 7,900 CEQA envelope.
- The commenter stated that the Draft TU MSHCP has not consistently used the identified Disturbance Area to analyze the effects of the development and instead uses only the 5,082 acre figure of actual development. The commenter points to a statement on page 2-11 of the Draft TU MSHCP which described the net Disturbance Area of the TMV Project as 5,082 acres, and to a statement on page 4-60 that stated that only 5,082 acres will actually be effected.
- The commenter stated that the Draft TU MSHCP is further confused by the inconsistent use of the terms *TMV*, *TMV Project*, *TMV Planning Area*, and *TMV Specific Plan*.
- The commenter stated that the maps included in the Draft TU MSHCP and Draft EIS are confusing and do not inform the reader. The comment references *The Mountain Enterprise* article (Hedlund and Penland 2009) (see above) for a specific discussion of the mapping criticisms.
- The commenter stated that the inaccuracies and omissions in the Draft EIS render the description of the baseline conditions unusable in violation of the National Environmental Policy Act (NEPA), citing Half Moon Bay Fisherman's Marketing Association case for the proposition that without establishing baseline conditions, there is no way to determine what effect an action will have on the environment.
- The commenter stated that the inconsistencies described above are repeated throughout the Draft EIS, making an accurate analysis of the effects impossible and requested that the Draft EIS and Draft TU MSHCP be withdrawn and corrected before being reissued.

As described above in Section 9.2.3.2, *The Mountain Enterprise* Article, the Service has added a summary table of common terms used to describe the various components of the alternatives to Chapter 2, Proposed TU MSHCP and Alternatives, of this Supplemental Draft EIS. This table

(Table 2 1), along with Tables 2-5 and 2-6 in that chapter, provide definitions for commonly used terms (e.g., Covered Lands, Covered Activities, Condor Study Area, TMV Planning Area), and summarize the different land uses proposed under each of the alternatives considered in this Supplemental Draft EIS (e.g., number or proposed dwelling units, acreage of Development Envelope, acreage of Disturbance Area). The Service anticipates that these new and revised summary tables will assist the public in understanding the nature of the proposed action.

These tables, and other revisions made to the TU MSHCP and Draft EIS, clarify the acreage totals and use of terms in both documents. Specifically, the EIS and TU MSHCP have been revised to clarify that there are two main development areas proposed under the TU MSHCP: the TMV Planning Area (which includes the TMV Specific Plan Area, Oso Canyon and West of Freeway) and the Lebec/Existing Headquarters Area, as well as a small parcel for the TCWD Bear Trap Turnout infrastructure project. The Development Envelope represents an area in which permanent disturbance effects could occur; the Disturbance Area is a smaller amount of land that would be permitted to be permanently disturbed under the ITP. Because the exact location of disturbance in the Development Envelope is not entirely known, the TU MSHCP and the EIS analyze effects on the larger Development Envelope.

The Development Envelope analyzed in the TU MSHCP and in this Supplemental Draft EIS for the Proposed TU MSHCP Alternative totals 8,817 acres and is composed of 7,860 acres in the TMV Specific Plan Area, 506 acres in Oso Canyon, 170 acres West of Freeway, 265 acres in Lebec/Existing Headquarters Area, and 16 acres in the TCWD Bear Trap Turnout Project (Table 2-5 in this Supplemental Draft EIS). In addition, 200 acres of permanent ground disturbance are analyzed qualitatively for Plan-Wide Activities associated with the TU MSHCP in this Supplemental Draft EIS and TU MSHCP. The ITP would limit the area that could be permanently disturbed as follows: permanent ground disturbance in the TMV Planning Area would be limited to 5,252 acres (5,082 acres in the TMV Specific Plan Area/Oso Canyon; and 170 acres in West of Freeway), 265 acres in the Lebec/Existing Headquarters Area (which is likely over inclusive, and is the same as the Development Envelope for this area), and 16 acres at the DWR parcel or operations and expansion of TCWD facilities (which again, is likely over inclusive, and is the same as the Development Envelope). Thus, the total Disturbance Area from Commercial and Residential Development Activities that would be allowed under the Proposed TU MSHCP Alternative would be 5,533 acres. Permanent ground disturbance from the Plan-Wide Activities would be limited to 200 acres. With respect to the alleged inconsistencies in the Condor Plan (Appendix C to the Draft TU MSHCP), the commenter is correct that page 4 of the Condor Plan references the TMV Project Development Envelope as the "7,900 acre CEQA envelope." As discussed above, the Condor Plan is now part of the TMV EIR record. The TMV EIR analyzed a 7,867 acre envelope, but the discrepancy between these numbers is due to rounding and is inconsequential. As explained above, this Supplemental Draft EIS and the TU MSHCP have been revised to clarify the relevant acreages and terms considered in both documents, and to clarify any perceived inconsistencies in how the Draft TU MSHCP Development Envelope or Disturbance Area were considered in the effects analysis. Specifically, the effects analysis for the Proposed TU MSHCP Alternative assumes that an 8,817-acre Development Envelope would be affected in the Covered Lands, and that an 8,366-acre Development Envelope would be affected in the TMV Planning Area. The ITP would limit actual permanent disturbance to no more than 5,533 acres in the Covered Lands and 5,252 acres in the TMV Planning Area.

Regarding references to *The Mountain Enterprise* article (Hedlund and Penland 2009), please refer to the responses to that article discussed above.

Regarding the statement that an inaccurate description of the proposed action renders the baseline unusable, the Service notes that the proposed plan—the TU MSHCP—does not equate with the baseline. The baseline consists of existing conditions (or the *preproject environment*, as set forth in the Half Moon Bay Fisherman's Marketing Association case referenced in the comment), not the

definition of the plan. A detailed discussion of the affected environment is provided in Chapter 3, Affected Environment, in Volume 1 of this Supplemental Draft EIS.

Regarding statements that the draft documents should be withdrawn due to inaccuracies and reissued, the applicant has updated its TU MSHCP and the Service has determined that a Supplemental Draft EIS is warranted for the reasons described in Chapter 1, Purpose and Need for the Federal Action, in Volume 1 of this Supplemental Draft EIS.

9.2.4 Scope of Covered Lands

Some comments raised questions about features or areas that may be in Covered Lands, including oil field leases and inholdings.

9.2.4.1 Oil Field Leases

A commenter stated that in April 2004, Longbow, LLC acquired two oilfield leases in the area commonly known as Comanche Point and attached copies of the leases. The commenter stated his belief that the land leased for oilfields to Longbow, LLC are part of the Covered Lands under the TU MSHCP, creating a conflict with the leases that grant to Longbow "sole and exclusive" possession of these areas with the exception of surface rights.

The Service acknowledges receipt of the lease copies. The two oilfield leases are both in the Comanche Point area of the ranch, and are not within the boundaries of Covered Lands in the TU MSHCP. Therefore, there is no conflict between the leases and the TU MSHCP.

9.2.4.2 Inholdings

A commenter noted concerns "that any actions permitted under the proposed federal permits for this proposed project will not and cannot be legally enforced or applied to the 3,870 acres that are not currently owned or managed by the applicant"; therefore, these acres should not be included in the analysis of the Draft TU MSHCP, or, if this land is included in the mitigation package, acquisition of the land should be an enforceable mitigation measure.

The 141,886 acres that encompass the Covered Lands include approximately 3,870 acres of land not owned by TRC. Because this land could ultimately be acquired by TRC and used consistent with the remainder of the property, it is included as part of the Covered Lands. Chapter 2, Proposed TU MSHCP and Alternatives, in Volume 1 of this Supplemental Draft EIS, and Section 2, Project Description, of the TU MSHCP, acknowledge that this acreage represents inholdings in the Covered Lands not owned by TRC, but that they have been included to provide a contiguous, integrated planning boundary. These lands are referred to as Not-A-Part Inholdings in both documents. The 3,870 acres are not included in Established Open Space or TMV Planning Area Open Space and therefore, are not part of the TU MSHCP Mitigation Lands. Of note, future development in these inholdings is not a Covered Activity. However, the Implementing Agreement for the TU MSHCP recognizes that this land may be acquired without a permit amendment, depending on the nature of the activities to be carried out (Implementing Agreement, Sections 1.5.1.1 and 1.5.1.2).

9.2.5 Requests to Extend Comment Period

Various commenters requested an extension of the public comment period.

For the reasons described in Chapter 1, Purpose and Need for the Federal Action, in Volume 1 of this Supplemental EIS, the Service has determined that a Supplemental Draft EIS is warranted. Both this

Supplemental Draft EIS and a revised TU MSHCP are being circulated for public review and comment.

9.2.6 References Cited by the Center for Biological Diversity

Comments 04-435 through 04-560 consist of literature and articles attached to Comment Letter 04. These attachments do not contain specific comments. In most cases, the attached literature is referenced in a specific comment and a response is provided in the relevant master response. The responses below briefly describe the commenter's use of the citation, provide a summary of the literature cited, and discuss the relevance of the articles to the TU MSHCP and EIS. The responses include cross-references to the master response where the substance of each comment is fully addressed.

- The commenter cited Abbit et al. (2000) in its comments regarding the scientific basis of the reserve design for the Draft TU MSHCP. Abbit et al. (2000) describes how information regarding the geography of species, especially range-restricted species, should be incorporated into conservation strategies in conjunction with projected increases in human population and development, and describes the challenges of international boundaries. Abbit et al. (2000) does not appear to provide specific reserve design methodologies that can be directly applied to this proposed action considering the article examines an aspect of species of reserve design that functions at a larger scale than the TU MSHCP. Refer to Master Response 5, Habitat Suitability Model.
- The commenter cited Airola and Williams (2008) in its comments regarding the population status of purple martin and its use of the Covered Lands. Airola and Williams (2008) does state that “The Tehachapi Mountains, with 100 to 200 pairs, may represent the last place in California where martins regularly nest in oak woodland.” However, the Tehachapi Mountains extend well north of the Covered Lands to the southern Sierra Nevada range. Also, Airola and Williams (2008) qualify the regularly nesting statement with the phrase “may represent.” The commenter cited Airola and Williams (2008) as indicating that “only” 40 to 100 pairs of purple martins were observed nesting in the Tejon Ranch Grapevine area, and that the number of pairs had decreased in 2000 north of the Tejon Ranch Grapevine area where European starlings are abundant. Airola and Williams (2008) does indicate that “The southern Tejon Ranch/Grapevine area supported an estimated 40 to 100 pairs in 1982; a partial survey of the Bear Mountain area found 56 pairs in 2000, and martins were absent in former nesting areas where starlings are now abundant.” Note the 2000 survey was a partial survey and so the 56 pairs cannot be directly compared to the 40 to 100 pairs found in the larger survey area in 1982. Refer to Master Response 4, Covered Species Threats and Potential Effects from Covered Activities.
- The commenter cited Akcakaya and Atwood (1997) as an example of the use of population viability analysis (PVA) on California species in its comments regarding reserve design. Akcakaya and Atwood (1997) analyze the metapopulation dynamics of California gnatcatcher for an 850-square-kilometer area in Orange County. The model predicted a fast decline and high risk of population extinction with most combinations of parameters (such as survival, fecundity, dispersal, and catastrophes). The model results also indicated that models based on a few decades likely produced the most accurate results since models with shorter or longer timeframes may underestimate the effects of alternative management actions. This model could be used to prioritize management actions (Akcakaya and Atwood 1997). However, with the exception of the PVA for the coastal California gnatcatcher for the San Diego Multiple Species Conservation Plan (which is characterized by a highly fragmented landscape within which the gnatcatcher may operate as a metapopulation [Ogden 1993]), no other large-scale conservation planning efforts in California have used PVAs, including the Western Riverside Stephens’ Kangaroo Rat HCP, the Western Riverside County MSHCP, Coachella Valley MSHCP, the Orange

County Central/Coastal Natural Community Conservation Plan (NCCP)/HCP, and the Southern Orange County NCCP/Master Streambed Alteration Agreement (MSAA)/HCP. Generally speaking, these plans did not perform PVAs due to a lack of available data for the species necessary to conduct a credible model, the questionable value of such PVAs for the particular conservation planning efforts, and the time and expense of doing so. Refer to Master Response 5, Habitat Suitability Model.

- The commenter cited Anderson and Laymon (1989) as a source of conservation guidance for the yellow-billed cuckoo. Anderson and Laymon (1989) summarize yellow-billed cuckoo habitat requirements and discusses revegetation efforts, describing factors that detract from habitat creation objectives and predicting likelihood of success for Kern and Colorado river enhancement projects. Specifically, Anderson and Laymon (1989) make recommendations on propagation methods (i.e., rooting hormones, cuttings, pole plantings), and combating browsing and competition from weeds. Given the habitat conservation levels proposed, additional creation and enhancement (beyond what would be required under the Clean Water Act (CWA) and California Fish and Game Code (FGC) for effects on jurisdictional wetlands) are not proposed at this time. Annual monitoring reports would identify significant problems regarding competition from weeds and recommend such changes or revisions to the programs; document changed or unforeseen circumstances that have occurred in the prior year and describe how they were addressed; and discuss adaptive management triggers and how adaptive management was implemented. Refer to Master Response 4, Covered Species Threats and Potential Effects from Covered Activities, and Master Response 17, Monitoring and Adaptive Management.
- The commenter cited Beecham and Kochert (1975) in its comments regarding golden eagles. Beecham and Kochert (1975) evaluate the population status of golden eagles in southwestern Idaho by examining the nesting success, density, and mortality of this species in that area. The article states that “The number of alternate nests per nesting site in the area ranged from 1 to 12 (mean = 6).” Therefore, this statement would support the commenter’s cited claim that golden eagles need alternative nests. This information is consistent with the TU MSHCP approach to providing protection to golden eagle nests. Refer to Master Response 3, Raptors.
- The commenter cited Bolger et al. (1997) in comments regarding the Tehachapi pocket mouse. Bolger et al. (1997) assessed the distribution of native rodents in 25 urban habitat fragments via live trapping to determine whether small fragments of habitat are capable of supporting viable populations of native rodents in coastal southern California. Since 13 of 25 fragments did not support populations of native rodents and fragments that had been isolated for a longer time supported fewer species of rodents, study results indicate that local extinctions occurred in fragments of habitat following insularization. Bolger et al. (1997) propose that random environmental and demographic fluctuations and edge effects cause these local extinctions. This citation is consistent with the reasons for decline of Tehachapi pocket mouse stated in Section 3.1.7.5, Mammals, in the subsection entitled Tehachapi Pocket Mouse, in Volume 1 of this Supplemental Draft EIS, and Section 5.2.4.2.1 of the TU MSHCP. Refer to Master Response 4, Covered Species Threats and Potential Effects from Covered Activities.
- The commenter cited Boyce (1992) in its comments regarding reserve design. Boyce (1992) reviews PVA and minimum population viability (MPV) analysis to advocate the use of PVA as a species management tool rather than to determine an actual MPV or estimate the probability of extinction. Generally speaking, PVAs are not performed for large scale conservation efforts due to a lack of available data for the species necessary to conduct a credible model, the questionable value of such PVAs for the particular conservation planning efforts, and the time and expense of doing so. Refer to Master Response 5, Habitat Suitability Model.

- The commenter included Brattstrom (1997) in its reference list and attachments, but has not cited to the article in its comment letter.
- The commenter cited Brook et al. (2002) regarding reserve design. Brook et al. (2002) advocate for PVA for its ability to determine whether extinction risk is high, even though they acknowledge that this process has little predictive value where data is sparse or poor, which is commonly the case with threatened species. Generally speaking, PVAs are not performed for large scale conservation efforts due to a lack of available data for the species necessary to conduct a credible model, the questionable value of such PVAs for the particular conservation planning efforts, and the time and expense of doing so. Refer to Master Response 5, Habitat Suitability Model.
- The commenter cited Brooks (1997) in its comments regarding habitat suitability models. Brooks (1997) describes several stages of habitat suitability index (HSI) development and testing. He argues for incremental improvements that can be made by publishing interim models that have not been fully validated to improve management of species based on improved HSI models. The article continues to provide examples showing several alternative methods to calibrate and verify HIS models. As noted in Master Response 5, Habitat Suitability Model, the habitat modeling was intended to be inclusive of important potential habitat for the Covered Species for the purpose of the effects analysis. Verification studies to refine the habitat models for this purpose are not necessary.
- The commenter cited Buehler et al. (1991) in its comments on the bald eagle. Buehler et al. (1991) recommends management in communal roosting forest stands of 190 hectares (470 acres). The 190 hectares exceeds the minimum communal roost forest stand size of 110 hectares (272 acres) (Buehler et al. 1991). The management recommendation was proposed for Chesapeake Bay undeveloped shoreline forest stands extending a minimum of 1,400 meters inland, with a minimum of 1,360 meters of shoreline edge. Buehler et al. (1991) recommended protection of existing tall, large diameter trees and the promotion of stands of trees where lacking. Commenter cited Buehler et al. (1991) as prescribing a 1,360 to 1,400 meter management zone for nonbreeding bald eagle roosting sites. As discussed in Master Response 3, Raptors, the proposed bald eagle Goal 3 and associated objectives in Section 7.1.1.2.2 of the TU MSHCP are considered appropriate for diurnal perches and roosts, and exceed the Buehler et al. (1991) minimum communal roosting acreage and management zone recommendations.
- The commenter cited Burgman et al. (2001) in its comments regarding reserve design. Burgman et al. (2001) present a set of concepts and formulas that may be used instead of detailed PVA and habitat models to estimate the size of protected areas required to conserve threatened plant species. They estimated quasi-extinction risk based on dynamic models that incorporated expert judgment of parameters and assessment of a population size, changes in population density through competition and predation, as well as factors of human influences, such as small-scale disturbance and habitat loss. The method described in the article focuses attention on the threats that affect habitat area and population density and may lead to management recommendations (Burgman et al. 2001). Limitations of this method include assumptions that habitat can be mapped reliably and information regarding species density, life history, and response to disturbance is available. The methods are based on short-term dynamics and also fail to account for spatial arrangement of habitat, future disturbance regimes, and dependency on other species (Burgman et al. 2001). The commenter does not cite specific elements of the article's focus of reserve design to demonstrate how they suggest this method could be applied to the TU MSHCP and fails to acknowledge the limitations of the methods provided by Burgman et al. (2001). This type of method would not be appropriate for large scale conservation efforts due to a lack of available data for the species necessary to conduct a credible model, and the time and expense of doing so. Refer to Master Response 5, Habitat Suitability Model.

- The commenter cited Cain et al. (2003) regarding little willow flycatchers to state that flycatchers use similar habitat to the least Bell's vireo and therefore suffer from similar issues, specifically riparian habitat loss. Cain et al. (2003) cite the decline of willow flycatchers and yellow warblers as the result of loss of riparian breeding habitat, increases in brood parasitism, and increases in nest predation. The study focused on examining aspects of predation on willow flycatchers and yellow warblers and its affect on their nesting success. Although the commenter correctly quoted Cain et al. (2003) in that this article states that willow flycatchers were negatively affected by loss of riparian habitat, the article actually focuses on another contributor to willow flycatcher decline—predation. In addition, the article discusses the willow flycatcher in comparison to the yellow warbler, not the least Bell's vireo (Cain et al. 2003). This citation is consistent with the reasons for decline of flycatchers stated in Section 3.1.7.3, Birds, in the subsection entitled Little Willow Flycatcher, in Volume 1 of this Supplemental Draft EIS, and Section 5.2.2.6.1 of the Draft TU MSHCP. Refer to Master Response 4, Covered Species Threats and Potential Effects from Covered Activities.
- The commenter cited California Department of Fish and Game (CDFG) (1980) to support comments regarding ringtail territories within 0.5 mile of riparian zones. CDFG (1980) collected information from sighting records, museum specimens, and recent literature to determine the current distribution of ringtail cat, areas of population concentrations, and trends in population size. The greatest ringtail abundance were along the riparian areas in northern California and Sierra Nevada foothills. Ringtails' preference for riparian areas is verified by the abundance of sightings along many of the major rivers of California (California Department of Fish and Game 1980). However, although CDFG (1980) comments on the association of ringtail cats with riparian habitat, it does not provide a quantified habitat restriction. Refer to Master Response 5, Habitat Suitability Model, and Master Response 4, Covered Species Threats and Potential Effects from Covered Activities.
- The commenter cited Camp et al. (1997) in comments regarding raptors. Camp et al. (1997) used a geographic information system (GIS) to develop a management scheme for golden eagles that considered spatial zones incorporating the viewshed—the area visible across a landscape from a nest site—from each nest. Camp et al. (1997) recommend both a buffer zone that restricts potentially harmful activities in this flushing area and a viewshed that restricts potentially harmful activities in this agitation area. The commenter accurately characterizes Camp et al. (1997) since the article does suggest that an effective approach to mitigate effects of disturbance for raptors involves viewsheds and buffers. This is consistent with the golden eagle conservation objectives in Section 7 of the Draft TU MSHCP. Refer to Master Response 3, Raptors.
- The commenter cited CBD (2004), a petition to list tricolored blackbird under the California Endangered Species Act (CESA) and ESA and request for emergency action to protect the species, to illustrate tricolored blackbird population declines in its comments on the tricolored blackbird. The petition quotes Baird (1870) cited in Beedy and Hamilton (1999) as stating that the tricolored blackbird was “the most abundant species near San Diego and Los Angeles, and not rare at Santa Barbara.” This citation is consistent with the description of the decline of tricolored blackbird stated in Section 3.1.7.3, Birds, in the subsection entitled Tricolored Blackbird, in Volume 1 of this Supplemental Draft EIS and Section 5.2.2.9.1 of the Draft TU MSHCP. Refer to Master Response 4, Covered Species Threats and Potential Effects from Covered Activities.
- The commenter cited Chave et al. (2002) in its comments regarding reserve design. Chave et al. (2002) examine the interplay between habitat fragmentation and seed dispersal mechanisms that maintain biodiversity in the tropical rainforest using dynamic and spatially explicit simulations. The commenter appropriately cited Chave et al. (2002) as an article written on reserve design. However, the commenter does not provide specific information from this article, nor suggest how elements from the reserve design presented by Chave et al. (2002) be applied

to the TU MSHCP. Generally speaking, a model of biodiversity in the tropical rainforest would not be appropriate for large scale conservation efforts in temperate North America.

- The commenter cited Cogan (2009), a report published by the commenter, in comments related to the condor. Refer to Master Response 1A through 1I on topics specific to the California condor.
- The commenter cited Collidge et al. (2002) in comments on the valley elderberry longhorn beetle. This may be a mistaken reference to Collinge et al. (2001), who examined valley elderberry longhorn beetle occurrences in California's Sacramento Valley. Among other patterns of habitat suitability, valley elderberry longhorn beetle occurred more often in clumps of elderberry bushes compared to isolated bushes. Compared to California valley elderberry longhorn beetle, valley elderberry longhorn beetle sites had much higher elderberry densities (Collinge et al. 2001). The commenter stated that dense stands of elderberry should be encouraged for the benefit of valley elderberry longhorn beetle, citing Collinge et al. (2001). Given the very high habitat conservation levels proposed, other avoidance/minimization measures, additional creation and enhancement beyond that required under the CWA and FGC for effects on jurisdictional wetlands have not been proposed by TRC. Refer to Master Response 4, Covered Species Threats and Potential Effects from Covered Activities.
- The commenter cited Cook and Toft (2005) to support statements regarding the ongoing decline of tricolored blackbird populations. Cook and Toft (2005) used data collected since the 1930s to characterize the distribution, breeding habitat, and changes in global population size of tricolored blackbirds. The article also presents data on the reproductive success of this species at 103 colonies between 1992 and 2003. Loss of suitable nesting habitat statewide continues to cause widespread failure of breeding (Cook and Toft 2005). This citation is consistent with the description of the decline of tricolored blackbird stated in Section 3.1.7.3, Birds, in the subsection entitled Tricolored Blackbird, in Volume 1 of this Supplemental Draft EIS and Section 5.2.2.9.1 of the TU MSHCP. Refer to Master Response 4, Covered Species Threats and Potential Effects from Covered Activities.
- The commenter cited Conservation Biology Institute (CBI) (2003a) as a source of additional data known about the Covered Lands in its comments on surveys). CBI (2003a) utilized publicly available data and science-based conservation principles to achieve this end. CBI (2003a) identified four landscape units that differentially support the conservation values considered in the analysis. CBI (2003a) found that most of the ranch serves as landscape linkages for the focal species evaluated for the South Coast Missing Linkages Project with the possible exception of the Mojave Valley floor. It addresses grassland and oak communities, montane hardwood and montane hardwood-conifer communities, riparian communities and watershed integrity. CBI (2003a) concludes that conservation management in the region should consider landscape-scale variability and ecological processes. Nothing in the cited publication undermines the analysis of the open space design in the TU MSHCP, and the Service considers the analysis in this Supplemental Draft EIS and TU MSHCP to be based on the best available science. Refer to Master Response 6, Surveys.
- The commenter cited CBI (2003b) as a source of additional data known about the Covered Lands in its comments on surveys. CBI (2003b) presents the available scientific information (no new data was collected) for the Tejon Ranch region. The report examines the biogeographic factors, such as terrain and climate, which contribute to the biological richness of Tejon. CBI (2003b) calls for a comprehensive multijurisdictional plan to protect the natural resources of this region. Nothing in the cited publication undermines the analysis of the open space design in the TU MSHCP, and the Service considers the analysis in this Supplemental Draft EIS and TU MSHCP to be based on the best available science. Refer to Master Response 6, Surveys.

- The commenter cited CBI and South Coast Wildlands (2006) as a source of additional data known about the Covered Lands in its comments on surveys and as a potential alternative. CBI and South Coast Wildlands (2006) present a study using publicly available information to design a reserve for Tejon Ranch intended to protect its vast array of landscape functions and conservation values. CBI and SCW (2006) acknowledge the limitations of this study. Specifically, it did not directly take into account whether areas with lesser contributions to landscape values are appropriate for development from a regional planning perspective, possible development constraints, environmental compliance or endangered species permitting implications, other constraints (e.g., military flight corridors) or economic considerations. Nothing in the cited publication undermines the analysis of the open space design, and the Service considers the analysis in this Supplemental Draft EIS and TU MSHCP to be based on the best available science. Refer to Master Response 11, Alternatives, and Master Response 6, Surveys.
- The commenter cited Craig (2002) in its comments regarding buffers for peregrine falcons and bald eagles. Craig (2002) provides recommendations for buffer zones and seasonal restrictions specifically for Colorado raptors, including buffers and setbacks for nesting, roosting and/or perching raptors, including bald eagles. Craig (2002) suggest no human habitation, structures or roads/trails within 0.5 mile (2,640 feet) of an American peregrine falcon nest site and seasonal restriction to human encroachment within 0.5 mile of the nest cliff from March 15 to July 31. Craig (2002) also recommends a buffer zone that encompasses the cliff system and a 0.5-mile buffer from the cliff complex. Craig (2002) recommends that diurnal hunting perches of bald eagles be protected from human encroachment citing buffer zones from at least two management plans that range from 0.125 mile (200 meters or 660 feet) to 0.25 mile (400 meters or 1,320 feet) depending on topographic or vegetation screening (Craig 2002). The Craig (2002) study is based on informed opinion regarding individual species' tolerance of disturbance rather than empirical data. Refer to Master Response 3, Raptors, regarding setback distances and conservation measures for these species.
- The commenter cited Crooks and Soule (1999) in its comments regarding edge effects. Crooks and Soule (1999) examine the relationship between the distribution and abundance of the coyote, an apex predator, in 28 urban habitat fragments in coastal southern California to that of smaller carnivores and their avian prey. Crooks and Soule (1999) provide an example of the literature related to edge effects, demonstrating how the mesopredators release resulting from landscape fragmentation decrease ecosystem values by decreasing populations of scrub-breeding birds. The TU MSHCP includes measures to reduce such edge effects. Refer to Master Response 7, Edge Effects, Fuel Modification, and Wildlife Habitat Connectivity.
- The commenter cited Davis et al. (2004) to suggest the Draft TU MSHCP's modeling of the striped adobe lily (*Fritillaria striata*) is overestimated since this species is known to require blue oak woodland on heavy adobe clay soils. However, Davis et al. (2004) actually state, "Similarly, several high-scoring sites at the southern end of the region in Kern County are areas of blue oak (*Quercus douglasii*) woodlands on adobe soils that support rare plant species, such as *Mimulus pictus* and *Fritillaria striata*" Therefore, while Davis et al. (2004) consider blue oak woodlands on adobe soils to be suitable habitat for striped adobe lily, the article does not suggest that the species is restricted to this habitat. Refer to Master Response 5, Habitat Suitability Model, and Master Response 4, Covered Species Threats and Potential Effects from Covered Activities.
- The commenter cited DeHaven (2000) as providing additional ideas on conservation of tricolored blackbird. DeHaven (2000) provides six recommendations for the Service and CDFG to halt and stabilize the downward trend of tricolored blackbird, and avoid the need to list the species in the future: (1) prepare and implement a plan to create additional nest substrates in southern San Joaquin Valley; (2) prepare and implement a plan for enhancing and managing the Toledo Pit site in Tulare County and other major dairy regions supporting breeding tricolored blackbird; (3) prepare land use trends and projections to prioritize key geographic areas for the

preservation and enhancement of tricolored blackbird habitat; (4) prepare and implement a tricolored blackbird management and enhancement plan; (5) prepare written criteria for paying dairy farmers to delay or forego harvest of silage crops; and (6) conduct and report on research and coalesce pertinent findings. While the recommendations in DeHaven (2000) are appropriate for the Service and CDFG to implement as range-wide measures for the tricolored blackbird, the measures listed above are not appropriate at the project level. Section 7 of the TU MSHCP includes measures to protect the tricolored blackbird. Refer also to Master Response 4, Covered Species Threats and Potential Effects of Covered Activities.

- The commenter cited Dodd and Siegel (1991) to support its statement that relocation of rare species has been documented to be relatively unsuccessful. Dodd and Siegel (1991) review information on projects involving relocation, repatriation, and translocation (RRT) of amphibians and reptiles, examine the motives for advocating these strategies, and recommend biological and management criteria that should be considered prior to initiating RRT projects. Dodd and Siegel (1991) conclude that most RRT projects involving amphibians and reptiles have not been successful as conservation techniques and therefore do not advocate this method as an acceptable management and mitigation practice. Dodd and Siegel (1991) generally refer to moving populations and define success as establishing a viable, self-sustaining population. Such a large-scale relocation program is not the intent of the proposed construction-related relocation measure in the TU MSHCP. Refer to Master Response 4, Covered Species Threats and Potential Effects from Covered Activities.
- The commenter attached a letter from Delia Dominguez regarding cultural resources issues. Cultural resources concerns are addressed in Master Response 14, Cultural Resources.
- The commenter attached Eilperin (2006) but has not cited to the article in its comment letter.
- The commenter attached U.S. Environmental Protection Agency (EPA) (2007), presenting air quality data regarding ozone and a summary of design values. Air quality concerns are addressed in Master Response 16, Air Quality.
- The commenter attached EPA (2007) air quality data regarding particulate matter less than 2.5 microns in diameter (PM 2.5) in 2005-2007 and a summary of design values. Air quality concerns are addressed in Master Response 16, Air Quality.
- The commenter attached EPA (2008a), EPA's regulatory impact analysis PM 2.5 standards. Air quality concerns are addressed in Master Response 16, Air Quality.
- The commenter attached EPA (2008b), EPA's post-2020 attainment analysis for ground-level ozone, discussing attainment challenges. Air quality concerns are addressed in Master Response 16, Air Quality.
- The commenter attached EPA (2008c), an excerpt from EPA's regulatory impact analysis for ground-level ozone, Chapter 4, Approach for Estimating Reductions for Full Attainment Scenario. Air quality concerns are addressed in Master Response 16, Air Quality.
- The commenter cited Faanes and Howard (1987) to support comments that white-tailed kite do not stray far from riparian areas. Faanes and Howard (1987) presents an HSI model for white-tailed kite to be used with the Services' habitat evaluation procedures to assess effect and manage habitat for this species. Faanes and Howard (1987) cite studies in which kites foraged almost exclusively over grasslands and in which kites spent over 97% of their time hunting over four vegetation types: tall rank grass, short rank grass, saltmarsh, and rushes. Although Faanes and Howard (1987) notes that nesting typically occurs in wetlands and open brushlands, generally near water or along streams, they also note that foraging habitat is not necessarily adjacent to the nest site and that kites have been observed foraging 1.9 kilometers from a nest site. The commenter's statement using Faanes and Howard (1987) is consistent with Section 6.2.2.11.1 in the Draft TU MSHCP. Refer to Master Response 3, Raptors.

- The commenter cited Fielding and Haworth (1995) to support its comments that modeling for raptors and songbirds is uncertain because of the unpredictability of the systems being modeled. Fielding and Haworth (1995) developed predictive models for golden eagle, raven, and buzzard, which all differ in nesting habitat and in type and scale of foraging habitat. The models were then applied to validation data to test their predictive success. Results were quite varied, ranging from 6% of nest sites correctly predicted to 100% correctly predicted. Differences likely stemmed from methods applied and ecological processes, such as the data recording scheme and interregional differences in nesting habitat. According to Fielding and Haworth (1995), these results question the validity of distribution and habitat-change model predictions in conservation-based studies since the models may be working with systems that are inherently unpredictable. As noted above, the habitat modeling was intended to be inclusive of all potential habitat for the Covered Species for the purpose of the take and conservation analysis. Verification studies to refine the habitat models for this purpose are not necessary. Refer to Master Response 3, Raptors, and Master Response 5, Habitat Suitability Model.
- The commenter cited Fiedler (1987) with respect to the comprehensiveness of surveys for striped adobe lily. Fiedler (1987) compares three rare species in the genus *Calochortus* to one common *Calochortus* species, to determine whether individual and population differences could be detected between three rare species and a closely related species in the same genus, and describes *Fritillaria*, to which striped adobe lily belongs, as a related genus that also has an annually renewed seed bank. Fiedler (1987) notes that differences in responses to environmental conditions differ by species, such that a particularly short dry winter can evoke a “bloom” reproduction in one species, but can make another go into dormancy in the middle of its growing season. Fiedler (1987) describes the “bulb bank” as many bulbs that may form an effective population buffer since only a small proportion is sexually mature and a smaller portion reproduces annually, making surveys difficult. As noted in Master Response 6, Surveys, the habitat modeling was intended to be inclusive of all potential habitat for the Covered Species for the purpose of the effects analysis. Verification studies to refine the habitat models for this purpose are not necessary.
- The commenter cited Fischer (2000) (rather than Fischer and Lindenmayer [2000]) in comments regarding the inadequacy of species relocation or translocation as a mitigation strategy. Fischer and Lindenmayer (2000) reviewed 180 case studies and several theoretical papers regarding animal relocations, focusing on reintroductions, supplementations and translocations. In addition, Fischer and Lindenmayer (2000) note that relocation strategies may be a useful conservation tool for a range of taxa. Although Fischer and Lindenmayer (2000) state that translocations performed to solve human-animal conflicts generally failed, the large number of uncertain outcomes of relocation efforts made it difficult to draw general conclusions about the value of relocations as a conservation tool. While the commenter notes the lack of success related to relocations aimed at solving human-animal conflicts, the circumstances surrounding these efforts, such as long-distance moves and placement into entirely different habitats, differ from those proposed in the TU MSHCP. The Fischer and Lindenmayer (2000) study focused on reintroductions, supplementations and translocations at a much larger scale than the relocation effort proposed under the TU MSHCP. Refer to Master Response 4, Covered Species Threats and Potential Effects from Covered Activities.
- The commenter cited Fisher and Shaffer (1996) regarding declines in amphibian populations. Fisher and Shaffer (1996) quantified amphibian declines in California’s Great Central Valley using broad-scale field sampling and historical analyses of museum records. In general, results indicate that there has been an unambiguous pattern of decline, although the degree varies both taxonomically (*Rana aurora* and *Bufo boreas* were the species most affected) and geographically (Sacramento and San Joaquin Valleys exhibited the highest rates of decline). The primary cause of these declines is likely introduced predators. Refer to Master Response 2, Amphibians.

- The commenter cited to Forman and Deblinger (2000) regarding the effects of roadway runoff on amphibians. Forman and Deblinger (2000) study the “road-effect zone,” the ecological effects extending outward from a road. Nine ecological factors, including amphibians, were measured or estimated near 25 kilometers of a busy four-lane highway west of Boston, Massachusetts (Forman and Deblinger 2000). Forman and Deblinger (2000) discuss the effects of roads on migrating salamanders and note that Route 2 is likely a barrier to amphibian movement. Forman and Deblinger (2000) do not comment on the relationship between amphibians and runoff from roads, as the commenter's citation suggests; instead its discussion is focused on the effects of roads on amphibian movement. Of note, the TU MSHCP does identify urban runoff, which includes runoff from roads, as a potential significant threat to amphibians. Refer to Master Response 2, Amphibians.
- The commenter cited Germano et al. (2001) regarding the habitat needs of coast horned lizards. Germano et al. (2001) argue that the invasion of nonnative grasses has produced an impenetrable thicket for small ground-dwelling vertebrates that has adversely affected their populations and which should be considered before restricting grazing in wildlife preserves (Germano et al. 2001). The article directly states, “The coast horned lizard (*Phrynosoma coronatum*) is small (25 to 30 gram) and has relatively weak legs, which restricts it to open habitats.” This is consistent with the coast horned lizard habitat characteristics described in Section 3.1.7.6, Reptiles, in the subsection entitled Coast Horned Lizard, in Volume 1 of this Supplemental Draft EIS and Section 5.2.5.1.2, Habitat Characteristics and Use, of the TU MSHCP. Refer to Master Response 4, Covered Species Threats and Potential Effects from Covered Activities.
- The commenter cited Gillespie (2005) regarding the habitat needs of round-leaved filaree, or *Erodium macrophyllum*. The data gathered in this study indicate that that *E. macrophyllum* is apparently restricted to heavy clay soils (Gillespie 2005). This restriction appears to be an ecological function rather than physiological since *E. macrophyllum* can grow and reproduce on other soil types (and has even produced greater biomass on nonclay soils), but is outcompeted by nonnatives in these environments. Gillespie (2005) is consistent with the round-leaved filaree habitat characteristics described in Section 3.1.8.4, Round-Leaved Filaree, in Volume 1 of this Supplemental Draft EIS and Section 5.3.3.3, of the TU MSHCP. Refer to Master Response 4, Covered Species Threats and Potential Effects from Covered Activities.
- The commenter cited Grayson (2005) regarding climate change effects on pikas. Refer to Master Response 13, Climate Change.
- The commenter cited Griffith et al. (1989) regarding relocation of the two-striped garter snake. Griffith et al. (1989) collected data on translocations of native birds and mammals to document current activities, identify factors associated with success, and recommend actions for greater success. Griffith et al. (1989) state, “In the face of increasing species extinction rates and impending reduction in overall biological diversity, translocation of rare species may become an increasingly important conservation technique.” For species with limited dispersal abilities, translocation may be required to maintain community composition in fragmented habitats (Griffith et al. 1989). One important aspect of enhancing success with translocation efforts is releasing the animal into the appropriate habitat (Griffith et al. 1989). The proposed relocation of individuals from construction areas to nearby suitable habitat as an avoidance/minimization measure is very different from the reintroductions and translocations described in the Griffith et al. (1989) study, which focuses on translocations, defined in the study as “intentional release of animals to the wild in an attempt to establish, reestablish, or augment a population...” (p. 477). Refer to Master Response 4, Covered Species Threats and Potential Threats from Covered Activities.

- The commenter cited Halpin (1997) with respect to climate change's effects on rare, threatened, and endangered species and the importance of wildlife linkages. Refer to Master Response 13, Climate Change.
- The commenter cited Harvell et al. (2002) with respect to climate change's effects on rare, threatened, and endangered species. Refer to Master Response 13, Climate Change.
- The commenter cited Hedlund (Hedlund and Penland 2009), referred to in this response as *The Mountain Enterprise* article, with respect to inaccuracies in the Draft EIS. This article, and responses to information provided in the article, is discussed in detail in Section 9.2.3.2, *The Mountain Enterprise Article*, above.
- The commenter cited Holyoak and Koch-Munz (2008) to support its comment that dense stands of elderberry should be encouraged for the valley elderberry longhorn beetle. Holyoak and Koch-Munz (2008) evaluated the success of habitat mitigation efforts for valley elderberry longhorn beetle and its host plant in California's Central Valley. Given the very high habitat conservation levels proposed and other avoidance or minimization measures, additional creation and enhancement beyond that be required under the CWA and FGC for effects on jurisdictional wetlands are not proposed under the TU MSHCP at this time. Refer to Master Response 4, Covered Species Threats and Potential Effects from Covered Activities.
- The commenter cited Jennings (1987) in comments tying the decline in coast horned lizard to the curio trade. Jennings (1987) documents the history of the curio trade in coast horned lizards from its beginnings in the late 19th century to its abrupt decline in the early 20th century (approximately 1910). The TU MSHCP includes measures to protect the coast horned lizard.
- The commenter cited Horne (1981) in comments regarding Castac Lake and Chumash settlements. Cultural resources concerns are addressed in Master Response 14, Cultural Resources.
- The commenter cited Housing Predictor (2009a) in comments regarding market conditions and housing demand. Market condition and housing demand issues are addressed in Master Response 11, Alternatives.
- The commenter cited Housing Predictor (2009b) regarding market conditions and housing demand. Market condition and housing demand concerns are addressed in Master Response 11, Alternatives.
- The commenter cited Intergovernmental Panel on Climate Change (2007) regarding the effect of climate change to species. Refer to Master Response 13, Climate Change.
- The commenter cited International Union for Conservation of Nature (2008) regarding comments on the effect of climate change to amphibians. Refer to Master Response 13, Climate Change.
- The commenter cited International Union for Conservation of Nature (2009) regarding the effect of climate change to amphibians and species in general. Refer to Master Response 13, Climate Change.
- The commenter cited Jackson (1996) in comments regarding roadkill effects on Tehachapi slender salamander and possible mitigation through roadway designs that include tunnels with drift fences. Refer to Master Response 2, Amphibians.
- The commenter cited to Kelley and Goulden (2008) regarding the effect of climate change on species. Refer to Master Response 13, Climate Change.
- The commenter cited to Kelsey (2008) with respect to increased numbers of tricolored blackbirds in the Central Valley. Kelsey (2008) documents the results of a 2008 statewide census of the tricolored blackbird population. The tricolored blackbird is near endemic species

with at least 95 percent of the population restricted to California. This is consistent with the description of the tricolored blackbird in the TU MSHCP and Section 3.1, Biological Resources, in Volume 1 of this Supplemental Draft EIS.

- The commenter cited the introduction to the Kern County General Plan (Kern County 2007) in regards to population growth projections. Population growth concerns are addressed in Master Response 11, Alternatives.
- The commenter cited Kern County (2009), the TMV EIR regarding cultural resources analysis and air quality modeling. Refer to Master Response 10, TMV Project and EIR, and Development-Related Effects Analysis; Master Response 16, Air Quality; and Master Response 14, Cultural Resources.
- The commenter cited Kidd et al. (1997) regarding the declining population of the burrowing owl, stating that it could soon be extirpated in southwestern California. The commenter correctly cited Kidd et al. (1997) as attributing the declining trend of burrowing owl populations to increasing destruction and fragmentation of habitat and lack of sufficient mitigation. This is consistent with Section 3.1.7.3, Birds, in the subsection entitled Burrowing Owl, in Volume 1 of this Supplemental Draft EIS and Section 5.2.2.3.1 Status and Distribution, of the TU MSHCP. Refer to Master Response 3, Raptors.
- The commenter cited Knight and Knight (1984) regarding adverse effects of boating on bald eagles. Knight and Knight (1984) examined flushing responses and flight distances of bald eagles to a canoe on two adjacent rivers with widely disparate levels of boating activity. The commenter overstated the results of Knight and Knight (1984). The study by Knight and Knight (1984) found very mixed results in the response of bald eagles to boating activities. The study found that eagles perched in trees showed inter-river differences but eagles standing or feeding on the ground did not respond. Knight and Knight (1984) acknowledge that they could not discern whether the eagles perched in trees in winter were actually responding to the boating activity or to decreased food abundance. Refer to Master Response 3, Raptors.
- The commenter attached Kochert et al. (1999), but has not cited to the article in its comment letter.
- The commenter cited Krajick (2004) in its comments regarding the effect of climate change on butterflies and alpine species. Refer to Master Response 13, Climate Change.
- The commenter attached a letter from Crystal Krause (pers. comm.) regarding a review performed of the Draft TU MSHCP habitat modeling. This letter was also included as Attachment A to the commenter's letter and is discussed in Master Response 5, Habitat Suitability Model.
- The commenter cited Laymon and Halterman (1989) in comments regarding conservation of the western yellow-billed cuckoo and enhancement of riparian habitat. Laymon and Halterman (1989) make recommendations for the conservation of all existing habitat regardless of quality, and for habitat restoration along specific rivers in California, with minimum goals for reforestation and subpopulations, in order to provide protection from extinction and sufficient genetic diversity, to cover the original species range and habitats in California, and to provide colonists to occupy outlying sites. Laymon and Halterman (1989) do state that "a management plan for yellow-billed cuckoo in California requires more than habitat preservation," in the context of establishing goals for reforestation and populations. The Covered Lands are not included in their list of California rivers to be reforested. The Covered Lands do not contain any of the specific rivers noted in Laymon and Halterman (1989). Additional creation and enhancement of riparian areas (beyond what would be conserved in open space areas or would be required under the CWA and FGC for effects on jurisdictional wetlands) are not proposed under the TU MSHCP. Refer to Master Response 4, Covered Species Threats and Potential Effects from Covered Activities.

- The commenter cited Mayhew et al. (2007) regarding climate change's effects on species extinction. Refer to Master Response 13, Climate Change.
- The commenter cited Marsh (2007) in comments regarding major effects on amphibians when roads are built through their habitats. Marsh (2007) investigates the impact of edge effects (created by forest roads built through habitat) on terrestrial salamander populations in the Appalachian Mountains. Marsh (2007) compared roads that were open and closed to vehicle entry, roads with varying width, varying widths of gravel, varying width of the roadside verge, and the magnitude of habitat gradients at the forest edge. Marsh (2007) found that ungated roads were associated with edge effects and the width of the road was a good predictor of the magnitude of the edge effect. However, the Marsh (2007) paper only investigated the impact of edge effects of different types of forest roads and not all road systems. In addition, the study only looks at the impacts of edge effects on red-backed salamanders in the Appalachian Mountains and not on all amphibian species. With respect to the TU MSHCP, the intersection of roads with suitable habitat would affect a very small percentage of the total habitat for amphibians. Refer to Master Response 2, Amphibians.
- The commenter cited Marsh et al. (2005) in comments regarding major effects on amphibians when roads are built through their habitats. Marsh et al. (2005) investigate if forest roads act as a barrier to the movement of red-backed salamanders. The study concluded that roads do act as a barrier and that steep road edges may exacerbate the problem. However, the Marsh et al. (2005) paper only investigated if forest roads act as a barrier to red-backed salamander and not all road systems. In addition, the study only looks at the effects of edge effects on red-backed salamanders in the Giles County, Virginia and not on all amphibian species. With respect to the TU MSHCP, the intersection of roads with suitable habitat would affect a very small percentage of the total habitat for amphibians. Refer to Master Response 2, Amphibians.
- The commenter attached Maschinski et al. (2006), but has not cited to the article in its comment letter.
- The commenter cited McGahan (1968) in comments regarding golden eagles' need for alternative nests. McGahan (1968) is an investigation of the population dynamics of the golden eagle. The author states that the species is threatened by a number of factors and that early detection of the causes of a population decline of the species is critical. McGahan states that “the conservation and management of any species is contingent upon an understanding of its population dynamics.” McGahan (1968) investigated the density, productivity, nesting success, and mortality of a Montana population of golden eagles. McGahan (1968) discussed how 56% of the golden eagle pairs in its study utilized alternative nests. This is consistent with Section 3.1.7.3, Birds, in the subsection entitled Golden Eagle, in Volume 1 of this Supplemental Draft EIS and Section 5.2.2.4.1, Status and Distribution, of the TU MSHCP. Refer to Master Response 3, Raptors.
- The commenter cited McNerney and Sears (2007) regarding the need to survey for burrowing owls, including before fire safety measures. McNerney and Sears (2007) discuss the emergency disking ordinance adopted by the City of Davis in January 2001 to prevent destruction of burrowing owl nests or nest burrows by minor land alterations such as grading, tilling, or disking. McNerney and Sears (2007) concluded that the disking ordinance was successful in preventing effects on burrowing owls nests. McNerney and Sears (2007) also discuss the limitations of such an ordinance, including that the ordinance does not address the indirect effects of loss of foraging habitat. It also does not include language that requires offsite mitigation for the loss of breeding or foraging habitat. Refer to Master Response 3, Raptors, and Master Response 7, Edge Effects, Fuel Modification, and Wildlife Habitat Connectivity.
- The commenter cited Mee and Snyder (2007) regarding effects on condors from loss of foraging habitat and microtrash ingestion. Mee and Snyder (2007) review the three “major conservation

problems facing condor populations in the wild: achieving adequate survival rates, adequate reproduction, and normal behavior.” The commenter cited Mee and Snyder (2007) as stating that habitat loss will likely become the most important factor limiting the successful recovery of the California condor. This inaccurately reflects the Mee and Snyder (2007) paper, which emphasizes that lead poisoning is the highest priority threat to the condor. Additionally, Mee and Snyder (2007) recommend additional research, reducing human habituation, release of the last historically wild condors, a variety of new initiatives, expanded radiotelemetry, and scientific review of the condor program. The commenter accurately stated based on this article that “the time available to condors for nonessential activities, coupled with their attraction to areas of human activity where such trash is abundant and obvious, may promote their propensity to search for and ingest trash.” Mee and Snyder (2007) also state that there are no reported problems with trash ingestion in the Arizona population of California condors and suggest that the difference in behavior may be due to time and budget considerations and site characteristics. Measures to control microtrash are included in the TU MSHCP. Refer to Master Response 1D, California Condor Microtrash and Lead Ingestion, and Master Response 1E, California Condor Loss of Foraging Habitat.

- The commenter cited Mitchell and Beck (1992) in comments regarding the effect of domestic pets on amphibians. Mitchell and Beck (1992) investigate the diversity and seasonality of domestic cat predation on native Virginia vertebrates in both a rural and an urban environment. The study indicates that domestic cats “have become major predators of native vertebrates.” Mitchell and Beck (1992) state that no salamanders were recorded as domestic cat prey in their study and only one of the five cats studied caught and killed frogs. The authors also note that only one other study in North America reported frogs as domestic cat prey. Mitchell and Beck (1992) note the limitation of their study in the extrapolation of the results from their small dataset to a large area. The authors also conclude that domestic cats play an important role in the control of some rodent populations. Refer to Master Response 2, Amphibians.
- The commenter cited Moilanen and Wintle (2007) in comments about the TU MSHCP reserve design. Moilanen and Wintle (2007) discuss how the aggregation of reserve networks is considered desirable for both biological and economical reasons. Moilanen and Wintle (2007) develop a quantitative model that introduces aggregation into reserve networks. Moilanen and Wintle (2007) does not appear to provide specific reserve design methodologies that can be directly applied to the proposed action considering the article examines an aspect of species reserve design that functions at a larger scale than the TU MSHCP. Refer to Master Response 5, Habitat Suitability Model.
- The commenter cited Morris et al. (2002) in its comments regarding PVA in reserve design. Morris et al. (2002) found that although there was a significant increase in the percentage of plans for endangered and threatened species using PVA, PVA was still utilized in less than half of the plans approved since 1991. Generally speaking, large conservation planning efforts in California have not performed PVAs due to a lack of available data for the species necessary to conduct a credible model, the questionable value of such PVAs for the particular conservation planning efforts, and the time and expense of doing so. Refer to Master Response 5, Habitat Suitability Model.
- The commenter attached National Science and Technology Council (2008), but has not cited to the article in its comment letter.
- The commenter cited Noss et al. (1997) in comments on the purposes of conservation planning and conservation biology to emphasize that conservation planning must contribute to the recovery of species, not just maintain species in a landscape, in part through preservation of blocks of habitat. Noss et al. (1997) provides principals for species conservation and reserve design. These principles include:

- Species well-distributed across their native range are less susceptible to extinction than species confined to small portions of their range.
- Large blocks of habitat, containing large populations, are better than small blocks with small populations.
- Blocks of habitat close together are better than blocks far apart.
- Habitat in contiguous blocks is better than fragmented habitat.
- Interconnected blocks of habitat are better than isolated blocks.
- Populations that fluctuate widely are more vulnerable than populations that are more stable.

The Service generally believes the TU MSHCP incorporates these principles. Refer to Master Response 4, Covered Species Threats and Potential Effects from Covered Activities, and Master Response 5, Habitat Suitability Model, for a more detailed discussion of open space preservation and species recovery.

- The commenter cited Price and Kelly (1994) with respect to reserve design to state that PVA has been used on a variety of species including the Stephen's kangaroo rat. The Price and Kelly (1994) paper cited by the commenter as a PVA for Stephens' kangaroo rat was not a PVA. Price and Kelly developed an age-structured demographic model that would provide the kind of detailed population information necessary to perform a PVA. Price and Kelly criticize a PVA model developed by Gilpin (1991) for not including critical demography data (e.g., age-related death rates). Their concluding statement is revealing regarding the utility of PVAs without adequate data:

A believable viability assessment for *D. stephensi* populations will therefore depend critically on establishing the quantitative link between environmental variation, both in space and time, and variation in population growth rates. Although our study does not achieve this end, it indicates what parameters we should focus on and highlights some important issues in the design of field population studies. (p. 819).

Refer to Master Response 5, Habitat Suitability Model.

- The commenter cited Reed et al. (1998) in comments relating to reserve design and advocating PVA. However, Reid et al. (1998) also state the PVA has a number of limitations and restrictions. The authors state that in some circumstances, resources may be better spent on gathering data rather than used to estimate population parameters for PVA. Reid et al. (1998) indicate that PVAs should be couched in terms of uncertainty; subjected to sensitivity analysis; peer reviewed; be only one step in the management process; and treated as hypotheses to be tested in the field. Refer to Master Response 5, Habitat Suitability Model.
- The commenter cited Relyea (2005a) and Relyea (2005b) to reference that the use of agricultural chemicals and herbicides are known to cause reproductive failure in amphibians. Relyea (2005a) documents negative effects of insecticides and herbicides on amphibian species, particularly tadpoles. Refer to Master Response 2, Amphibians.
- The commenter quoted Richardson and Miller (1997) regarding human disturbances in raptor nesting or hunting habitat and in raptor viewsheds. The commenter also stated that regardless of distance, a straightline view of disturbance affects raptors, and an effective approach to mitigate effects of disturbance for raptors in general and golden eagle specifically involved calculation of viewsheds using a three-dimensional GIS tool and development of buffers based on this, citing Richardson and Miller (1997). Richardson and Miller (1997) do not recommend using GIS to calculate viewsheds but do recommend taking into account site specific information

such as topography and vegetation when establishing raptor buffer zones. Refer to Master Response 3, Raptors.

- The commenter cited Roberts and Gaber (2007) to state that the burrowing owl populations continue to decline in the San Joaquin Valley. However, the commenter does not note that Roberts and Gaber (2007) state that their results are ‘somewhat conjectural’ and that further analysis is required before definite conclusions on the status of the burrowing owl in the San Joaquin Valley are drawn. Roberts and Gaber (2007) also note that conflicting conclusions about the burrowing owl have been drawn from Breeding Bird Survey and Christmas Bird Count data for the burrowing owl as a whole. The authors also state that they are not aware of any other burrowing owl surveys in the San Joaquin Valley. Roberts and Gaber (2007) attempted to extrapolate a trend for the San Joaquin Valley from two quantitative sources. However, the authors admit that the two sources they used were not a census and may only provide “some clues to burrowing owl numbers and trends”. The possible decline of burrowing owls in San Joaquin Valley is reflected in Section 3.1.7.3, Birds, in the subsection entitled Burrowing Owl, in Volume 1 of this Supplemental Draft EIS and Section 5.2.2.3.1, Status and Distribution, of the TU MSHCP. Refer to Master Response 3, Raptors.
- The commenter cited Rohr et al. (2008) to state that the use of agricultural chemicals and herbicides are known to cause reproductive failure in amphibians (*Comment 04-521*). Rohr et al. (2008) discuss the effects of atrazine on amphibians. Rohr et al. (2008) find that atrazine is linked to an increase in elevated trematode loads, especially in tadpoles. Trematode infections in amphibians can cause immune suppression, kidney damage and limb malformations. Refer to Master Response 2, Amphibians.
- The commenter cited Schroeder (1982) as providing a habitat suitability index for yellow warbler. The purpose of Schroeder’s (1982) habitat suitability index model for yellow warbler was to evaluate the breeding season habitat needs of the species. The model addresses deciduous shrubland and deciduous scrub/shrub wetland and identifies three habitat variables: (1) percent deciduous shrub crown cover (60% to 80% is optimal); (2) average height of deciduous shrub canopy (greater than 2 meters or 6.6 feet is optimal); and (3) percent of shrub canopy comprised of hydrophytic shrubs (100% is optimal). Refer to Master Response 5, Habitat Suitability Model, and Master Response 4, Covered Species Threats and Potential Effects from Covered Activities.
- The commenter cited Servheen et al. (2007) regarding climate change's effects on species and the importance of wildlife linkages. Servheen et al. (2007) state that access to habitat in response to climate changes might be one of the several expected results of including wildlife linkages for highways. The commenter correctly indicates that Servheen et al. (2007) state that wildlife linkages provide access to habitat, however Servheen et al. do not emphasize that this is a critical function as a response to climate change. They indicate that it may be a factor along with multiple other factors related to climate change that may be important biologically for ecosystem function. In fact, the authors’ goal is to provide multiple benefits of linkages so that the general public and agencies will more easily be swayed to include wildlife linkages in highway design. Wildlife linkages and the preservation of the important I-5 crossings are discussed in this Supplemental Draft EIS and TU MSHCP. Refer to Master Response 13, Climate Change.
- The commenter cited Shore et al. (1999) regarding use of rodenticides to control human exposure to bubonic plague. Shore et al. (1999) investigate the effect of rodenticides on nontarget terrestrial invertebrates in Britain. The study concluded that at least 25% to 35% of small mammal predators have been secondarily exposed to rodenticides in Britain. The authors comment further study needs to be conducted in order to interpret the survey data with more

accuracy. Shore et al. (1999) also cite a number of other studies that found little or no effect of rodenticides on terrestrial mammals and birds. Refer to Master Response 2, Amphibians.

- The commenter cited Small (1994) in support of comments regarding the declining population of the white-tailed kite in southern California and the San Joaquin Valley. Small (1994) notes that there has been an increase in the population of white-tailed kites in California in recent years. Small (1994) states that there was a decline in some coastal and southern California populations in the 1980s but that this has since leveled off, except for some local population fluctuations. Small (1994) notes that during the 1980s, the extensive conversion of agricultural land to urbanization in southern California and west-central California led to decline in white-tailed kite populations. This is reflected in the discussion of the existing conditions in Section 3.1, Biological Resources, in Volume 1 of this Supplemental Draft EIS and the TU MSHCP. Refer to Master Response 3, Raptors.
- The commenter cited Soulé (1991) and Soulé et al. (1992) to support its statement that “edge effects are well studied and invariably lead to destruction of habitat values and ecosystem values.”. However, Soulé (1991) also states that the degree to which edge effects will diminish the value of a site depends on the habitat, the region, and the species under consideration. Soulé et al. (1992) investigated the effect of fragmentation on chaparral plants and animals. These reports do not discuss measures to address edge effects. Refer to Master Response 7, Edge Effects, Fuel Modification, and Wildlife Habitat Connectivity.
- The commenter cited South Coast Wildlands (2006) (cited above as CBI and South Coast Wildlands 2006) as a source of additional data known about the Covered Lands in its comments on surveys and as a potential alternative. Refer to Master Response 11, Alternatives, and Master Response 6, Surveys.
- The commenter cited South Coast Wildlands (2003) in regards to comments about additional sources of survey data for Tejon Ranch. However, SCW (2003) does not deal specifically with conservation values in Tejon Ranch but across the Tehachapi Mountains area as a whole. Refer to Master Response 6, Surveys.
- The commenter cited Stalmaster and Kaiser (1998) with respect to effects on bald eagles from boating. Stalmaster and Kaiser (1998) found that the number of eagles in their study area was negatively correlated with the number of recreational events. The commenter accurately cited Stalmaster and Kaiser (1998) as stating that wintering bald eagles were detrimentally affected by boating including non-motorized boating. However, the authors found that food traffic was more disturbing to eagles than boating. Refer to Master Response 3, Raptors.
- The commenter cited Stalmaster and Newman (1978) to support a larger buffer around bald eagle roosting sites. Stalmaster and Newman (1978) concluded that human activity adversely affected eagle behavior and distribution. The commenter cited Stalmaster and Newman (1978) as stating that they recommend an activity restriction zone of 250 to 400 meters around bald eagle wintering grounds. However, Stalmaster and Newman (1978) only recommend 250 meters as an activity restriction zone, not 400 meters. Also, Stalmaster and Newman (1978) state that bald eagles can become tolerant of human activity. A 300-foot setback is proposed in the TU MSHCP. Refer to Master Response 3, Raptors.
- A commenter cited Stanton and Teresa (2007) in support of mowing or controlled grazing as fire control instead of disking in burrowing owl habitat. The commenter correctly states that Stanton and Teresa (2007) note that artificial burrows are a potential method to enhance nesting opportunities for burrowing owl, and that fuel management activities such as mowing and grazing are beneficial for burrowing owls. Grazing would be the primary fuel management technique on open space areas in the Covered Lands. Refer to Master Response 3, Raptors.

- The commenter cited Talley et al. (2007) as providing improvements for the habitat suitability model used for the valley elderberry longhorn beetle. Talley et al. (2007) characterize valley elderberry longhorn beetle on the basis of the host plant (elderberry [*Sambucus* spp.]), as well as an array of environmental characteristics. Their goal is to develop habitat definitions that reliably indicate occupancy and local persistence and abundance, in order to assess whether unoccupied sites are suitable habitat and to prioritize land acquisitions and identify management actions. Talley et al. (2007) found that higher densities of elderberry plants, and larger mature elderberry plants (i.e., larger size, number of stems, range of branch sizes) were associated with increased valley elderberry longhorn beetle populations. In addition, proximity to habitat edge and topography were also important. In the absence of specific mapping for elderberry trees and shrubs in the Covered Lands, suitable habitat parameters for the TU MSHCP for valley elderberry longhorn beetle include oak woodland and savannah vegetation communities and an intermixed conifer vegetation community; elevations between 1,900 and 3,000 feet above mean sea level (amsl); and proximity to a USGS blue line stream (buffer of 150 feet on either side) (Appendix D, Habitat Suitability Criteria Methods, of this Supplemental Draft EIS). These parameters are considered to represent the best available associations for presence of elderberry. Refer to Master Response 5, Habitat Suitability Model.
- The commenter quoted from Tejon Ranchcorp (1999) the Stipulation for Stay and Related Provisions on Basis of Parties' Entry into Memorandum of Agreement). Refer to Master Response 15, Procedural Considerations.
- The commenter quoted from Tejon Ranchcorp (2002) a Protective Order granted to Tejon Ranch by the U.S. District Court for the Eastern District of California. Refer to Master Response 15, Procedural Considerations.
- The commenter attached and cited Tejon Ranchcorp et al. (2008) the Ranchwide Agreement, in its comments regarding alternatives. The Ranchwide Agreement is included as Appendix E to the TU MSHCP. Refer to Master Response 11, Alternatives.
- The commenter cited Tricolored Blackbird Working Group (2007) as providing a conservation plan that should be incorporated in the TU MSHCP. The Tricolored Blackbird Conservation Plan (Tricolored Blackbird Working Group 2007) has two stated conservation and management goals: 1) to protect, create, restore, and manage habitats needed to support viable, self-sustaining populations of tricolors; and 2) to protect silage-nesting tricolors until sufficient, permanent breeding habitat is available to maintain viable self-sustaining populations. The habitat conservation required by the TU MSHCP is consistent with Goal 1 of the Tricolored Blackbird Conservation Plan. Goal 2 of the Tricolored Blackbird Conservation Plan does not apply to the TU MSHCP as the tricolored blackbirds are not nesting in silage (grain fields) in the Covered Lands. Refer to Master Response 4, Covered Species Threats and Potential Effects from Covered Activities.
- The commenter attached the Central Valley Birdclub Bulletin, Special Double Issue on the Tricolored Blackbird, but does not cite the article in its comment letter.
- The commenter attached a report by the U.S. Climate Change Science Program, but does not cite this report in its comment letter.
- The commenter cited U.S. Fish and Wildlife Service (1984), the Services' recovery plan for the valley elderberry longhorn beetle with respect to grazing, pesticide use, and exotic species. It details site-specific management actions for private, Federal, and state cooperation in conserving the valley elderberry longhorn beetle and its habitat. U.S. Fish and Wildlife Service (1984) recommends removal of exotic species and other conservation actions, and states that grazing and pesticide use are known to affect the valley elderberry longhorn beetle. Refer to Master Response 4, Covered Species Threats and Potential Effects from Covered Species.

- The commenter attached U.S. Fish and Wildlife Service (1994) in comments regarding TRC's cooperation with condor recovery activities. Refer to Master Response 15, Procedural Considerations.
- The commenter cited U.S. Fish and Wildlife Service (1999) in comments regarding TRC's cooperation with condor recovery activities. Refer to Master Response 15, Procedural Considerations.
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- The commenter cited U.S. Fish and Wildlife Service (1999) in comments regarding TRC's cooperation with condor recovery activities. Refer to Master Response 15, Procedural Considerations.
- The commenter cited U.S. Fish and Wildlife Service (2002) in comments regarding disclosure of documents. The commenter accurately states that U.S. Fish and Wildlife Service (2002b) contains an extensive review of the evidence available at that time documenting the historical use of Tejon Ranch by condors. Refer to Master Response 15, Procedural Considerations.
- The commenter attached excerpts of U.S. Fish and Wildlife Service (2005), which it cites in comments related to the spread of disease to amphibians. Refer to Master Response 2, Amphibians.
- The commenter cited U.S. Fish and Wildlife Service (2009a) various Freedom of Information Act requests. Refer to Master Response 15, Procedural Considerations.
- The commenter cited and attached U.S. Fish and Wildlife Service (2009b) in regards to comments on Freedom of Information Act (FOIA) requests regarding condor issues. Refer to Master Response 15, Procedural Considerations.
- The commenter cited and attached U.S. Fish and Wildlife Service (2009c) in regards to comments on FOIA requests regarding condor issues. Refer to Master Response 15, Procedural Considerations.
- The commenter cited and attached U.S. Fish and Wildlife Service (2009d) in regards to comments on FOIA requests regarding condor issues. Refer to Master Response 15, Procedural Considerations.
- The commenter cited and attached U.S. Fish and Wildlife Service (2009e) in regards to comments on FOIA requests regarding condor issues. Refer to Master Response 15, Procedural Considerations.
- The commenter cited U.S. Global Change Research Program (2009) regarding general climate change issues. Refer to Master Response 13, Climate Change.
- The commenter cited U.S. Department of Interior (2001) regarding consideration of climate in long-term planning. Refer to Master Response 13, Climate Change.
- The commenter cited Vandergast et al. (2008) in its comments regarding reserve design. Vandergast et al. (2008) describes a GIS-based approach for explicitly mapping patterns of genetic divergence and diversity for multiple species. Using this approach, this study aimed to identify areas in southern California with common phylogeographic breaks and high inter-population diversity. Their analysis identified 14 biodiversity hotspots that can be grouped into eight geographic areas, of which five are unprotected at this time. Vandergast et al. (2007) do not appear to provide specific reserve design methodologies that can be directly applied to this TU MSHCP considering the article examines an aspect of species reserve design that functions at a larger scale than the TU MSHCP. Refer to Master Response 5, Habitat Suitability Model.

- The commenter cited Vandergast et al. (2007) in its comments regarding detrimental effects of fragmented landscapes. Vandergast et al. (2007) note how loss of habitat and habitat fragmentation can lower migration rates and genetic connectivity between populations of native species but it can be difficult to separate the effects of recent anthropogenic fragmentation from the genetic signature of prehistoric fragmentation due to previous natural geological and climatic changes. Vandergast et al. (2007) examined the phylogenetic and population genetic structure of a flightless insect endemic to cismontane southern California, *Stenopelmatus 'mahogani'* (Orthoptera: Stenopelmatidae). Vandergast et al. (2007) suggested that the effects of increased drift following anthropogenic fragmentation are already being seen. However, Vandergast et al. (2007) only investigated the effects of habitat fragmentation on one species of insect. In addition, the species included in the study is large, relatively slow moving, and most likely has a small home range that would contribute to high genetic divergence among regions (Vandergast et al. 2007), regardless of habitat fragmentation. Refer to Master Response 7, Edge Effects, Fuel Modification, and Wildlife Habitat Connectivity.
- The commenter cited Walther et al. (2005) in comments regarding climate change effects on species range. Refer to Master Response 13, Climate Change.
- The commenter cited Webwire (2009) regarding market conditions and describing a drop in housing demand. Housing demand concerns are addressed in Master Response 11, Alternatives.
- The commenter cited White et al. (2007) in comments regarding the importance of Tejon Ranch to condors. The commenter accurately quoted White et al. (2007); however, the declaration by White et al. (2007) preceded the publication of the TU MSHCP. Refer to Master Responses 1A through 1I regarding topics specific to the California condor.
- The commenter cited Wolf et al. (1996) in comments addressing bird and mammalian translocations. Wolf et al. (1996) broadly define as “intentional release of captive-propagated and/or wild-caught animal into the wild for the purpose of establishing a new population, re-establishing an extirpated population, or augmenting a critically small population...” (p. 1143). The proposed relocation activities are quite different from most of those described in the literature cited by the commenter. It is not the intent of the TU MSHCP mitigation measures to translocate or reintroduce individuals as defined by Wolf et al. (1996). Refer to Master Response 4, Covered Species Threats and Potential Effects from Covered Activities.
- The commenter cited Woods et al. (2003) in comments regarding the effect of domestic pets on amphibian and toad species. Woods et al. (2003) investigated the predation of wildlife by domestic cats in Great Britain. The commenter did not mention that the Woods et al. (2003) paper is only concerned with domestic cat predation and not all domestic pets, or that the authors caution about the results of their study. The authors suggest that their results should be treated as an early assessment of the likely order of magnitude of wild animals killed by domestic cats and that their study should not be viewed as an assessment of the effects of cats on wild populations. Refer to Master Response 4, Covered Species Threats and Potential Effects from Covered Activities.