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August 16, 2023

Land Use Services Department  
Attn: Jim Morrissey  
385 N. Arrowhead Avenue, 1<sup>st</sup> Floor  
San Bernardino, CA 92415-0187

RE: RESPONSE TO COMMENT EMAIL FROM A MR. STEVE LOE REGARDING THE PLATINUM LAKE  
ARROWHEAD STORAGE PROJECT

Dear Mr. Morrissey,

At your request, Jennings Environmental is herein providing responses to the email from a Mr. Steve Loe, dated August 11, 2023, in regard to the Initial Study prepared for the Platinum Lake Arrowhead Storage Project. We believe that all of the comments provided by Mr. Loe are answered in the Biological Assessment prepared in 2021 and summarized in the Initial Study. Jennings Environmental and Lilburn Corporation have reviewed the email comments and provide the following responses that relate to biological concerns.

Comment #1 Special Status Species Habitat

This comment relates to the potential for the presence of various special-status species, specifically southern rubber boa (*Charina umbratica*), California spotted owl (*Strix occidentalis occidentalis*), San Bernardino flying squirrel (*Glaucomys oregonensis californicus*), and bald eagle (*Haliaeetus leucocephalus*).

As detailed in the Biological Assessment that was prepared by Jennings Environmental, LLC on May 2021, and based on site surveys, there is no suitable habitat for southern rubber boa, California spotted owl, San Bernardino flying squirrel, or bald eagle within the Project site. Jennings Environmental disagrees with Mr. Loe's assessment of the site. Additionally, the historic uses (lumber yard, plant nursery, snow play, and Christmas tree farm) of the site would deter any of these species from occupying the area. We also considered the fact that there is much denser forest with less human inhabitants directly south of the Project site which would provide a much higher quality habitat for these species.

These species do not have habitat within the Project site. Additionally, it is extremely unlikely that they would use the site, when you consider the highly valuable habitat that is located within the undeveloped National Forest located south of the Project site.

Comment #2 California Spotted Owl Potential for Listing

This comment refers to the potential listing of the California spotted owl under the Federal Endangered Species Act (FESA).

As noted in the email, on February 22, 2023, the US Fish and Wildlife Service has provided a document for public review regarding the proposal for the listing of the California spotted owl under FESA. However, FESA does not provide any protections for a species until it is fully listed. Therefore, there are no conditions that must be complied with until the species is fully listed.

While not on the Project Site, there is highly suitable habitat for the California spotted owl located south of the Project site within the National Forest. Therefore, it is extremely unlikely that this species would use a site with unsuitable habitat that has previously been subjected to disturbances associated with many prior uses, when suitable habitat is within its range.

In summary, we do not concur with Mr. Loe that a more complete assessment of the Project's potential impacts on biological resources is required because sufficient analyses and mitigation measures were provided in the Biological Assessment and in the Initial Study.

Sincerely,

A handwritten signature in cursive script that reads "Gene Jennings".

Gene Jennings