



Memorandum

TO: Marisa Smith, Project Manager  
FROM: Ashley Gungle, Staff Biologist  
SUBJECT: **Biological Vegetation Mapping; Project Number P11-034**  
APN 196-060-12; Kiva Number 11-0163243  
DATE: June 25, 2012

On January 3, 2012, County Staff Biologist Ashley Gungle completed a biological resource reconnaissance of project P11-034 referred to as the Old Mine Road Major Use Permit. The property is located in the unincorporated San Diego County within the North Mountain Community Plan area, north of Montezuma Valley Road and east of Old Mine Road (APN: 196-060-12). The site is approximately 10.0 acres. The impact area of the proposed Major Use Permit is approximately 1.4 acres as shown in red on Figure 1 (attached). The majority of the proposed impact area had been cleared without permits prior to staff's field survey and therefore was analyzed forensically.

**Survey Methodologies**

Prior to the field investigation a review of existing biological resources within the vicinity of the project area was conducted using the California Natural Diversity Data Base (CNDDDB) (CDFG2003) and California Native Plant Society (CNPS 2007).

The project site was surveyed by Ashley Gungle in January 2012 on the following date:

Date	Time	Survey	Temperature (°F)	Sky	Name
1/3/2012	10:00 - 11:30	General Survey	75	Sunny with Calm Wind	Ashley Gungle

Surveys, habitat, and species identification were noted in the field. Geographic Information System (GIS) mapping applications were conducted at the Department of Planning and Land Use (DPLU) following the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Biological Resources. Reference materials include Rebman and Simpson Checklist of the Vascular Plants of San Diego County (2006), James Lightner San Diego County Native Plants (2006).

## Habitat Types

Two vegetation categories were found on the project site and within the impact area: northern mixed chaparral and disturbed/ developed land.

### **Northern Mixed Chaparral – Holland Code 37110 (0.64 acre)**

The unimproved portions of the site, including the eastern half of the property and the southwest portion of the property contain northern mixed chaparral habitat. The impact area of the proposed project was cleared by the property owner prior to staff's visit to the site. Therefore, mapping of the project impact area was completed forensically based on DPLU historical mapping and surrounding habitat. The chaparral consists of: *Ceanothus* spp., *Malosma laurina*, *Adenostoma fasciculatum*, *Rhus ovata*, *Artemisia californica* and *Yucca whipplei*.

### **Disturbed/ Developed Land – Holland Codes 11300/12000 (0.76 acres)**

The western portion of the project site is developed with a single family residence, detached accessory structures and contains disturbed access roads and fenced horse grazing areas. The northeastern portion of the project site also contains a disturbed dirt access road to the existing water tank onsite. These areas are no longer recognizable as native or naturalized vegetation.

## PROJECT IMPACTS

The proposed project will impact all vegetation onsite including non native grassland, chaparral, eucalyptus woodland, disturbed habitat, and urban/ developed habitat. Currently no impacts will occur to the non vegetated channel but the project will be conditioned to obtain Clean Water Act 401/404 permit and a Section 1602 Streambed Alteration Agreement to ensure additional review of potential impacts to the channel are analyzed if impacts cannot be avoided.

## MITIGATION REQUIREMENTS AND RECOMMENDATIONS

Table 2 summarizes the existing habitats, impacts and mitigation requirements for P11-034.

Habitat	Existing (acres)	Total Impact (acres)	Mitigation Ratio	Off Site Mitigation (acres)
Northern Mixed Chaparral ( 37110)	0.64	0.64	0.5:1	0.32
Disturbed/Developed Land (11300/12000)	0.76	0.76	N/A	N/A
<b>TOTAL</b>	<b>1.4</b>	<b>1.4</b>		<b>0.32</b>

The project will be conditioned to obtain the following mitigation prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit:

**ANY PERMIT:** *(Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit).*

**OFF-SITE MITIGATION: [DPLU, PCC] [BP, GP, CP, UO] [DPR, GPM] [DPLU,FEE X2] INTENT:** In order to mitigate for the impacts to northern mixed chaparral, which is a sensitive biological resource pursuant to the California Environmental Quality Act (CEQA) and the Resource Protection Ordinance (RPO), off-site mitigation shall be acquired. **DESCRIPTION OF REQUIREMENT:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 0.32 acres of chaparral, located in northern San Diego County as indicated below.

a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game. The following evidence of purchase shall include the following information to be provided by the mitigation bank:

1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation habitat of the same amount and type of land located in northern San Diego County as indicated below:

1. Prior to purchasing the land for the proposed mitigation, the location should be pre-approved by [DPLU].

2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of DPLU. If the offsite-mitigation is proposed to be managed by DPR, the RMP shall also be prepared and approved to the satisfaction of the Director of DPR.
3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of DPLU. The land shall be protected in perpetuity.
4. The purchase and dedication of the land and the selection of the Resource Manager and establishment of an endowment to ensure funding of annual ongoing basic stewardship costs shall be complete prior to the approval of the RMP.
5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land). Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

**DOCUMENTATION:** The applicant shall purchase the off-site mitigation credits and provide the evidence to the [DPLU, PCC] for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the [DPLU PCC] that [DPR, GPM] agrees to this proposal. It is recommended that the applicant submit the mitigation proposal to the [DPLU, PCC], for a pre-approval. If an RMP is going to be submitted in-lieu of purchasing credits, then the RMP shall be prepared and an application for the RMP shall be submitted to the [DPLU, ZONING]. **TIMING:** Prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit, the mitigation shall occur. **MONITORING:** The [DPLU, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [DPLU, PCC] can pre-approve the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [DPLU, ZONING] shall accept an application for an RMP, and [DPLU, REG] [DPR, GPM] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

**PRE-CONSTRUCTION MEETING:** (Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances.)

**(BIOLOGICAL RESOURCES)**

**“TEMPORARY FENCING: [DPLU, PCC] [DPW,PDCI] [PC] [DPLU, FEE]. INTENT:** In order to prevent inadvertent disturbance to habitat adjacent to the project impact area, temporary construction fencing shall be installed. **DESCRIPTION OF REQUIREMENT:** Prior to the commencement of any grading and or clearing in association with this grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all native habitat adjacent to the project impact area. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary. The placement of such fencing shall be approved by the DPLU, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed. **DOCUMENTATION:** The applicant shall provide evidence that the fencing has been installed and have a California licensed surveyor certify that the fencing is located on the boundary of the open space easement(s). The applicant shall submit photos of the fencing along with the certification letter to the [DPLU, PCC] for approval. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances the fencing shall be installed, and shall remain for the duration of the grading and clearing. **MONITORING:** The [DPLU, PCC] shall either attend the preconstruction conference and approve the installation of the temporary fencing, or review the certification and pictures provided by the applicant.”

**“RESOURCE AVOIDANCE: [DPLU, PCC] [DPW, PDCI] DPLU, FEE X2].**

**INTENT:** In order to avoid impacts to migratory birds, which are a sensitive biological resource pursuant to the Migratory Bird Treaty Act (MBTA), a Resource Avoidance Area (RAA), shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing and/or grading such that none will be allowed during the breeding season of migratory birds within Resource Avoidance Area (RAA) “A” as indicated on these plans. The breeding season is defined as occurring between February 15 and August 31. The Director of Planning and Land Use [DPLU, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, provided that no migratory birds are present in the vicinity of the brushing, clearing or grading. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, No Grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to

preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDC/] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [DPLU, PCC] is received. The [DPLU, PCC] shall review the concurrence letter.”

## REFERENCES

California Native Plant Society's Inventory of Rare & Endangered Vascular Plants of California. Feb. /Special Publications No.1/Sixth Edition.

California Dept. of Fish & Game. 1990. Designated Endangered or Rare Plants. Summary list from Section 1904, Fish and Game Code. State of California Resources Agency, Sacramento, California.

CDF&G. October 2007. Special Animals. Natural Diversity Data Base.

County of San Diego, LUEG Condition of Approval Manual, Approved May 7, 2009.

Hickman, J.C. 1993. The Jepson Manual. Higher Plants of California. University of California Press.

Holland, R f. 1986. Preliminary Descriptions of Terrestrial Natural Communities of California. State of California. The Resources Agency.

Simpson, Michael G., and Jon P. Rebman. 2006. Checklist of the Vascular Plants of San Diego County. SDSU I Herbarium Press.

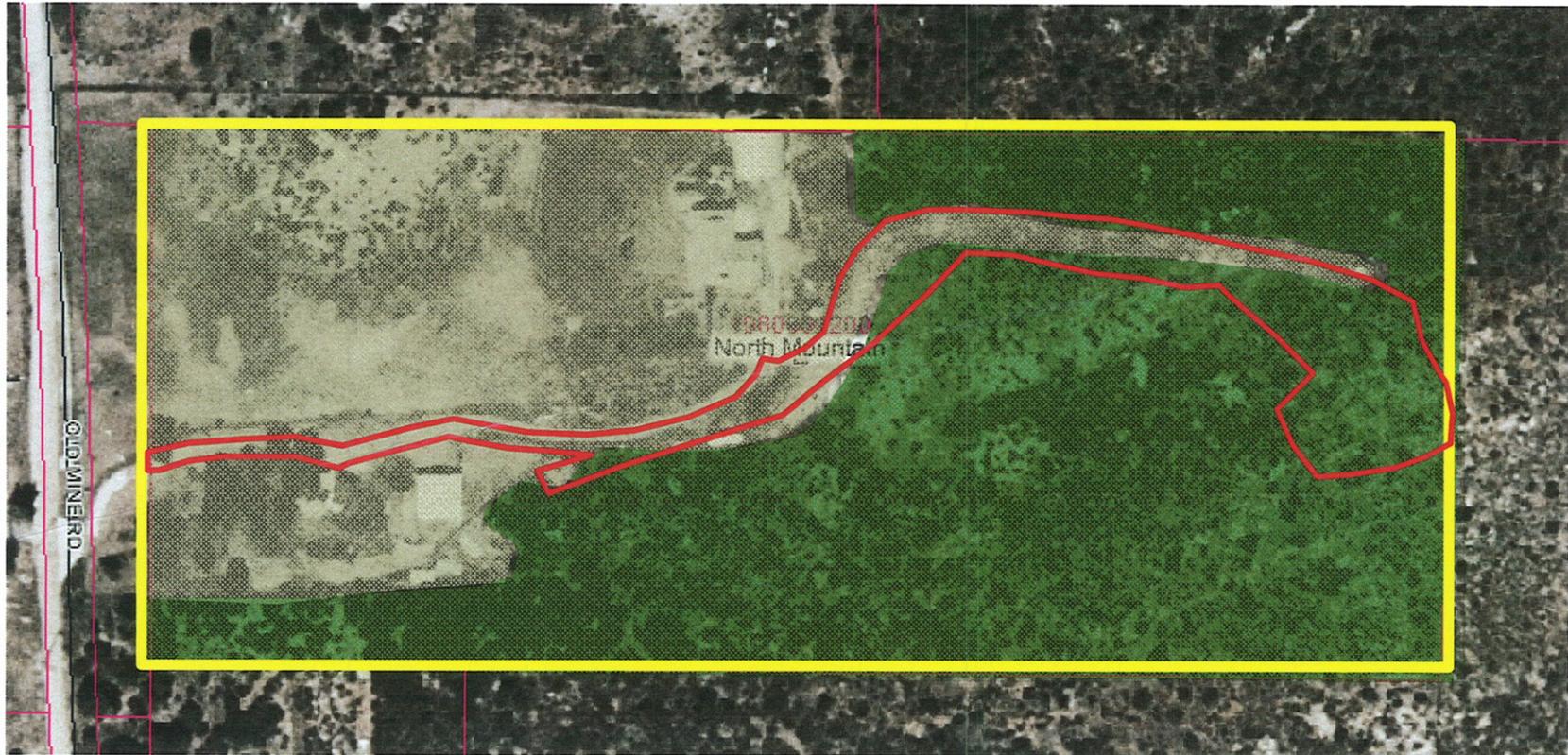
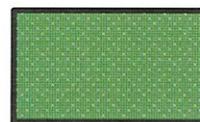
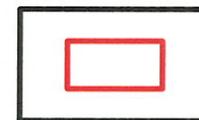


Figure 1-  
Vegetation Map

Prepared by the County  
of San Diego  
June 25, 2012



Chaparral



Impact  
Area



Disturbed/  
Developed Land



Note: not to scale