

8.0 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF ENVIRONMENTAL RESOURCES

Both CEQA and NEPA direct the EIR/EIS analysis to include a discussion of the potential irreversible and irretrievable commitments of environmental resources as a consequence of the approval and implementation of the Proposed Action/Preferred Alternative. Irreversible and irretrievable resource commitments under NEPA are related to the use of nonrenewable resources and the effects that the uses of these resources have on future generations. Irreversible effects primarily result from the use or destruction of a specific resource (e.g., energy and minerals) that cannot be replaced within a reasonable time frame. Irretrievable resource commitments involve the loss in value of an affected resource that cannot be restored as a result of the Proposed Action/Preferred Alternative.

As discussed in Section 15126.2(c) of the State CEQA Guidelines, the consideration and discussion of significant environmental impacts must include a discussion of significant irreversible environmental changes that would be caused by the Proposed Action/Preferred Alternative should it be implemented. It states that:

"Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified."

Applicable Federal regulation includes Section 40 CFR 1502.16 of the CEQA's NEPA Regulations, which requires that the discussion of environmental consequences also include "...any irreversible or irretrievable commitments of resources which would be involved in the proposal should it be implemented." The following discussion describes both irreversible changes and irreversible and irretrievable commitments of resources involved in the implementation of the proposed MSHCP or alternatives.

The Proposed Action/Preferred Alternative is the establishment of an MSHCP, which would create a Reserve System and a mechanism for assembling the reserves as well as permitting development. With the exception of development of trails and interpretive facilities, which would be subject to subsequent environmental review, the establishment of an MSHCP would not directly result in a physical change. Development in areas outside of the proposed Conservation Area would occur as anticipated in the prevailing County and city General Plans.

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The proposed MSHCP would not increase or decrease the amount of development that is anticipated to occur, and thus does not directly result in development (which would involve the irretrievable and irreversible use of land, water, and building materials). Development impacts would occur regardless of whether the MSHCP is implemented, although through implementation of the Plan impacts could be reduced because development may be redistributed to other less sensitive areas and may also result in more efficient land use patterns outside of Conservation Areas. Indirectly, through the Reserve Assembly and Management, areas with significant natural resources would be conserved through this Plan. These natural resources would be committed in perpetuity. However, this does not represent irreversible environmental changes or an irretrievable commitment of resources. Rather, it preserves resources for the future by allowing only non-destructive uses.

The implementation of the proposed MSHCP would result in the conservation and enhancement of thousands of acres of plant and wildlife habitat that constitutes a significant commitment of protection of these important environmental resources. The proposed Plan would also have the effect of facilitating future development on other lands in the Plan Area, which would result in the permanent and essentially irreversible commitment of those lands to conversion to a full range and intensity of urban land uses. The proposed Plan is designed to balance the loss of habitat with an overall benefit of integrated and managed conservation lands with the stated goal of assuring the perpetuation of the Covered Species and natural communities occurring within the Plan Area.

Archaeological and historic resources located within the Plan Area may also be affected by the implementation of the proposed Plan. In instances where resource surveys have not yet been conducted, Covered Activities that involve ground disturbance may be subject to Permittee-required site-specific cultural analysis that may include surveys, recording of historic and prehistoric sites, and determinations of eligibility of sites to the National Register of Historic Places. In these cases, potential impacts to Native American values would be analyzed, and mitigation measures would be identified and implemented if necessary. Avoidance of impacts to cultural resources is the preferred mitigation measure, but it is not always possible or feasible. A decision to mitigate impacts to cultural resources by data recovery, instead of avoidance and consequent removal of cultural resources from the area would constitute a residual impact to the resources of these sites.