

CHAPTER 2.0 SIGNIFICANT ENVIRONMENTAL EFFECTS OF THE PROPOSED PROJECT

2.1 Biology

Biological surveys of the site were conducted by REC Consultants, Vincent Scheidt, and others during various periods from May 2002 through ~~May 2010~~ 2014. These surveys are included in the most recent study, "A Biological Resources Survey Report for the Hoskings Ranch Project, TM 5312 RPL³, and Consolidated Project Alternative Log No. 03-10-005 County of San Diego," revised ~~July 2013~~ June 2014, attached to this ~~DEIR~~ FEIR as Appendix A.

2.1.1 Existing Conditions

The topography of the 1,416.5-acre subject property slopes gently to steeply, dropping off from flatter areas near the north and east portions of the site to the lower elevations to the west and south. A number of dirt roads cross the property, with access currently provided from SR 78/79, Daley Flat Road, and Forest Service roads through Daley Flat. There are no residences on the site and the only structures present are capped wells, four man-made detention basins, fences, and a cattle loading corral. The lowest portions of the site have supported occasional agriculture (livestock grazing) in the past. The habitats onsite consists of chaparrals, scrubs, woodlands, herbaceous uplands, wetlands, and unvegetated habitats. Elevations onsite range from approximately 3,100 to 4,200 feet MSL. Soil types found onsite consist of sandy loams and alluvial soils.

There are seventeen generally discrete subcategories of plant communities found onsite. They are as follows: (1) Southern Mixed Chaparral, (2) Chamise Chaparral), (3) Diegan Coastal Sage Scrub, Inland Form, (4) Flat-top Buckwheat, (5) Coastal Sage – Chaparral Scrub, (6) Coast Live Oak Woodland, (7) Engelmann Oak Woodland, (8) Mixed Oak Woodland, (9) Mixed Oak/Coniferous/Bigcone/Coulter, (10) Non-native Grassland, (11) Montane Meadow, (12) Southern Coast Live Oak Riparian Forest, (13) Open Water, (14) Coastal and Valley Freshwater Marsh/Emergent Wetland, (15) Riparian Scrub, (16) Disturbed Wetland, and (17) Urban/Developed Habitat. Habitats which comprise the general 'Scrub' category (including many of the soft-woody species above) may also qualify as Sensitive Habitat Lands as defined by the RPO. For analysis purposes, all areas of Scrub onsite are classified as 'CSS' pursuant to the County's Habitat Loss Permit (HLP) Ordinance.

These biological resource areas are depicted on Figures 2-1-1A, B, and C, "Biological Resources Map – West," "Biological Resources Map – Central," and "Biological Resources Map – East," respectively, at the end of this chapter in 11x17 format, and in larger format in the back pocket of this ~~DEIR~~ FEIR. Existing open space easements have been mapped to show the biological resources currently under protection, as shown in Figure 2-1-2, "Existing Open Space Easements and Associated Biology."

The following subsection provides relevant data for the onsite habitats. Table 3 in the biological resources report summarizes the data for each of these habitats.

2.1.1.1 Sensitive Habitats

Sensitive Habitats on the site total approximately 1,416.5 acres and are discussed below. An additional 0.8 acres of urban/developed land occurs on the site but is not discussed here because it is not a sensitive habitat.

Southern Mixed Chaparral (117.5 acres) and Chamise Chaparral (96.9 acres)

Chaparral habitat composition varies greatly depending on factors such as slope and surface. Chaparral vegetation occurs in patches throughout the Project Site in the dry upland areas. Southern Mixed Chaparral is found in sheltered locations and on slope surfaces sustaining moderate amounts of moisture. Chamise Chaparral is found in areas characterized by small amounts of moisture and nutrient-poor slopes. Chaparral indicator species include Chamise, Whitebark Ceanothus, Mountain Mahogany, Mariposa Lily, Chaparral Bird's Beak, and other species. South-facing slopes support significantly more open chaparral with lower stature shrubs.

Diegan Coastal Sage Scrub, Inland Form (40.6 acres), Flat-top Buckwheat (71.4 acres), and Coastal Sage-Chaparral Scrub (38.3 acres)

Scrub vegetation is found in older disturbed areas that have regrown with various shrubs and subshrubs, including Flat-top Buckwheat, Slender Sunflower, and other soft-woody species. Diegan Coastal Sage Scrub is indicated by California Sagebrush, Flat-top Buckwheat, and other species. The site supports a nearly pure stand of Flat-top Buckwheat, with few other species in the area. Coastal Sage-Chaparral Scrub includes Chamise, Flat-top Buckwheat, and other native species. Most of the scrub habitats are found in areas that were also used by humans, including prehistoric uses around some of the site's larger rock outcrops.

Coast Live Oak Woodland (175.8 acres), Engelmann Oak Woodland (246 acres), Mixed Oak Woodland (115 acres), and Mixed Oak/Coniferous/Bigcone/Coulter (8.7 acres)

Woodlands occupy large areas of the Project Site. Coast Live Oak Woodland is indicated by mature Coast Live Oak trees over a mixed understory including Ripgut Brome, Western Goldrod, Squaw Bush, and many others. Engelmann Oak Woodland is indicated by mature and often large Engelmann Oaks over a similar understory. Broad savannahs of Engelmann Oak Woodland are found in various places onsite. Mixed Oak Woodland contains a variety of oaks, including Black Oaks and other native species. Mixed Oak/Coniferous/Bigcone/Coulter is indicated by oaks and various conifers, including Incense Cedar and Coulter Pine.

Non-native Grassland (375.8 acres) and Montane Meadow (76.3 acres)

Herbaceous upland vegetation covers most of the flatter areas on the property that were at one time grazing pastures. Non-native Grassland indicators include Ripgut Brome, Wild Oat, and Perennial Mustard. Montane Meadow indicators include Blessed Thistle, Rush, and other native species.

Southern Coast Live Oak Riparian Forest (49.53 acres), Riparian Scrub (3.2 acres), Open Water (0.07 acres), Coastal and Valley Freshwater Marsh/Emergent Wetland (0.85 acres), and Disturbed Wetland (0.07 acres)

Southern Coast Live Oak Riparian Forest is indicated by large trees including California Sycamores, willows, Cost Live Oak, and others along the site's main drainages. Riparian Scrub includes scrubby willows, cattails, and Mule Fat, and is found in openings along several of the site's drainages. Open Water is characterized by four agricultural ponds onsite, which were constructed for cattle watering. Only one or two hold water beyond the rainy season and have become well vegetated over time. These ponds support Emergent Wetland, Coastal and Valley Freshwater

Marsh, and Disturbed Wetland. A wetland delineation was done for the Proposed Project and the results are shown on Figure 2-1-3, "Wetland Delineation."

2.1.1.2 Sensitive Plant and Animal Species

The property was surveyed for special status plant species and animals. Special status plant species and animals are those listed as "rare, endangered, threatened, of special concern" or "otherwise noteworthy" by the California Department of Fish and Game, the U.S. Fish and Wildlife Service, the National Audubon Society, the County of San Diego's MSCP program, the California Native Plant Society, or other conservation agencies, organizations, or local botanists or zoologists. Of the 286 species of vascular plants observed, the following six are considered sensitive: San Diego Milk-vetch, Banner Dudleya, San Diego Gumplant, Cuyamaca Meadowfoam, Engelmann Oak, and Velvety False Lupine. Where applicable, CNDDDB forms for each of the observed special status plant species were completed and provided in attachment to the Biology report in Appendix A. One hundred and thirty-one species of animals were observed, with 27 species considered sensitive. These include: Grasshopper Sparrow, Golden Eagle, Great Blue Heron, Red-shouldered Hawk, Swainson's Hawk, Green Heron, Turkey Vulture, Northern Harrier, White-tailed Kite, California Horned Lark, Blue-gray Gnatcatcher, Western Bluebird, Bewick's Wren, Barn Owl, Mountain Lion, Bobcat, San Diego Desert Woodrat, Mule Deer, Silvery Legless Lizard, Southwestern Pond Turtle, Orange-throated Whiptail, San Diego Ringneck Snake, Two-striped Garter Snake, San Diego Horned Lizard, Coronado Skink, Coastal Western Whiptail, and Monarch butterfly.

2.1.1.3 Threatened or Endangered Species

California Gnatcatcher

The California Gnatcatcher is a federally-listed "threatened" songbird, and has been found on habitat superficially similar to that found on the Project Site. The California Gnatcatcher is a federally-listed "threatened" songbird, and has been found on habitat superficially similar to that found on the Project Site. However, the scrub habitat on the Proposed Project site is previously disturbed. Additionally, the California Gnatcatcher is usually found on sites with elevations below 1,800 feet MSL, and the Project Site ranges from 3,100 and 4,200 feet MSL. And lastly, there are no locality records for this species from the vicinity, with the nearest sighting several miles to the west at lower elevations. For these reasons, the California Gnatcatcher is not expected to occur on this property.

Laguna Mountains Skipper

The Laguna Mountains Skipper is oftentimes found in higher elevation areas of San Diego County. Since it is a federally-listed "endangered species," directed surveys were conducted in 2002 and 2008. The Laguna Skipper larva feeds solely on the *Horkelia clevelandii* plant, which makes the presence or absence of this plant the determining factor for the existence of the Laguna Skipper. The directed surveys of the site did not find any *Horkelia clevelandii*; therefore, the Laguna Mountains Skipper is not expected to occur on the Proposed Project site.

Stephen's Kangaroo Rat

Stephen's Kangaroo Rat is a State and Federally-listed "Threatened Species". This secretive, nocturnal mammal is known to occur in open habitats dominated by low forbs such as Red-stem Filaree (*Erodium cicutarium*) with scattered, low perennial

shrubs, including Flat-top Buckwheat (*Eriogonum fasciculatum*), California Sagebrush (*Artemisia californica*), and others. This species is known to be sensitive to "edge effects", and their survival is dependent on a habitat containing appropriate soil for burrowing, open spaces for foraging and breeding, and the appropriate mix of annual forbs to annual grasses. Field surveys in May 2014 concluded that SKR does not occur on the Proposed Project site.

2.1.1.4 Regulatory Framework

California Environmental Quality Act (CEQA)

California Public Resources Code, Section 21000, et seq., constitutes CEQA. This Act legislates environmental protections, encoding guidelines and definitions that guide agencies in directing projects to have the least environmental impacts.

California Endangered Species Act (CESA)

California Fish and Game code, Section 2050, et seq., constitutes CESA. This Act legislates the protection of endangered species, calling for conservation and mitigation programs, and providing definitions for various terms, including the term 'endangered' and/or 'threatened', which guide the Act's enforcement.

Code of Federal Regulations (CFR)

CFR Section 21, et seq., constitutes the Migratory Bird Treaty Act (MBTA), which provides protections for migratory birds. Specific provisions of the statute include:

"Establishment of a Federal prohibition, unless permitted by regulations, to "pursue, hunt, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to purchase, purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry, or cause to be carried by any means whatever, receive for shipment, transportation or carriage, or export, at any time, or in any manner, any migratory bird, included in the terms of this Convention . . . for the protection of migratory birds . . . or any part, nest, or egg of any such bird." (16 U.S.C. 703)"

Federal Endangered Species Act (FESA)

Title 16 of the United States Code Section 1531, et seq., constitutes the Federal Endangered Species Act. FESA declares the U.S.'s concerns about endangered species, provides definitions for various terms, including the term 'endangered' and/or 'threatened', and directs the states to protect endangered species through conservation programs and the like. FESA Section 10(a)(2) provides for a Habitat Conservation Plan (HCP), which is a mandatory component of an incidental take permit for a project with no Federal nexus for a listed species, designed to minimize and mitigate the authorized take of the species. Section 7 of FESA provides for legal incidental take, or a take which is incidental to the pursuit of an otherwise legal activity. Section 7 also requires that all federal agencies consult with USFWS to insure that their actions are not likely to jeopardize the continued existence of Listed Species or result in destruction or adverse modification of critical habitat.

Natural Community Conservation Plan Act (NCCPA)

California Fish and Game Code Section 2400-2435 constitutes the NCCPA, which provides the mechanism for permitting the take of wildlife when conditions are met to the satisfaction of the agencies under an approved plan. The Permit issued in accordance with the implementing agreement allows the take of identified species,

including rare species, species listed under CESA as threatened or endangered, species that are candidates for listing, and unlisted species.

Pre-Approved Mitigation Area (PAMA) are a function of the NCCPA. These are lands that have been identified through an extensive computer modeling process and independent scientific review as being of high biological importance. PAMA lands are “pre-approved” as being suitable for conservation.

Resource Protection Ordinance (RPO)

San Diego County Ordinance No. 9842 constitutes the RPO, which lists provisions relative to wetlands, prehistoric and historic sites, agricultural operations, enforcement, and other matters.

2.1.2 Analysis of Project Effects and Determination as to Significance

All plants, animals, and habitats encountered during survey periods were noted in the field. The limits of each habitat-type were mapped in the field utilizing an aerial photograph of the property. All plants and animals identified in association with the property are listed in Tables 8 and 9 of Appendix A. Wildlife observations were made opportunistically. Binoculars were used to aid in observations and all wildlife species detected were noted. Several directed field surveys and habitat evaluations were conducted in conjunction with the biological survey of the property, including an Arroyo Toad field survey, a Quino Checkerspot Butterfly survey, a wetland survey, habitat evaluations for various sensitive species known from the vicinity, and a spring rare plant survey (see Figure 2-1-4, “Rare Plant Survey”). Each survey complied with approved protocols to maximize detection of the respective biological resources, if present.

All potential Project-related effects were evaluated using the guidelines for significance. Potential offsite impacts that could arise from sight-distance requirements were reviewed. It appears that site-distance requirements can be met by trimming existing trees. This trimming can take place without harming the existing trees, and therefore no offsite impacts are associated.

The development area of the site, which includes all pads, roads, fire clearing, and other improvements, totals ~~206.9201.9~~ acres, or just under 15 percent of the site. The remainder of the site (~~1,209.81,214.8~~ acres, or just over 85 percent of the site) would be preserved in dedicated biological open space, a portion of which (approximately 880 acres) would allow grazing. The onsite open space consists entirely of open space; however all of this open space would be protected under a dedicated Biological Open Space or Conservation Easement to be managed in perpetuity. Additional protections for the open space are provided by a Resource Management Plan, provided in the biological resources report included as Appendix A, and a Conservation Grazing Management Plan (CGMP).

The open space is provided as mitigation for project impacts, as detailed below.

Certain areas of the site are considered ‘impact-neutral’. These are areas that are avoided by ordinance, and therefore cannot be used to offset Proposed Project impacts. These ‘impact neutral’ areas are potentially subject to edge effects, although the low-density design of the Proposed Project, and the management of the open space through the CGMP would minimize these effects.

~~The 5-acre portion of the property proposed for dedication to the fire department is included in the ‘impact neutral’ category; any future development of this property would be subject to subsequent environmental review.~~

The Proposed Project also includes an existing 1.6-acre road easement to be realigned within Lot 10. No action to design or permit any facility or related improvements is being undertaken as part of the current application, although potential future impacts, assuming full site development, are evaluated in the biological analysis.

Guidelines for significance were determined using appropriate provisions of the San Diego County Guidelines for Determining Significance and Report Format: Biological Resources. In addition, County of San Diego staff provided further consultation in the formulation of guidelines.

2.1.2.1 Special Status Species

Guidelines for the Determination of Significance

A significant impact to biological resources would occur if:

1. The Proposed Project would impact one or more individuals of a species listed as federally or state endangered or threatened.
2. The Proposed Project would impact the regional long-term survival of a County Group A or B plant species, or a County Group I animal species, or a species listed as a state Species of Special Concern.
3. The Proposed Project would impact the regional long-term survival of a County Group C or D plant species or a County Group II animal species.
4. The Proposed Project may impact Arroyo Toad aestivation or breeding habitat.
5. The Proposed Project would impact Golden Eagle habitat.
6. The Proposed Project would result in a loss of functional foraging habitat for raptors.
7. The Proposed Project would increase noise and/or nighttime lighting to a level above ambient proven to adversely affect sensitive species.
8. The Proposed Project would impact the viability of a core wildlife area, defined as a large block of habitat (typically 500 acres or more not limited to Project boundaries, though smaller areas with particularly valuable resources may also be considered a core wildlife area) that supports a viable population of a sensitive wildlife species or an area that supports multiple wildlife species.
9. The Proposed Project would increase human access or predation or competition from domestic animals, pests or exotic species to levels that would adversely affect sensitive species.
10. The Proposed Project would impact nesting success of sensitive animals through grading, clearing, modification, and/or noise generating activities such as construction.

Analysis

The Proposed Project would result in direct and indirect impacts to special status species that are less than significant pursuant to the above significance guidelines.

Guideline 1: The project would impact one or more individuals of a species listed as federally or state endangered or threatened.

The Proposed Project would indirectly impact Swainson's Hawk, a state-listed Threatened Species, and Cuyamaca Meadowfoam, a state-listed Endangered Species. Indirect impacts to Swainson's Hawk would include impacts to foraging habitat for this species. However, at least 90 percent of this species' habitat would be preserved onsite. The entire onsite population of Cuyamaca Meadowfoam would be protected in open space. However, in the absence of protective measures, the onsite population of Cuyamaca Meadowfoam could be impacted by edge effects. Guideline 1 is exceeded, impacts are significant. Mitigation is required. **(Impact BI-1)**

Guideline 2: The project would impact the regional long-term survival of a County Group A or B plant species, or a County Group I animal species, or a species listed as a state Species of Special Concern.

The Proposed Project would directly impact San Diego Gumplant, Two-striped Garter Snake, and Large-blotched Salamander, all of which are County Group A or B plant species, County Group I animal species, or state Species of Special Concern. However, these impacts would not affect the long-term regional survival of any of these species because ample habitat that supports these species is preserved on site and in the region. At least 85 percent of the Gumplant's habitat, 99 percent of the Garter Snake's habitat, and at least 85 percent of the Large-blotched Salamander habitat would be preserved onsite. Section 3.1.B of the biology report provides additional details.

Although the Proposed Project would indirectly impact Velvety False Lupine, San Diego Milk-vetch, Grasshopper Sparrow, Golden Eagle, Red-shouldered Hawk, Turkey Vulture, Northern Harrier, White-tailed Kite, Southwestern Pond Turtle, Cooper's Hawk, and Sharp-shinned Hawk, all of which are County Group A or B plant species, County Group I animal species, or state Species of Special Concern, these impacts are relatively minor in consideration of the amount of habitats supporting these species that would be preserved. Eighty-five percent and higher of these supporting habitats would be retained in permanent open space by the Proposed Project.

These direct and indirect impacts would not affect the regional long-term survival of any of these species because ample habitat that supports these species is preserved on site and in the region. Either the entire populations, or a vast majority of those populations, of the habitats supporting these species would be preserved onsite. Section 3.1.B of the biology report provides additional details.

Because the Proposed Project would result in direct and indirect impacts, Guideline 2 is exceeded and impacts are significant. Mitigation is required **(Impact BI-2)**.

Guideline 3: The project would impact the regional long-term survival of a County Group C or D plant species or a County Group II animal species.

The Proposed Project would directly impact Banner Dudleya, Engelmann Oak, San Diego Desert Woodrat, Silvery Legless Lizard, Orange-throated Whiptail, San Diego Ringneck Snake, Coronado Skink, San Diego Horned Lizard, Coastal Western Whiptail, Coastal Rosy Boa, [San Diego Mountain Kingsnake](#), and Northern Red Diamond Rattlesnake, all of which are County Group C or D plant species or County Group II animal species. However, these impacts would not affect the regional long-term survival of any of these species because ample habitat that supports these species is preserved on site and in the region. The analysis determined that 81 percent of the onsite Engelmann Oak population, and 95 percent of the Banner

Dudleya population would be preserved onsite. For all the remaining species listed, at least 90 percent of each population and the associated habitats would be preserved. Section 3.1.C, page 55, of the biology report provides additional details.

The Proposed Project would indirectly impact Great Blue Heron, Green Heron, [California](#) Horned Lark, Western Bluebird, Barn Owl, Mountain Lion, Mule Deer, and Monarch Butterfly, all of which are County Group C or D plant species or County Group II animal species. The analysis determined that at least 83 percent of each population and the associated habitats would be preserved. Section 3.1.C, page 55, of the biology report provides additional details.

These direct and indirect impacts would not affect the regional long-term survival of any of these species because ample habitat that supports these species is preserved on site and in the region. The analysis has determined that the majority of the habitat supporting each of the listed species would be preserved. Section 3.1.C, page 56, of the biology report provides additional details.

Because the Proposed Project would result in direct and indirect impacts, Guideline 3 is exceeded and impacts are significant. Mitigation is required (**Impact BI-3**).

Guideline 4: The project may impact Arroyo Toad aestivation or breeding habitat.

Arroyo Toad aestivation or breeding habitat is not found on this site. Therefore the guideline does not apply.

Guideline 5: The project would impact Golden Eagle habitat.

The Proposed Project could directly impact Golden Eagle foraging habitat because it would result in the loss and habitat fragmentation of [206.9201.9](#) acres of golden eagle foraging habitat. Golden Eagle nesting habitat is not present onsite.

This wide-ranging species is known to forage onsite and nest in the Cleveland National Forest.

CEQA requires the assumption that birds could nest in any of the development area, and therefore all [206.9201.9](#) acres in the development area are considered potential avian nesting areas. This includes shrub, tree, and ground nesting species. The reader is referred to Table 2-1-1, "Biological Impact Table," for the listing of all habitat impacts, mitigation ratios required for each habitat, and mitigation acreage provided in open space protection by the Proposed Project.

Golden Eagle is declining in San Diego County and is highly sensitive to human activity. On-going management is required to protect foraging activities on an on-going basis. Guideline 5 is exceeded and impacts are significant. Mitigation is required. (**Impact BI-4**)

Guideline 6: The project would result in a loss of functional foraging habitat for raptors.

Raptor foraging habitat is generally located in upland grassland areas. The Proposed Project would result in the loss of up to [206.9201.9](#) acres of potential foraging habitat due to direct impacts from development for the site's resident and potentially-resident raptor species, including Golden Eagle, Swainson's Hawk, Red-shouldered Hawk, and White-tailed Kite.

CEQA requires the assumption that birds could nest in any of the development area, and therefore all [206.9201.9](#) acres in the development area are considered potential avian nesting areas. This includes shrub, tree, and ground nesting species. The

reader is referred to Table 2-1-1 for the listing of all habitat impacts, mitigation ratios required for each habitat, and mitigation acreage provided in open space protection by the Proposed Project.

The loss of [206-9201.9](#) acres of potential foraging habitat is significant. Guideline 6 is exceeded and impacts are significant. Mitigation is required (**Impact BI-5**).

Guideline 7: The project would increase noise and/or nighttime lighting to a level above ambient proven to adversely affect sensitive species.

The Proposed Project would not increase noise and/or nighttime lighting to a level that has been proven to adversely affect sensitive species because Project density is very low (0.02 dwelling units per acre). Minimum lot size is 40 acres, so noise or lighting effects would be dispersed. Additionally, the Proposed Project would conform to the Dark Sky Ordinance. Guideline 7 is not exceeded and impacts are not significant. No mitigation is required.

Guideline 8: The project would impact the viability of a core wildlife area, defined as a large block of habitat (typically 500 acres or more not limited to project boundaries, though smaller areas with particularly valuable resources may also be considered a core wildlife area) that supports a viable population of a sensitive wildlife species or an area that supports multiple wildlife species.

The 1,416.8-acre Hoskings Ranch constitutes a core wildlife area according to the County's definition due to its size and the number of sensitive wildlife species that occur onsite. The Project has been designed to avoid impacts to 85 percent of this core wildlife area by preserving large blocks of generally contiguous habitat that encompasses many of the most biologically significant areas in [4,209-81,214.8](#) acres of managed biological open space easements. County guideline 3.1.A states that "alteration of any portion of a core habitat could only be considered less than significant if a biologically-based determination can be made that the project would not have a substantially adverse effect on the core area and the species it supports". Because the project preserves 85 percent of the Hoskings Ranch core wildlife area, County policy as defined in the Guidelines for Determining Significance - Biological Resources indicates that impacts are less than significant. Guideline 8 is not exceeded, impacts are less than significant, and no mitigation is required.

Guideline 9: The project would increase human access or predation or competition from domestic animals, pests or exotic species to levels that would adversely affect sensitive species.

The Proposed Project would increase human access or predation or competition from domestic animals, pests or exotic species to levels that would adversely affect special status species. Open space is protected with easements, fencing and/or signage, as needed. Ongoing management is needed, however, to ensure protections are provided in perpetuity. Guideline 9 is exceeded and impacts are significant. Mitigation is required. (**Impact BI-6**)

Guideline 10: The project would impact nesting success of sensitive animals through future grading, clearing, modification, and/or noise generating activities, such as construction.

The conversion of [206-9201.9](#) acres of the site that are currently in a natural, mostly undisturbed state to a development which includes homes and agriculture would impact the nesting success of the special status species present on the site.

The reader is referred to Table 2-1-1 for the listing of all habitat impacts, mitigation ratios required for each habitat, and mitigation acreage provided in open space protection by the Proposed Project.

Guideline 10 is exceeded and impacts are significant. Mitigation is required. **(Impact BI-7)**

2.1.2.2 Riparian Habitats (Including State and County Wetlands and “Waters”) or Sensitive Natural Community

Guidelines for the Determination of Significance

The determination of impact significance is based on the following guidelines:

1. Project-related construction, grading, clearing, or other activities would temporarily or permanently remove sensitive native or naturalized habitat on or off the Project Site.
2. Any of the following would occur to or within jurisdictional wetlands and/or riparian habitats as defined by the State, CRWQCB and CDFW, or the County of San Diego RPO: removal of vegetation; grading; obstruction or diversion of water flow; adverse change in velocity, siltation, volume of flow; obstruction or diversion of water flow; adverse change in velocity, siltation, volume of flow, or runoff rate; placement of fill; placement of structures; construction of a road crossing; placement of culverts or other underground piping; any disturbance of the substratum; and/or any activity that may cause an adverse change in native species composition, diversity and abundance.
3. The project would draw down the groundwater table to the detriment of groundwater-dependent habitat, typically a drop of 3 feet or more from historical low groundwater levels.
4. The project would increase human access or competition from domestic animals, pest or exotic species to levels proven to adversely affect sensitive habitats.
5. The project does not include a wetland buffer adequate to protect the functions and values of existing wetlands.

Analysis

The Proposed Project is projected to cause direct impacts and indirect long-term impacts to riparian habitats or other sensitive natural communities under the stated guidelines.

Guideline 1: Project-related construction, grading, clearing, construction or other activities would temporarily or permanently remove sensitive native or naturalized habitat on or off the project site.

Project-related future construction, grading, clearing, or other activities would permanently remove sensitive native or naturalized habitat on the Proposed Project Site. The Proposed Project preserves large blocks of habitat in order to preserve wildlife corridors along many of the site’s drainages, and all of the regional wildlife corridor along Orinoco/Temescal Canyon Creek and the southern portions of the site. The Proposed Project would not create artificial wildlife corridors that do not follow natural movement patterns.

Direct onsite impacts include 12.6 acres of Southern Mixed Chaparral which requires 6.3 acres for mitigation at a ratio of 0.5:1; 0.8 acres of Chamise Chaparral which requires 0.4 acres for mitigation at a ratio of 0.5:1; 3.8 acres of Diegan Coastal Sage Scrub, Inland Form which requires 7.6 acres for mitigation at a ratio of 2:1, 12.8 acres of Flat-top Buckwheat which requires 25.6 acres for mitigation at a ratio of 2:1; 4.6 acres of Coast Live Oak Woodland which requires 13.8 acres for mitigation at a ratio of 3:1; 43.7 acres and 2.2 acres from open space easement vacation of Engelmann Oak Woodland, which requires 144.3 acres total for mitigation at ratios of 3:1 and 6:1 for the two respective impact types; 15.3 acres of Mixed Oak Woodland which requires 45.9 acres for mitigation at a ratio of 3:1; 0.8 acre of Mixed Oak/Coniferous/Bigcone/Coulter which requires 2.4 acres for mitigation at a ratio of 3:1; 101.5 acres from Project development and 1.3 acres from open space easement vacation of Non-native Grassland which requires a total of 52.1 acres for mitigation at ratios of 0.5:1 and 1:1 for the two respective impact types; 7.3 acres of Montane Meadow which requires 21.9 acres for mitigation at a ratio of 3:1; and 0.25 acre of Riparian Scrub which requires 0.75 acre for mitigation at a ratio of 3:1. All mitigation is provided onsite within the open space provided, with the exception of the Riparian Scrub, which may be mitigated either through onsite mitigation as described in section 2.1.5, or through the purchase of credits at an approved offsite mitigation bank.

Guideline 1 is exceeded and impacts are significant. Mitigation is required. (**Impact BI-8**)

Guideline 2: Any of the following would occur to or within jurisdictional wetlands and/or riparian habitats as defined by ACOE, CDFG and the County of San Diego: removal of vegetation; grading; obstruction or diversion of water flow; adverse change in velocity, siltation, volume of flow; obstruction or diversion of water flow; adverse change in velocity, siltation, volume of flow, or runoff rate; placement of fill; placement of structures; construction of a road crossing; placement of culverts or other underground piping; any disturbance of the substratum; and/or any activity that may cause an adverse change in native species composition, diversity and abundance.

Project-related future construction, grading, clearing, or other activities would result in impacts to jurisdictional wetlands and/or riparian habitats, as defined by CRWQCB, CDFW, and/or the County of San Diego RPO. This would include the limited removal of vegetation; grading; obstruction or diversion of water flow; placement of fill; placement of structures; construction of road crossings; placement of culverts or other underground piping; disturbance of the substratum; and/or activities that may cause a measurable, adverse change in native species composition, diversity, and abundance. Hydrophytic areas of the Non-native Grassland, Montane Meadow, and Riparian Scrub, would be impacted by the Proposed Project qualify as jurisdictional wetland and/or riparian habitats. Although most of the site's jurisdictional wetlands and riparian habitats would be protected in biological open space, certain relatively minor impacts to these features, as listed here, are unavoidable: impacts to a total of 101.5 acres of Non-native Grassland require 52.1 acres for mitigation at a ratio of 0.5:1 for project impacts, and 1:1 for an area impacted within an open space easement vacation; impacts to 7.3 acres of Montane Meadow require 21.9 acres for mitigation at a ratio of 3:1; and impact to 0.25 acres of Riparian Scrub requires 0.75 acre for mitigation at a ratio of 3:1.

Guideline 2 is exceeded and impacts are significant. Mitigation is required. **(Impact BI-9)**

Guideline 3: The project would draw down the groundwater table to the detriment of groundwater-dependent habitat, typically a drop of 3 feet or more from historical low groundwater levels.

Groundwater-dependent plant species onsite are limited to large, deep-rooted California Sycamores, Western Cottonwoods, and possibly very large willows. These trees in general are considered phreatophytic, having deep-penetrating roots which can tap into groundwater or just above the groundwater level, but are considered to be dependent on groundwater levels for long-term survival only under extreme conditions. The trees onsite are found only in association with drainages. Having a reliable water source, these onsite trees are therefore considered not likely to use groundwater except under extreme conditions. The potential phreatophytes are rare onsite, and most are small and likely not dependent on groundwater. Furthermore, none of the identified well sites in the site's groundwater report are located within 1,000 feet of any potential phreatophytes.

Although it is also found in Southern Coast Live Oak Riparian Forest, Coast Live Oak is considered an upland species on this site. The remaining wetland habitats onsite (Riparian Scrub, Open Water, Coastal and Valley Freshwater Marsh/Emergent Wetland, Disturbed Wetland, and 'wet' Montane Meadow) depend on persistent surface water flows, saturated surface soils, and/or elevated water tables, not groundwater. The plant species associated with these habitats have relatively shallow root systems and are not considered phreatophytes.

Being that the onsite habitats are not anticipated to be groundwater-dependent, the Proposed Project is not anticipated to draw down the groundwater table to the detriment of any groundwater-dependent habitat. Guideline 3 is not exceeded and impacts are not significant. No mitigation is required.

Guideline 4: The project could increase human access or competition from domestic animals, pests or exotic species to levels proven to adversely affect sensitive habitats.

The Proposed Project would increase human access or competition from domestic animals by locating 24 residences on the site and allowing limited cattle grazing/breeding. In addition, pests or exotic species associated with these activities could occur. The steep topography would protect some areas and the low development density (1 DU/40 acres) would discourage some incursion into sensitive areas. Cattle grazing density would also be kept low. However, the possibility persists that human access could negatively impact sensitive habitats because some proposed residences are near sensitive habitats. Guideline 4 is exceeded and impacts are significant. Mitigation is required. **(Impact BI-10)**

Guideline 5: The project does not include a wetland buffer adequate to protect the functions and values of existing wetlands.

The Proposed Project incorporates wetland buffers that extend at least 50 feet from the outer edge of all RPO wetlands, except in the locations of the necessary road crossings. No buffer is less than 50 feet and the encroachments occur in areas where buffers have been extended to 200 feet due to the presence of oaks, as required by the County guidelines for biology. The encroachments are limited to approximately 50 feet in three isolated areas: lots 6, 7, and 9 due to the main Project

access; lot 8 for the driveway to that lot. The encroachments do not affect the function and value of existing wetland because a minimum of 150 feet buffer is present in all cases. The site's constraints necessitated these encroachments. Constraints include steep slopes and arroyos along the main entrance, extensive wetlands that run in a north/south direction along most of the eastern boundary, and extensive cultural resources in the eastern part of the site that must be avoided. Additionally, RPO wetlands and buffers would be protected from future fire clearing through the dedication of minimum 100-foot Limited Building Zones (LBZs). Guideline 5 is not exceeded and impacts are not significant. No mitigation is required.

In summary, the Proposed Project has both direct and indirect significant impacts to sensitive habitats. These habitats would be protected in open space easements that would effectively mitigate impacts to sensitive habitats to a level less than significant.

2.1.2.3 Federal Jurisdictional Wetlands and Waterways

Guidelines for the Determination of Significance

Impacts to Federal Jurisdictional Wetlands and Waterways ("waters") associated with the Proposed Project are assessed as being either "significant" or "less than significant," as defined by CEQA. The determination of impact significance is based on the following guidelines:

1. Any of the following would occur to or within federal jurisdictional wetlands and/or waters as defined by ACOE: removal of vegetation; grading; obstruction or diversion of water flow; adverse change in velocity, siltation, volume of flow, or runoff rate; placement of fill; placement of structures; construction of road crossings; placement of culverts or other underground piping; any disturbance of the substratum; and/or any activity that may cause an adverse change in native species composition, diversity and abundance.
2. The project would draw down the groundwater table to the detriment of groundwater-dependent habitat, typically a drop of three feet or more from historical low groundwater levels.
3. The project does not include a wetland buffer adequate to protect the functions and values of existing wetlands.

Analysis

Guideline 1: Any of the following would occur to or within federal jurisdictional wetlands and/or waters as defined by ACOE: removal of vegetation; grading; obstruction or diversion of water flow; adverse change in velocity, siltation, volume of flow, or runoff rate; placement of fill; placement of structures; construction of road crossings; placement of culverts or other underground piping; any disturbance of the substratum; and/or any activity that may cause an adverse change in native species composition, diversity and abundance.

Project-related future construction, grading, clearing, or other activities would result in impacts to Federal Jurisdictional Wetlands and Waterways, as defined by ACOE. This would include the limited removal of vegetation; grading; obstruction or diversion of water flow; placement of fill; placement of structures; construction of road crossings; placement of culverts or other underground piping; disturbance of the substratum; and/or activities that may cause a measurable, adverse change in native species composition, diversity, and abundance. The Proposed Project would directly

impact 0.14 acres of Federal Jurisdictional Wetlands and Waterways. Although most of the site's federal jurisdictional wetlands would be protected in open space, impacts to these features are unavoidable. Guideline 2 is exceeded and impacts are significant. Mitigation is required. **(Impact BI-11)**

Guideline 2: The project would draw down the groundwater table to the detriment of groundwater-dependent habitat, typically a drop of three feet or more from historical low groundwater levels.

Groundwater-dependent plant species onsite are limited to large, deep-rooted California Sycamores, Western Cottonwoods, and possibly very large willows. These are associated with drainages, primarily, so it is likely that they are not actually using groundwater, but have the potential to do so in extreme conditions. The Proposed Project would not draw down the groundwater table to the detriment of groundwater-dependent habitat; hydrological tests have demonstrated adequate recovery rates in local wells. Guideline 2 is not exceeded and impacts are not significant. No mitigation is required.

Guideline 3: The project does not include a wetland buffer adequate to protect the functions and values of existing wetlands.

The Proposed Project includes wetland buffers that are adequate to protect the functions and values of existing federal wetlands. To that end, the project has been designed to incorporate wetland buffers that extend at least 50 feet from the outer edge of all federal wetlands, except in the locations of the necessary road or driveway crossings. Federal wetlands and buffers would be protected from future fire clearing through the dedication of minimum 100-foot LBZs. Guideline 3 is not exceeded and impacts are not significant.

2.1.2.4 Wildlife Movement and Nursery Sites

Guidelines for the Determination of Significance

Impacts to Wildlife Movement and Nursery Sites associated with the Proposed Project are assessed as being either "significant" or "less than significant," as defined by CEQA. The determination of impact significance is based on the following guidelines:

1. The project would prevent wildlife access to foraging habitat, breeding habitat, water sources, or other areas necessary for their reproduction.
2. The project would substantially interfere with connectivity between blocks of habitat, or would potentially block or substantially interfere with a local or regional wildlife corridor or linkage.
3. The project would create artificial wildlife corridors that do not follow natural movement patterns.
4. The project would increase noise and/or nighttime lighting in a wildlife corridor or linkage to levels proven to affect the behavior of the animals identified in a site specific analysis of wildlife movement.
5. The project does not maintain an adequate width for an existing wildlife corridor or linkage and/or would further constrain an already narrow corridor through activities such as (but not limited to) reduction of corridor width, removal of available vegetative cover, placement of incompatible uses adjacent to it, and placement of barriers in the movement path.

6. The project does not maintain adequate visual continuity (i.e., long lines-of-sight) within wildlife corridors or linkage.

Analysis

The Proposed Project is projected to cause one direct impact to wildlife movements and nursery sites under the stated guidelines as discussed below.

Guideline 1: The project would prevent wildlife access to foraging habitat, breeding habitat, water sources, or other areas necessary for their reproduction.

The project would potentially constrain wildlife access to foraging habitat, breeding habitat, water sources, or other areas necessary for their reproduction in some areas, although ~~most~~ most areas onsite that are used by wildlife would be protected in [4,209-81,214.8](#) acres of open space. The Proposed Project preserves those portions of the site that are most valuable to wildlife, including the majority of riparian areas, the local wildlife corridors along many of the site's drainages, and all of the regional wildlife corridor along Orinoco/Temescal Canyon Creek and the southern portions of the site. The Proposed Project provides minimum 50-foot biological buffers along many of the drainages that serve as wildlife movement areas, water sources, or nursery sites. Furthermore, wildlife is known to move through agricultural areas and across roads, so these components of the proposed development would not create a barrier to wildlife movement. Guideline 1 is not exceeded and impacts are less than significant. No mitigation is proposed.

Guideline 2: The project would substantially interfere with connectivity between blocks of habitat, or would potentially block or substantially interfere with a local or regional wildlife corridor or linkage.

The project would interfere with connectivity between blocks of habitat in some areas through the construction of roads, driveways, homes, fences and other structures onsite, and the conversion of areas of the site to agriculture, landscaping, and development. This would constrain connectivity between blocks of habitat to a degree. However, the project has been designed to minimize interference with habitat connectivity and wildlife corridors and ensure the ongoing integrity of the open space. Although the County Biology Guidelines do not specifically define "blocks of habitat" (other than core wildlife areas), these are interpreted to be areas of natural vegetation in excess of 50 acres, which is the County's maximum acreage not normally requiring management. The determination that impacts to habitat block connectivity are less than significant is based on design modifications adopted as mitigation for this and other biology impacts. To that end, the project as designed preserves the largest and most contiguous habitat blocks on the southern portions of the site, including at least 99 percent of the riparian areas, large blocks of habitat along many of the site's drainages, and all of the regional wildlife corridor along Temescal Canyon Creek and the southern portions of the site, as well as blocks of habitat on the western and northern edges of the site. Lots are a minimum of 40 acres in size. Guideline 2 has not been exceeded, impacts are less than significant, and no mitigation is required.

Guideline 3: The project would create artificial wildlife corridors that do not follow natural movement patterns.

The Proposed Project preserves large blocks of habitat, including the site's natural wildlife corridors that follow natural movement patterns. This design does not feature any 'islands' or 'fingers' of open space that would otherwise create gaps and unnatural barriers to the genetic dispersal and movement of plants and animals. Therefore, the Proposed Project would not create artificial wildlife corridors that do not follow natural movement patterns. Guideline 3 is not exceeded and impacts are not significant. No mitigation is proposed.

Guideline 4: The project would increase noise and/or nighttime lighting in a wildlife corridor or linkage to levels proven to affect the behavior of the animals identified in a site specific analysis of wildlife movement.

The Proposed Project would not increase noise and/or nighttime lighting in a wildlife corridor, linkage, or nursery to levels proven to affect the behavior of the animals identified in a site-specific analysis of wildlife movement. At least 90 percent of the site's wildlife corridors and linkages would be preserved in dedicated open space. The open space would be protected from any activities that could impact the biological resources within the open space. Residences are generally separate from corridor areas. The Proposed Project proposes low density residential uses and grazing on large lots. As such, the Proposed Project would not introduce any noise and/or nighttime lighting at levels that would affect the behavior of any of the animals identified during the analysis. The Proposed Project would comply with the Dark Sky ordinance. Guideline 4 is not exceeded and impacts are not significant. No mitigation would be required.

Guideline 5: The project does not maintain an adequate width for an existing wildlife corridor or linkage and/or would further constrain an already narrow corridor through activities such as (but not limited to) reduction of corridor width, removal of available vegetative cover, placement of incompatible uses adjacent to it, and placement of barriers in the movement path.

The Proposed Project places [4,209.81,214.8](#) acres into open space, all of which is linked and fully supports wildlife movement. The open space is provided in large blocks with widths that are adequate for supporting existing wildlife movement. In particular, a large block of habitat in the southern portions of the site is preserved, maintaining the width of the regional wildlife corridor associated with Orinoco/Temescal Canyon Creek. No areas of the open space are narrow, no removal of vegetative cover would take place within the open space, no incompatible uses would be placed adjacent to the open space, and no barriers to the movement path would be created. Guideline 5 is not exceeded, and impacts are not significant. No mitigation is necessary.

Guideline 6: The project does not maintain adequate visual continuity (i.e., long lines-of-sight) within wildlife corridors or linkage.

The vastness of the Proposed Project's [4,209.81,214.8](#) acres of open space preserves the majority of the site's wildlife corridors and linkages. The open space would be protected from any activities that could impact the visual continuity within the corridors and linkages by prohibiting activities such as construction, placement of structures, clearing, and brushing. Guideline 6 is not exceeded, and no mitigation is required.

2.1.2.5 **Local Policies, Ordinances, Adopted Plans**

Guidelines for the Determination of Significance

The determination of impact significance is based on the following guidelines:

1. For lands outside of the MSCP, the project would impact coastal sage scrub (CSS) vegetation in excess of the County's five percent habitat loss threshold as defined by the Southern California Coastal Sage Scrub Natural Community Conservation Planning Process (NCCP) Guidelines.
2. The project would preclude or prevent the preparation of the subregional Natural Communities Conservation Planning Process (NCCP). For example, the project proposes development within areas that have been identified by the County or resource agencies as critical to future habitat preserves.
3. The project would impact any amount of sensitive habitat lands as outlined in the Resource Protection Ordinance (RPO).
4. The project would not minimize and/or mitigate coastal sage scrub habitat loss in accordance with Section 4.3 of the Natural Communities Conservation Planning Process (NCCP) Guidelines.
5. The project does not conform to the goals and requirements as outlined in any applicable Habitat Conservation Plan (HCP), Habitat Management Plan (HMP), Special Area Management Plan (SAMP), Watershed Plan, or similar regional planning effort.
6. The project would preclude connectivity between areas of high habitat values, as defined by the Southern California Coastal Sage Scrub Natural Communities Conservation Planning Process (NCCP) Guidelines.
7. The project would reduce the likelihood of survival and recovery of listed species in the wild.
8. The project would result in the killing of migratory birds or destruction of active migratory bird nests and/or eggs (Migratory Bird Treaty Act).
9. The project would result in the take of eagles, eagle eggs or any part of an eagle (Bald and Golden Eagle Protection Act).

Analysis

The Proposed Project is projected to cause direct impacts to Local Policies, Ordinances, and Adopted Plans under the stated guidelines.

Guideline 1: For lands outside of the MSCP, the project would impact coastal sage scrub (CSS) vegetation in excess of the County's 5% habitat loss threshold as defined by the Southern California Coastal Sage Scrub Natural Community Conservation Planning Process (NCCP) Guidelines.

The project site is located outside of the MSCP and would impact 16.6 acres of CSS. This would not exceed the County's authorized five percent loss of 2,953.3 acres for this portion of the County. It is the County's policy that any "take" of CSS less than the authorized 2,953.3 acres (five percent loss), is a less than significant impact. Based on this policy, the Project's impacts to CSS as they relate to Local Policies, Ordinances, and Adopted Plans are therefore less than significant. Guideline 1 is not exceeded, impacts are less than significant, and no mitigation is required.

Guideline 2: The project would preclude or prevent the preparation of the subregional Natural Communities Conservation Planning Process (NCCP). For example, the project proposes development within areas that have been identified by the County or resource agencies as critical to future habitat preserves.

The Proposed Project is located in a draft proposed Focused Conservation Area (FCA) of the draft East County Subarea MSCP Plan, meaning that the site is important to future regional preserve design. This is because the project would likely be designated as a Pre-Approved Mitigation Area (PAMA) in the draft East County plan. PAMA lands are those that have been identified through an extensive computer modeling process and independent scientific review as being of high biological importance. PAMA lands are “pre-approved” as being suitable for conservation. Furthermore, the site is located partially within and adjoining Cleveland National Forest lands. Although impacts occur, these are less than significant because the Proposed Project preserves 85 percent of the property in managed open space. Guideline 2 is not exceeded, impacts are less than significant, and no mitigation is required.

Guideline 3: The project would impact any amount of sensitive habitat lands as outlined in the Resource Protection Ordinance (RPO).

Please refer to Figure 2-1-6, “Proposed Project – RPO Encroachments”, which shows the Proposed Project’s impact locations indexed by number.

Point 1: This is the location of the main project entry road at Lot 7. An RPO wetland is impacted by the crossing. Impacts amount to approximately 0.06 acres. Previously the entry was farther north and crossed two channels. Impacts have been minimized by moving the entry to a point where the wetland converges into a single channel. The current design represents the environmentally superior option because it is consistent with the County’s requirements for RPO crossings:

(aa) There is no feasible alternative. As described, all options have been weighed, and several previous more impactful design were eliminated in favor of the current, less impactful alignment.

(bb) The crossing is limited to the least number feasible. The current design reduces the impact to a single crossing which provides the main entrance to the project.

(cc) The crossing proposed is located and designed in such a way as to cause the least impact to environmental resources because it has been placed at a point where the RPO wetland narrows and where grading can be minimized. The crossing would span the creek, which would protect the majority of the creek bed from permanent disturbance.

(dd) For all of the crossings, the least-damaging construction methods would be utilized, as guaranteed through the Resource Management Plan (RMP) that would govern the management of the site’s resources during construction and onward in perpetuity. The RMP would ensure that staging would not take place within sensitive areas, that work during the nesting or breeding seasons would not occur, and that noise attenuation measures would be implemented when necessary to avoid disturbance to resources.

(ee) The applicant has analyzed the possibilities for the crossing to serve adjoining properties. Properties east of the site could utilize the crossing as an

escape route in the event of an emergency. Properties offsite to the northwest of the project boundary also would be able to utilize the crossing in the event of an emergency.

(ff) For all of the crossings, impacts would be mitigated at the acceptable ratio of 3:1 with a minimum of 1:1 creation.

Point 2: This is the driveway entry to Lot 8. Part of a 200 foot RPO wetland buffer is impacted by the crossing. It is not feasible to avoid the impact because other sensitive resources would be impacted if the driveway were moved north. One crossing is the minimum number feasible for this lot. The crossing was designed to minimize impact by using the minimum width allowed by fire officials: 24 feet of pavement on a 28 foot graded surface. The buffer width is reduced to 100 feet for approximately 60 feet before widening back to 200 feet. While the crossing is not currently proposed to serve adjoining properties, the design does not preclude future access by adjoining properties. Therefore, the design meets all of the criteria for RPO crossings.

Point 3: The main project entry road impacts the 50 foot wetland buffer associated with an RPO wetland north of the road at Lot 6. No wetland is directly impacted. A detention basin previously proposed in the wetland and wetland buffer has been moved, eliminating direct wetland impacts. The convergence of several resources in the area creates a design challenge. To the south, a Coast Live Oak buffer would be impacted by any relocation of the road to the southward. Also in the area to the south, steep slopes related to a gully create a design challenge; therefore, it is not feasible to avoid RPO buffer. Crossings are limited to the minimum number feasible because this is the main road through the project. The current project design represents the least impactful solution for the crossing. Therefore, the design meets all of the criteria for RPO crossings.

Point 4: This is where the main project entry road impacts approximately 0.03 acres of wetland that is located south of the road at Lot 9. The road alignment has been designed to minimize the impact, but some impacts are nonetheless unavoidable due to the presence of a steep hillside of rock-outcroppings in this area which also contains other sensitive resources that should be avoided. Any redesign further to the north would require blasting into the hillside, and may impact other sensitive resources. Therefore, the design of the road in this location has been optimized to avoid impacts. Crossings are limited to the minimum number feasible because this is the one main road through the project. Therefore, this crossing meets all of the criteria for RPO crossings.

Additional details about these crossings are provided in Section 4.4 of the biological resources report.

The Proposed Project would impact a measurable amount of sensitive habitat lands as outlined in the RPO. That is, the Proposed Project would directly impact 12.6 acres of Southern Mixed Chaparral which requires 6.3 acres for mitigation at a ratio of 0.5:1; 0.8 acres of Chamise Chaparral which requires 0.4 acre for mitigation at a ratio of 0.5:1; 3.8 acres of Diegan Coastal Sage Scrub, Inland Form, which requires 7.6 acres for mitigation at a ratio of 2:1; 12.8 acres of Flat-top Buckwheat which requires 25.6 acres for mitigation at a ratio of 2:1; 4.6 acres of Coast Live Oak Woodland which requires 13.8 acres for mitigation at a ratio of 3:1; 43.7 acres for Project development and 2.2 acres of open space easement vacation of Engelmann Oak Woodland which requires a total of 144.3 acres for mitigation at a ratio of 3:1 as

well as a mitigation ratio of 6:1 for impacts in an area designated as an open space easement; 15.3 acres of Mixed Oak Woodland which requires 45.9 acres for mitigation at a ratio of 3:1; 0.8 acre of Mixed/Oak/Coniferous/Bigcone/Coulter which requires 2.4 acres for mitigation at a ratio of 3:1; 101.5 acres for Project development and 1.3 acres of open space easement vacation of Non-native Grassland which requires a total of 52.1 acres for mitigation at a ratio of 0.5:1 for project impacts, as well as a mitigation ratio of 1:1 for impacts in an area designated as an open space easement; 7.3 acres of Montane Meadow which requires 21.9 acres for mitigation at a ratio of 3:1; and 0.25 acre of Riparian Scrub which requires 0.75 acres for mitigation at a ratio of 3:1.

Of these habitats, hydrophytic areas of ~~of~~ the Non-native Grassland and Montane Meadow, the Southern Coast Live Oak Riparian Forest, and the Riparian Scrub qualify as RPO sensitive lands. The upland habitats (Southern Mixed Chaparral, Diegan Coastal Sage Scrub, Inland Form, Flat-top Buckwheat, Coastal Sage-Chaparral Scrub, Coast Live Oak Woodland, Engelmann Oak Woodland, Mixed Oak Woodland, Mixed Oak/Coniferous/ Bigcone/Coulter, and non-hydrophytic areas of the Non-native Grassland and Montane Meadow) may also qualify as RPO “sensitive habitat lands.” This is because they support unique vegetation communities and/or the habitats of rare or endangered species or sub-species of animals or plants, as defined by Section 15380 of the State CEQA Guidelines. This definition includes the area that is necessary to support a viable population of any of the sensitive species known from this site in perpetuity, that is critical to the proper functioning of a balanced natural ecosystem, and/or that serves as part of a functioning wildlife corridor. Guideline 3 is exceeded, impacts are significant, and mitigation would be required. **(Impact BI-12)**

Guideline 4 The project would not minimize and/or mitigate coastal sage scrub habitat loss in accordance with Section 4.3 of the Natural Communities Conservation Planning Process (NCCP) Guidelines.

The Proposed Project has been designed to minimize impacts to CSS to 3.8 acres, or nine percent of the site’s resource. On-site mitigation at a 2:1 ratio of preservation to impact is provided. Mitigation of all impacts to coastal sage scrub habitat loss via the dedication of land and the implementation of management agreements, both of which are acceptable mitigation options listed in Section 4.3 of the NCCP Guidelines, would be implemented. Guideline 4 is not exceeded, impacts are less than significant, and no mitigation is necessary.

Guideline 5: The project does not conform to the goals and requirements as outline in any applicable Habitat Conservation Plan (HCP), Habitat Management Plan (HMP), Special Area Management Plan (SAMP), Watershed Plan, or similar regional planning effort.

The Proposed Project is not located in an area subject to the goals and requirements as outlined in any existing Habitat Conservation Plan (HCP), Resource Management Plan (RMP), Special Area Management Plan (SAMP), Watershed Plan or similar regional planning effort. Guideline 5 is not exceeded, impacts are less than significant, and no mitigation is necessary.

Guideline 6: The project would preclude connectivity between areas of high habitat values, as defined by the Southern California Coastal Sage Scrub Natural Communities Conservation Planning Process (NCCP) Guidelines.

The Proposed Project would not preclude connectivity between areas of high habitat values, as defined by the NCCP Guidelines. This is because the limited amount of CSS on the subject site does not qualify as an area of “high (CSS) habitat value”. While the site contains many areas of high and very high value habitat, the CSS in particular is successional, patchy, and of lower conservation value. Also, due to its successional nature, the onsite CSS vegetation exhibits limited offsite habitat connectivity. Furthermore, the Project has been designed to avoid interference with habitat connectivity and wildlife corridors and ensure the ongoing integrity of the open space.

Guideline 6 is not exceeded, impacts are less than significant, and no mitigation is required.

Guideline 7: The project would reduce the likelihood of survival and recovery of listed species in the wild.

The Proposed Project would have no effect on the likelihood of survival and recovery of listed species in the wild because large areas of protected open space are provided. California Gnatcatcher does not occur on this site, and the only other listed species (Cuyamaca Meadowfoam) occurs in an area that would be entirely conserved in open space. Guideline 7 is not exceeded, and impacts are not significant. No mitigation is required.

Guideline 8: The project would result in the killing of migratory birds or destruction of active migratory bird nests and/or eggs (Migratory Bird Treaty Act).

In the absence of seasonal avoidance, construction activities associated with Project implementation, such as brushing, clearing, and grading, could result in the death of migratory birds or the destruction of active migratory bird nests and/or eggs. Migratory birds nesting in trees or shrubs to be removed would be impacted, as would any ground nesting migratory birds within areas subject to construction activities. The Proposed Project as proposed could result in the killing of migratory birds or destruction of active migratory bird nests and/or eggs due to intrusions by predatory pets and increased human presence on the site. Guideline 8 is exceeded, impacts are significant, and mitigation is required. **(Impact BI-13)**

Guideline 9: The project would result in the take of eagles, eagle eggs or any part of an eagle (Bald and Golden Eagle Protection Act).

No eagles have been detected in the biological surveys conducted for the project, and no known eagle nests are present on-site or within 4000 feet of proposed development. Golden Eagle nesting habitat is not present onsite. This wide-ranging species is known to forage onsite and nest in the Cleveland National Forest, which adjoins the site.

Golden Eagle is declining in San Diego County and is highly sensitive to human activity. The Proposed Project would result in the fragmentation of [206.9201.9](#) acres of Golden Eagle foraging habitat. Additionally, if project grading were to occur during the breeding season for the Golden Eagle, this may result in disturbance of the breeding pattern which might result in take. Project activities could modify eagle behavior, resulting in take as defined by the Wildlife Agencies. Therefore, Guideline 9 is exceeded, and impacts are significant. Mitigation is necessary. **(Impact BI-14)**

2.1.3 Cumulative Impact Analysis

A study area approximately two miles south, southeast, and northeast, and one mile north and west of the Proposed Project was selected. This area was selected for its topographic and biotic relationship to the Proposed Project. Areas with similar elevation variations to the east and west are included in order to capture similarities in habitat -due to climate and topography. Additionally, these areas are included to capture continuity with wildlife movement corridors and habitat connectivity to the east and west, particularly along Orinoco/Temescal Canyon Creek. The study area is shown on Figure 1-7, "Master Cumulative Impacts Map," and subsequent detail maps 1-8A through 1-8E.

2.1.3.1 *Special Status Species*

Six other proposed projects in the study area have biological impacts that may include Species of Special Status. These are MUP 77-113 (Julian Sanitation District Sprayfield), TPM 19932 (Ortega 4-lot Subdivision), SP 02-029 (Behen Single Family Dwelling), TPM 20253 (Sauter 5-lot Subdivision), TPM 20571 (Learn 5-lot Subdivision), and TPM 20474 (Klucwich Trust 4-lot Subdivision). The potential impacts associated with these projects are detailed in Table 1-1, "Cumulative Projects".

By design these projects have avoided extensive impacts to special status species. The projects are limited in scale. Most impacts to Special Status Species associated with these projects would consist of impacts to native habitat with the potential to support Special Status Species.

Of the impacts that were quantified, the cumulative projects impact 2.54 acres of oak chaparral, 19.22 acres of Mixed Montane Chaparral, 1.85 acres of Jeffery Pine, some *Symphonicarpos Eriogonum*, 21.5 acres of Chaparral, 5.4 acres of Dry Montane Meadow, 9.1 acres of Mixed Oak Woodland, and 0.3 acres of Open Water. The Proposed Project has impacts in three of these categories. It impacts 15.3 acres of Mixed Oak Woodland, 13.4 acres of Chaparral (12.6 acres of Southern Mixed Chaparral and 0.8 acre of Chamise Chaparral), and 7.3 acres of Dry Montane Meadow. This amounts to 63 percent, 38 percent, and 57 percent, respectively, of the cumulative impacts to these species.

TPM 19932 supports Velvety False-Lupine. However, the Proposed Project proposes an open space easement to avoid impacts to that Special Status Species.

Cumulative impacts to Special Status Species are not significant because impact areas are limited in scale and/or do not significantly impact large numbers of special status species.

The loss of these habitat areas does not impinge upon the continued viability of this species in the region, because these habitats are widespread in the region. Additionally, all projects with impacts to these habitats conform to County regulations for the protection of sensitive species, and have been required to mitigate for those impacts. Through a program of avoidance, mitigation and adherence to County regulations, these cumulative impacts do not preclude the continued viability of these habitats. Therefore, cumulative impacts to special status species are not significant, and no mitigation is required.

2.1.3.2 Riparian Habitat or Sensitive Natural Community

The Proposed Project would contribute to the cumulative loss of Riparian Habitat or other Sensitive Natural Communities. That is, the Proposed Project would directly impact 12.6 acres of Southern Mixed Chaparral, 0.8 acres of Chamise Chaparral, 3.8 acres of Diegan Coastal Sage Scrub, Inland Form, 12.8 acres of Flat-top Buckwheat, 4.6 acres of Coast Live Oak Woodland, 43.7 acres for Project development and 2.2 acres of open space easement vacation of Engelmann Oak Woodland, 15.3 acres of Mixed Oak Woodland, 0.8 acre of Mixed Oak/Coniferous/Bigcone/Coulter, 101.5 acres for Project development and 1.3 acres of open space easement vacation of Non-native Grassland, 7.3 acres of Montane Meadow, and 0.25 acre of Riparian Scrub.

Other active projects in the cumulative study area that would impact Riparian Habitats or Other Sensitive Natural Communities and are MUP 77-113, SP 02-029, TPM 20253, TPM 20571, and TPM 20474. The potential impacts associated with each of these projects are listed in Table 1-1. MUP 77-113 would impact oaks and riparian habitat, SP 02-029 would impact 20 oak trees; TPM 20253 would impact Oak Chaparral and Mixed Montane Chaparral; TPM 20571 would impact Jeffrey Pine Forest, Mixed Montane Chaparral, and Snowberry/Buckwheat; and TPM 20474 would impact Chaparral, Dry Montane Meadow, Mixed Oak Woodland, and Open Water. In general impacts are avoided whenever possible in keeping with County regulations.

All of these projects would mitigate for impacts to Riparian Habitats or Other Sensitive Natural Communities through the dedication of onsite open space easements, as required by County regulations. Individual impacts have therefore been reduced to a level that is less than significant. Cumulative projects do not affect the continued viability of these habitats because of a program of avoidance, mitigation, and adherence to County policy.

Furthermore, due to the extent of the Riparian Habitats (including State and County Wetlands and "Waters") or Other Sensitive Natural Communities on the Proposed Project site, as well as the fact that all impacts to these resources would be mitigated for to a level that is below significant, approval of the Proposed project would not have a cumulatively considerable impact when viewed in connection with effects of past projects, the effects of other current projects, and the effects of probable future projects affecting the same resource.

2.1.3.3 Federal Jurisdictional Wetlands and Waterways

The Proposed Project would contribute to the cumulative loss of Federal Jurisdictional Wetlands and Waterways. Project-related future construction, grading, clearing or other activities related to the Proposed Project would permanently affect Federal Jurisdictional Wetlands and Waterways on the Proposed Project site. That is, the Proposed Project would directly impact 0.14 acre of jurisdictional wetlands and/or non-wetland "waters".

Other active projects within the cumulative study area that could contribute to the loss of Jurisdictional Wetlands and Waterways within the cumulative study area include MUP 77-113 and TPM 20474. The potential impacts associated with each of these projects are listed in Table 1-1. MUP 77-113 could impact riparian habitat and runoff associated with the project could impact surface and groundwater. TPM 20474 would impact 0.3 acre of Open Water, which likely qualifies as jurisdictional wetlands

and “waters”. MUP 77-113 proposes open space to avoid impacts to riparian habitat, with 100-foot buffers around drainages and no surface run-off. TPM 20474 would mitigate for project impacts through the dedication of an onsite open space easement. Therefore, these projects either avoid impacts to Jurisdictional Wetlands and Waterways or provide mitigation to reduce impacts to a level that is less than significant. No other projects within the cumulative study area are listed as impacting Jurisdictional Wetlands and Waterways. Cumulative impacts are not significant. No mitigation is necessary.

Furthermore, due to the extent of the federal wetlands on the Proposed Project site, as well as the fact that all impacts to Federal Jurisdictional Wetlands and Waterways would be mitigated for to a level that is below significance, approval of the Proposed project would not have a cumulatively considerable impact when viewed in connection with effects of past projects, the effects of other current projects, and the effects of probable future projects affecting the same resource.

2.1.3.4 *Wildlife Movement and Nursery Sites*

Other proposed projects within the cumulative study area that could potentially impact Wildlife Movement or Nursery Sites include MUP 77-113, TPM 20253, TPM 20571, and TPM 20474. Each of these projects could remove native vegetation and therefore impact wildlife movement. However, the areas to be impacted by these projects are small (no more than 40 acres for the largest project) and each project proposes onsite open space that would preserve a portion of each project site for wildlife movement. Therefore, all of these projects have either minimal impacts or significant impacts that would be mitigated for to a level that is less than significant.

Because the Proposed Project creates no significant impacts to Wildlife Movement or Nursery Sites, and the other proposed projects within the cumulative study area would not result in significant impacts to Wildlife Movement or Nursery Sites, approval of the Proposed Project would not result in cumulatively considerable impacts when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects affecting the same resource. Cumulative impacts to Wildlife Movement and Nursery Sites are not significant, and no mitigation is required.

2.1.3.5 *Local Policies, Ordinances and Adopted Plans*

The other projects within the cumulative study area (MUP 77-113, TPM 19932, SP 02-029, TPM 20253, TPM 20571, and TPM 20474) conform to local policies, ordinances, and adopted plans that are current at the time of their applications. Several of these projects already have Mitigated Negative Declarations. The remaining cumulative projects would conform to a range of policies intended to protect biological resources, including requirements for the effective management of protected open space, the no net loss of wetlands policy, and controls on runoff and stormwater. All projects with CSS impacts must meet County HLP requirements, which include 4d Findings. These Findings include a finding that a project’s loss of CSS would not have a significant negative impact when considered in conjunction with CSS losses that have already occurred in the region. Findings are not made if these impacts are present. As such, County policy precludes approval of projects which have a cumulatively significant impact to CSS.

Therefore, the other projects within the cumulative study area would not have significant impacts in relation to conformance with Local Policies, Ordinances, and Adopted Plans. Furthermore, due to the fact that all impacts to Local Policies, Ordinances, or Adopted Plans associated with the Proposed Project would be mitigated for to a level that is below significance, approval of the Proposed Project would not have cumulatively considerable impacts when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects affecting the same resource. Therefore, cumulative impacts are not significant in relation to conformance with local policies, ordinances, and adopted plans. No mitigation is necessary.

2.1.4 Significance of Impacts Prior to Mitigation

The following is a brief summary of all direct and indirect impacts which were determined to be significant by the analysis provided by the Biological Resources Survey (Appendix A).

2.1.4.1 *Impacts to Special Status Species*

- BI-1 Indirect long-term (permanent) impacts to Swainson’s Hawk and Cuyamaca Meadowfoam, which are Threatened or state-listed Endangered Species, due to habitat loss.
- BI-2 Direct and indirect impacts to County Group A or B plant species, County Group I animal species, or state Species of Special Concern: Direct impacts: San Diego Gumplant, Two-striped Garter Snake, and Large-blotched Salamander. Indirect impacts: Velvety False Lupine, San Diego Milk-vetch, Grasshopper Sparrow, Golden Eagle, Red-shouldered Hawk, Turkey Vulture, Northern Harrier, White-tailed Kite, Southwestern Pond Turtle, Cooper’s Hawk, and Sharp-shinned Hawk.
- BI-3 Direct and indirect impacts to County Group C or D plant Species, or County Group II animal species: Direct impacts: Banner Dudleya, Engelmann Oak, San Diego Desert Woodrat, Silvery Legless Lizard, Orange-throated Whiptail, San Diego Ringneck Snake, Coronado Skink, San Diego Horned Lizard, Coastal Western Whiptail, Coastal Rosy Boa, [San Diego Mountain Kingsnake](#), and Northern Red Diamond Rattlesnake. Indirect impacts: Great Blue Heron, [California](#) Horned Lark, Western Bluebird, Barn Owl, Mountain Lion, Mule Deer, and Monarch Butterfly.
- BI-4 Direct and indirect long-term (permanent) impacts to Golden Eagle habitat due to habitat conversion.
- BI-5 Direct long-term (permanent) impacts to up to [206.9201.9](#) acres of potential foraging habitat for the site’s resident and potentially-resident raptor species, including Golden Eagle, Swainson’s Hawk, Red-shouldered Hawk, and White-tailed Kite.
- BI-6 Indirect long-term (permanent) impacts to special status species due to human presence or intrusion into sensitive habitat.
- BI-7 Indirect short-term (temporary) impacts to nesting success of special status species due to grading and other noise-generating activities.

2.1.4.2 Impacts to Riparian Habitat or Sensitive Natural Communities

- BI-8 Direct long-term (permanent) onsite impacts to sensitive native or naturalized habitat resulting from construction, grading, or clearing include 12.6 acres of Southern Mixed Chaparral, 0.8 acres of Chamise Chaparral, 3.8 acres of Diegan Coastal Sage Scrub, Inland Form, 12.8 acres of Flat-top Buckwheat, 4.6 acres of Coast Live Oak Woodland, 43.7 acres for Project development and 2.2 acres of open space easement vacation of Engelmann Oak Woodland, 15.3 acres of Mixed Oak Woodland, 101.5 acres of Non-native Grassland, 7.3 acres of Montane Meadow, and .25 acre of Riparian Scrub.

- BI-9 Project-related future construction, grading, clearing, or other activities would result in direct long-term (permanent) impacts to jurisdictional wetlands and/or riparian habitats, as defined by CRWQCB, CDFW, and the County of San Diego RPO. This would include the limited removal of vegetation; grading; obstruction or diversion of water flow; placement of fill; placement of structures; construction of road crossings; placement of culverts or other underground piping; disturbance of the substratum; and/or activities that may cause a measurable, adverse change in native species composition, diversity, and abundance. Hydrophytic areas of the Non-native Grassland, Montane Meadow, and Riparian Scrub would be impacted by the Proposed Project qualify as jurisdictional wetland and/or riparian habitats.

- BI-10 Indirect long-term (permanent) impacts due to increased human access or competition from domestic animals, pests or exotic species to levels proven to adversely affect sensitive habitats.

2.1.4.3 Impacts to Federal Jurisdictional Wetland and Waterways

- BI-11 Project-related future construction, grading, clearing, or other activities would result in direct long-term (permanent) impacts to federal jurisdictional wetlands and/or waterways, as defined by ACOE. This would include the limited removal of vegetation; grading; obstruction or diversion of water flow; placement of fill; placement of structures; construction of road crossings; placement of culverts or other underground piping; disturbance of the substratum; and/or activities that may cause a measurable, adverse change in native species composition, diversity, and abundance. The Proposed Project would impact 0.14 acre of Federal Jurisdictional Wetlands and/or Waterways.

2.1.4.4 Impacts to Local Policies, Ordinances, Adopted Plans

- BI-12 Direct long-term (permanent) impacts to a measurable amount of RPO-sensitive habitat lands. That is, the Proposed Project would directly impact 12.6 acres of Southern Mixed Chaparral, 0.8 acres of Chamise Chaparral, 3.8 acres of Diegan Coastal Sage Scrub, Inland Form, 12.8 acres of Flat-top Buckwheat, 4.6 acres of Coast Live Oak Woodland, 43.7 acres for Project development and 2.2 acres of open space easement vacation of Engelmann Oak Woodland, 15.3 acres of Mixed Oak Woodland, 101.5 acres for Project development and 1.3 acres of open

space easement vacation of Non-native Grassland, 7.3 acres of Montane Meadow, and 0.25 acre of Riparian Scrub onsite.

Of these habitats, hydrophytic areas of ~~of~~ JU the Non-native Grassland and Montane Meadow, the Southern Coast Live Oak Riparian Forest, and the Riparian Scrub qualify as RPO sensitive lands. The upland habitats (Southern Mixed Chaparral, Diegan Coastal Sage Scrub, Inland Form, Flat-top Buckwheat, Coastal Sage-Chaparral Scrub, Coast Live Oak Woodland, Engelmann Oak Woodland, Mixed Oak Woodland, Mixed Oak/Coniferous/ Bigcone/Coulter, and non-hydrophytic areas of the Non-native Grassland and Montane Meadow) may also qualify as RPO “sensitive habitat lands”, because they support unique vegetation communities and/or the habitats of rare or endangered species or subspecies of animals or plants, as defined by Section 15380 of the State CEQA Guidelines, including the area that is necessary to support a viable population of any of the sensitive species known from this site in perpetuity, that is critical to the proper functioning of a balanced natural ecosystem, and/or that serves as part of a functioning wildlife corridor.

- BI-13 Direct long-term (permanent) and indirect long-term (permanent) impacts because the Proposed Project could, without seasonal restrictions, result in the loss of migratory birds or destruction of active migratory bird nests and/or eggs as a result of construction-related activities such as brushing, clearing, and grading of the site.
- BI-14 The Proposed Project would create indirect long-term (permanent) impacts because the Project Site does support Golden Eagles, and would result in the loss of some foraging habitat for this species. Additionally, Project activities could modify eagle behavior, resulting in a ‘take’ as defined by the Wildlife Agencies.

2.1.5 Mitigation

The following mitigation measures are proposed to mitigate for the listed impacts:

2.1.5.1 *M-BI-1*

The ~~4,209.81~~ 1,214.8-acre Open Space Easement would preclude future development or other use of the land within that area and provides the mitigation required for all biological impacts onsite (M-BI-1 through M-BI-19).

The project open space contains “impact neutral” areas which are part of required RPO wetland buffers and are not available for use as mitigation for Proposed Project impacts. All feasible measures necessary to protect and preserve the RPO sensitive habitat lands shall be required as a condition of permit approval. The mitigation provides an equal or greater benefit to the affected species, per RPO section 86.604 (f).

A complete breakdown of Proposed Project impacts, mitigation requirements, impact neutral acreage, and mitigation area provided within the Project open space is provided as follows:

- A loss of 12.6 acres of Southern Mixed Chaparral requires 6.3 acres of mitigation at a ratio of 0.5:1. The Proposed Project protects a total of 104.9 acres in the

OSE, 26.9 acres of which are impact neutral. The total available for mitigation is therefore 78.0 acres, which is 71.7 acres above the requirement.

- A loss of 0.8 acres of Chamise Chaparral requires 0.4 acre of mitigation at a ratio of 0.5:1. The Proposed Project protects a total of 96.1 acres in the OSE, 12.7 acres of which are impact neutral. The total available for mitigation is therefore 83.4 acres, which is 83 acres above the requirement.
- A loss of 3.8 acres of Diegan Coastal Sage Scrub requires 7.6 acres of mitigation at a ratio of 2:1. The Proposed Project protects a total of 36.8 acres in the OSE, 1.5 acres of which are impact neutral. The total available for mitigation is therefore 35.3 acres, which is 31.5 acres above the requirement.
- A loss of 12.8 acres of Flat-top Buckwheat requires 25.6 acres of mitigation at a ratio of 2:1. The Proposed Project protects a total of 58.6 acres in the OSE, 6.0 acres of which are impact neutral. The total available for mitigation is therefore 52.6 acres, which is 27.0 acres above the requirement.
- A loss of 4.6 acres of Coast Live Oak Woodland requires 13.8 acres of mitigation at a ratio of 3:1. The Proposed Project provides 171.2 acres in the OSE, 51.8 acres of which are impact neutral. The total available for mitigation is well above the requirement.
- A loss of 43.7 acres for Project development and 2.2 acres of open space easement vacation of Engelmann Oak Woodland requires a total of 144.3 acres of mitigation at ratios of 3:1 and 6:1, respectively. The Proposed Project provides 200.1 acres in the OSE, 44.2 acres of which are impact neutral. The total available for mitigation is well above the requirement.
- A loss of 15.3 acres of Mixed Oak Woodland requires 45.9 acres of mitigation at a ratio of 3:1. The Proposed Project provides 99.7 acres in the OSE, 45.4 acres of which are impact neutral. The total available for mitigation is well above the requirement.
- A loss of 0.8 acres of Mixed Oak/Coniferous/Bigcone/Coulter requires 2.4 acres of mitigation at a ratio of 3:1. The Proposed Project provides 7.9 acres in the OSE, 2.8 acres of which are impact neutral. The total available for mitigation is well above the requirement.
- A loss of 101.5 acres for Project development and 1.3 acres of open space easement vacation of Non-native Grassland requires 52.1 acres of mitigation at a ratio of 0.5:1 and 1:1, respectively. The Proposed Project provides 273.0 acres in the OSE, 13.8 acres of which are impact neutral. The total available for mitigation is well above the requirement.
- A loss of 7.3 acres of Montane Meadow requires 21.9 acres of mitigation at a ratio of 3:1. The Proposed Project provides 69.0 acres in the OSE, 2.3 acres of which are impact neutral. The total available for mitigation is well above the requirement.
- A loss of 0.25 acre of Riparian Scrub requires 0.75 acre of mitigation at a ratio of 3:1. The Proposed Project provides 2.96 acres in the OSE. Due to the County's No Net Loss policy for wetlands, any impact to wetland habitat such as Riparian Scrub must be mitigated. Therefore, the 2.96 onsite acres of Riparian Scrub are considered 'impact neutral', and cannot satisfy the requirement for mitigation of

this impact. The proposed mitigation would be either offsite mitigation in an approved wetland mitigation bank, or the preparation and implementation of an approved Wetland Revegetation Plan (provided as Attachment E to the biology report), in keeping with the no net loss of wetland policy adopted by the County.

2.1.5.2 M-BI-2

A Resource Management Plan (RMP) to address adequate mitigation for Project impacts shall be prepared, approved, and implemented as a condition of project approval. The RMP would contain guidelines for the stewardship, maintenance, biological monitoring, and overall funding and management of the onsite open space. The RMP would eliminate future unauthorized intrusion into biologically sensitive areas through several methods, including fencing, signage, and restrictions to recreational use of the open space.

The RMP contains provisions to ensure long-term viability of the habitat for County Group I and II animals, Group A, B, C, and D Plants, and potentially other sensitive animals. The plan would specify remediation as necessary, in perpetuity, to maintain habitat viability.

The project also includes either offsite mitigation for project impacts to Riparian Habitats or Other Sensitive Natural Communities in approved wetland mitigation bank in the area that the agencies accept, or the preparation and implementation of an approved WRP (provided as Attachment E to the biology report). The WRP would guide the revegetation of degraded and disturbed areas of the site with native wetland vegetation in order to mitigate for project impacts to jurisdictional wetland and “waters”. The WRP identifies standards, methodologies, and protocols that have demonstrated success in past wetland revegetation projects.

2.1.5.3 M-BI-3

The protections provided by the RMP over the open space areas onsite would provide protections for raptors (including Golden Eagle, specifically), migratory birds, and other sensitive bird species’ and their habitats as well. In order to prevent potential impacts to the nesting success of sensitive animals, site brushing, grading, and/or the removal of native vegetation within 500 feet of any potential nesting location shall not take place during the native bird season, defined as from 1 January ~~through September 1^o~~ ~~31 August~~ each year. This is required in order to ensure compliance with the federal Migratory Bird Treaty Act and Sections 3505, 3505.5, and 3513 of the California Fish and Game Code, which prevent the ‘take’ of eggs, nests, feathers, or other parts of most native bird species. Should it be necessary to conduct brushing, grading, or other construction activities during the bird breeding season, a [biologist with experience conducting bird breeding surveys will conduct a preconstruction nesting survey of all areas within 500 feet of the proposed activity would be required. The results of the survey would be provided in a report to the Director, Department of Planning and Development Services and the Wildlife agencies for concurrence with the conclusions and recommendations. If an active nest is detected, no grading or other construction activity will be allowed within the 500 foot buffer will be allowed until the fledged birds have left the nest. The buffer distance may be altered in which case a site specific nest protection plan will be developed. The plan will include detailed methodologies and definitions to enable a qualified avian biologist to monitor and implement rest-specific buffers based on the](#)

[individual species involved, site conditions, level of human activity, and other activity in the area.](#)

2.1.5.4 M-BI-4

The Proposed Project also includes the preparation and implementation of a Wetland Revegetation Plan (WRP) (attached to the biological analysis). The purpose of the WRP shall be to guide the revegetation of degraded and disturbed areas of the site with native wetland vegetation in order to mitigate for project impacts to jurisdictional wetlands and 'waters'. The WRP shall identify standards, methodologies, and protocols that have demonstrated success in past wetland revegetation projects. A concerted effort to create suitable planting densities, species composition, and other related factors shall be considered during the design of the WRP.

2.1.5.5 M-BI-5

A Conservation Grazing Management Plan (CGMP) for the Proposed Project contains site-specific conservation measures and practices that address multiple resource concerns on areas where grazing related activities or practices would be planned and applied. This includes a discussion of climate, water resources, geology, special physical features, soils, erosion, hydrology, surface water drainage, and water quality along with grazing capacity, infrastructure, special management areas and hazards, ecosystem health, special habitats and feature characteristics, The CGMP identifies predicted effects and desired conditions, including the consequences of grazing and related management of special resources, non-grazing (but related) management of special resources, alternative feasible management scenarios, and timeline of management requirements of special resources affected by grazing. The Plan discusses sustainability, including integration with the regional socio-economic systems for long-term viability, and guidelines, incentives, and contingencies for all operations, Finally, the CGMP defines the monitoring of site conditions and the planned effects on resources related to grazing, including monitoring variables, methods, a schedule, evaluation standards and analysis, adaptation of management actions, and reporting. [The CGMP will be applied if grazing occurs in the open space area.](#)

2.1.5.6 M-BI-6

Because the Proposed Project would impact federal jurisdictional wetlands, it would likely be necessary to obtain certain regulatory agency permits prior to project development. The applicant is required to consult with ACOE regarding Clean Water Act Section 404 permits. As part of this process, the ACOE would likely require that jurisdictional wetland delineation be conducted and that a jurisdictional wetland delineation report be prepared in order to quantify all Proposed Project impacts to jurisdictional wetlands.

2.1.5.7 M-BI-7

The Proposed Project is in compliance with the County's RPO requirement that impacts to RPO wetlands be avoided except under certain extenuating circumstances (See RPO Section 86.604(a)(5)). Section 2.1.2.5 of this ~~DEIR~~FEIR provides the details of those impacts and their analysis. The County also requires buffers of at least 50-feet to protect all RPO wetlands. The County considers RPO wetlands and the habitat within RPO wetland buffers to be "impact neutral" and

therefore unavailable for use as mitigation for project impacts. Furthermore, where oak woodland occurs adjacent to an RPO wetland, the County requires that the wetland buffer be extended outward to include the entirety of the oak habitat (not to exceed 200 feet in width). Where feasible, the Proposed Project complies with these requirements.

The Proposed Project's unavoidable impacts to RPO wetlands would be mitigated for at a 3-to-1 ratio, with at least 1-to-1 of this ratio consisting of wetlands creation, and the balance (a 2-to-1 ratio) consisting of wetlands creation and/or enhancement. This could occur at an off-site County-approved mitigation bank, if available, and/or onsite via habitat creation, restoration, and/or enhancement within the open space. Any onsite wetlands creation, restoration, and/or enhancement activities would be subject to the County approval of a WRP. An RMP would also be prepared and approved as a condition of Project approval. The RMP would contain guidelines for the stewardship, maintenance, biological monitoring, and overall funding and management of the open space, including all areas of conserved RPO wetlands.

The least damaging construction methods would be utilized to construct the RPO wetland crossing and driveways. Staging areas would be located outside of sensitive areas, work would not be performed during the avian breeding season, noise attenuation measures would be included, and hours of operation would be limited so as to comply with all applicable ordinances and avoid impacts to sensitive resources. These measures would also be included in the RMP to be prepared as a Condition of Project Approval. Lastly, as discussed above, all direct impacts to RPO wetlands would be mitigated for at a 3-to-1 ratio, with no less than 1-to-1 of this total consisting of wetlands creation.

2.1.5.8 M-BI-8

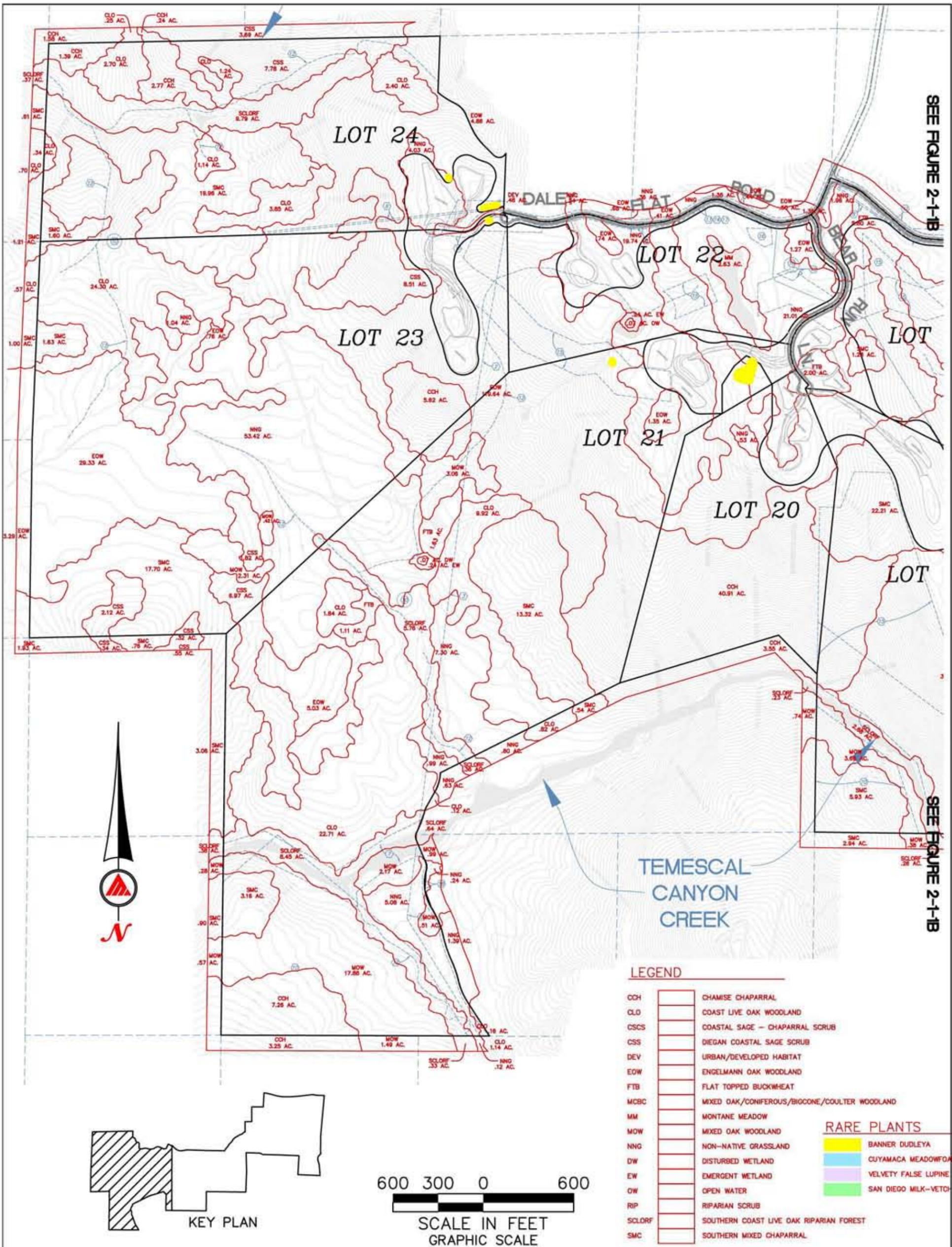
The Proposed Project would be required to obtain a HLP from the County of San Diego. The permit would mitigate agency concerns by providing appropriate mitigation for all project-related impacts to Diegan Coastal Sage Scrub and related Scrub habitats. The site supports approximately 150.3 acres of Scrub habitat (Diegan Coastal Sage Scrub, Inland Form, Flat-top Buckwheat, and Coastal Sage – Chaparral Scrub), 16.7 acres of which would be impacted by development.

2.1.6 Conclusion

Biological resources were analyzed by a County-qualified biological consultant. The analysis included review of prior records and reports, field visits, and review of current mapping. Future development of the Proposed Project Site, as presently proposed, could result in significant direct and indirect short- and long-term impacts to the following biological resources: species of special status, riparian resources, federal jurisdictional wetlands, wildlife movement and nursery sites, and local policies, ordinances, or adopted plans. Mitigation for these impacts is proposed, as follows: The Proposed Project proposes a ~~4,209.81~~1,214.8-acre open space preserve to protect sensitive species, riparian and jurisdictional wetlands, and nursery sites. The open space design includes 50-foot buffers adjacent to oaks, as well as 50 to 200 foot buffers adjacent to wetland wherever possible. A CGMP for the Proposed Project is designed to direct ongoing grazing activities within open space areas. A RMP would be required that would specify management activities and reporting within the open space. The Grazing Manager and the Habitat Manager would work in tandem, through the prescriptions provided by their respective resource management plans, to ensure that grazing activities are harmonious

with the onsite resources. This mitigation would provide open space protections that preserve sensitive habitats and manage the open space in perpetuity. Protections consist of fencing and signage, as needed, to deter intrusions. Professional management and reporting would be incorporated to ensure that protections remain effective and that the open space is monitored on an on-going basis.

Direct impacts to sensitive habitats would be mitigated by a program of onsite open space preservation. Mitigation is provided according to County approved mitigation ratios, ranging from 0.5 to 3 acres for each acre of project impact. Wetland loss would be mitigated with either the purchase of credits at an approved mitigation bank, or additional wetland creation and enhancement onsite which shall be subject to the requirements of an approved WRP, in keeping with the no net loss of wetland policy adopted by the County. Construction and related activity would be restricted during the breeding season of sensitive and migratory birds. The appropriate permits would be obtained from ACOE, CDFW, or the County of San Diego prior to grading or construction in wetlands, CSS, or other protected habitats. These would include a Habitat Loss Permit (4d) for impacts to CSS. Through a program of avoidance and open space protection, permitting, controls on grading and construction activity, and on-going professional management, the Proposed Project mitigates its significant impacts to below a level of significance. No further mitigation is required.



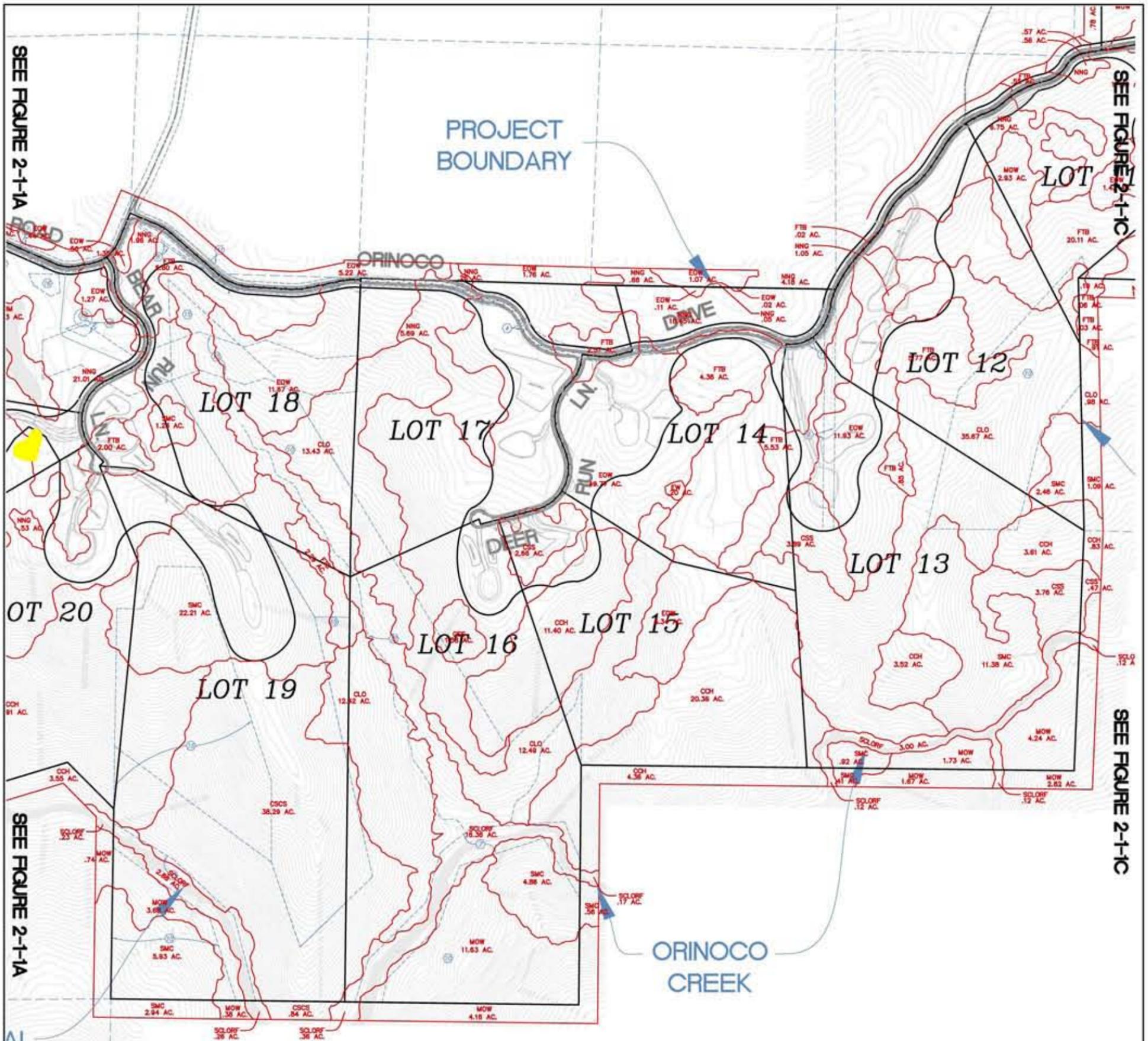
SEE FIGURE 2-1-1B

SEE FIGURE 2-1-1B

FIGURE
2-1-1A

BIOLOGICAL RESOURCES - WEST



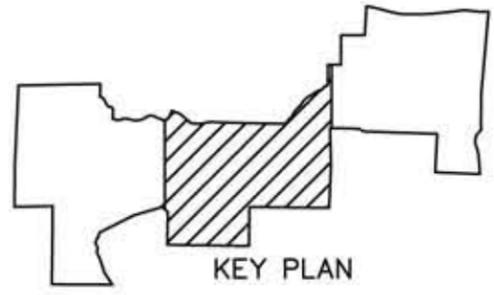
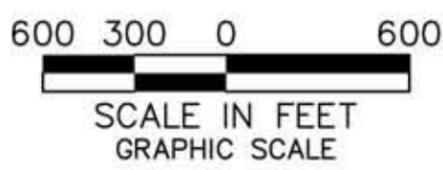


SEE FIGURE 2-1-1A

SEE FIGURE 2-1-1C

SEE FIGURE 2-1-1A

SEE FIGURE 2-1-1C



LEGEND	
COH	CHAMISE CHAPARRAL
CLO	COAST LIVE OAK WOODLAND
CSCS	COASTAL SAGE - CHAPARRAL SCRUB
CSS	DIEGAN COASTAL SAGE SCRUB
DEV	URBAN/DEVELOPED HABITAT
EOW	ENGELMANN OAK WOODLAND
FTB	FLAT TOPPED BUCKWHEAT
MCBC	MIXED OAK/CONIFEROUS/BIGCONE/COULTER WOODLAND
MM	MONTANE MEADOW
MOW	MIXED OAK WOODLAND
NNG	NON-NATIVE GRASSLAND
DW	DISTURBED WETLAND
EW	EMERGENT WETLAND
OW	OPEN WATER
RIP	RIPARIAN SCRUB
SCLORF	SOUTHERN COAST LIVE OAK RIPARIAN FOREST
SMC	SOUTHERN MIXED CHAPARRAL

RARE PLANTS	
	BANNER DUDLEYA
	CUYAMACA MEADOWFOAM
	VELVET FALSE LUPINE
	SAN DIEGO MILK-VETCH

FIGURE
2-1-1B

BIOLOGICAL RESOURCES - CENTRAL



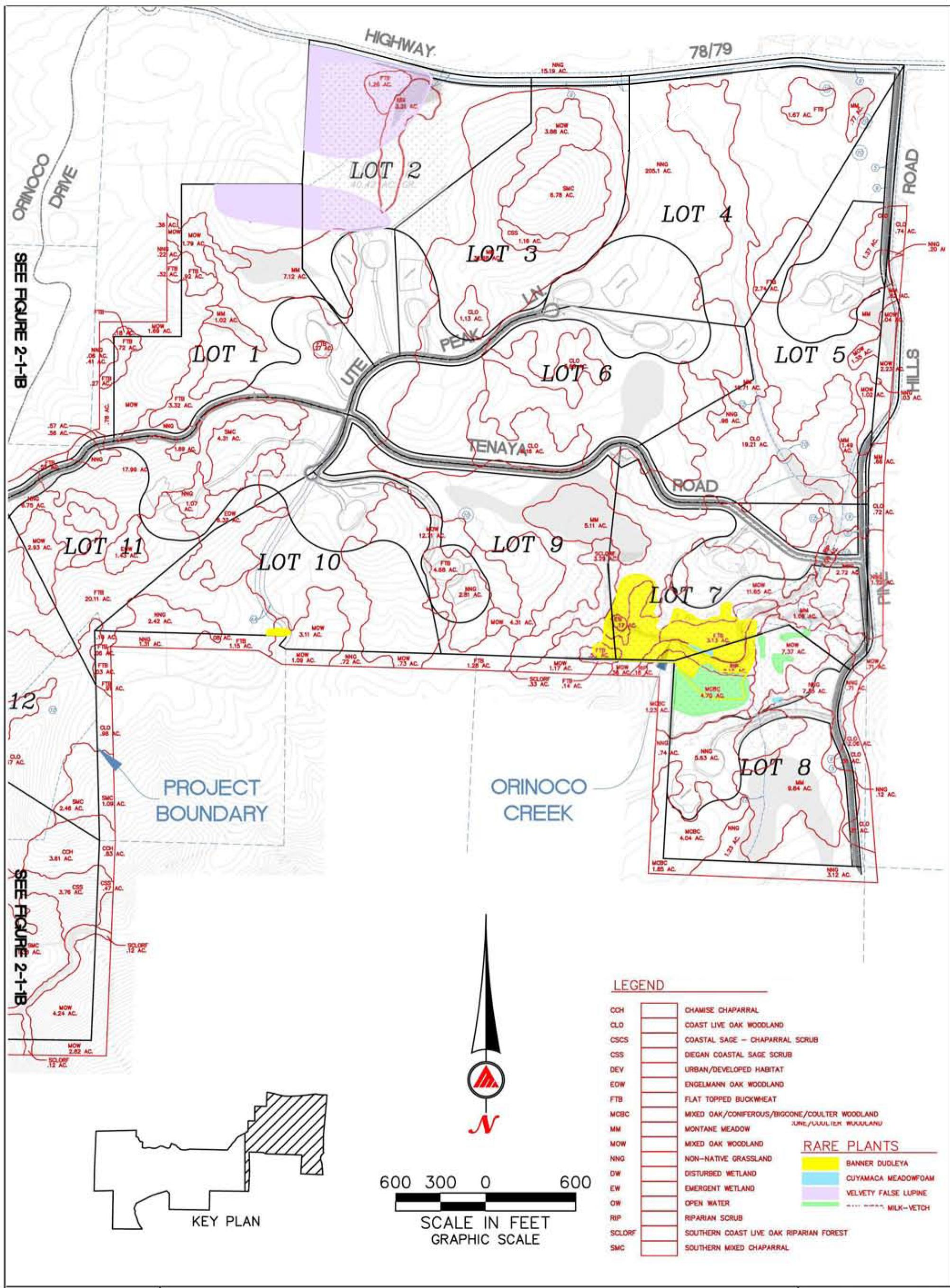
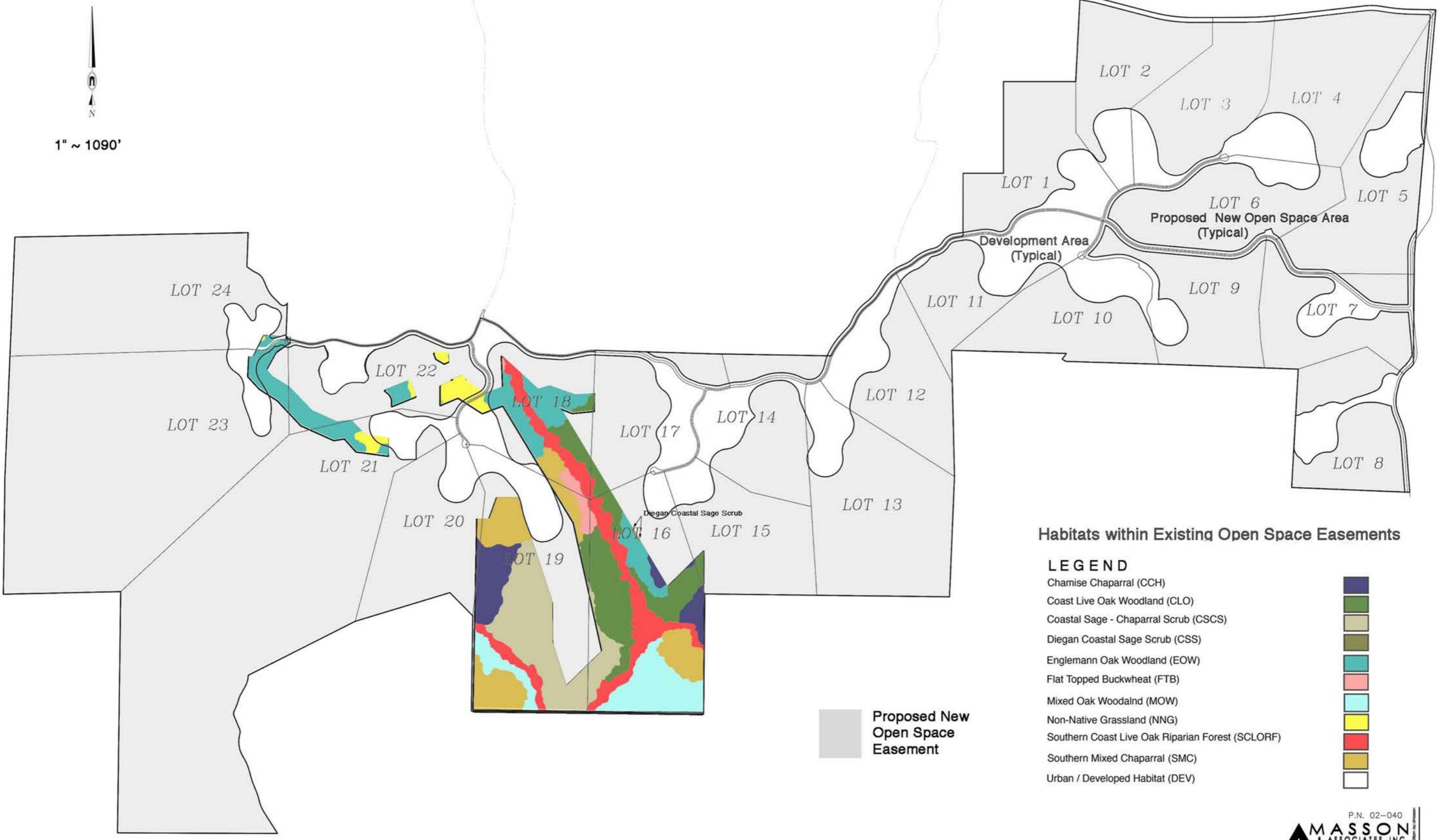


FIGURE 2-1-1C

BIOLOGICAL RESOURCES MAP - EAST





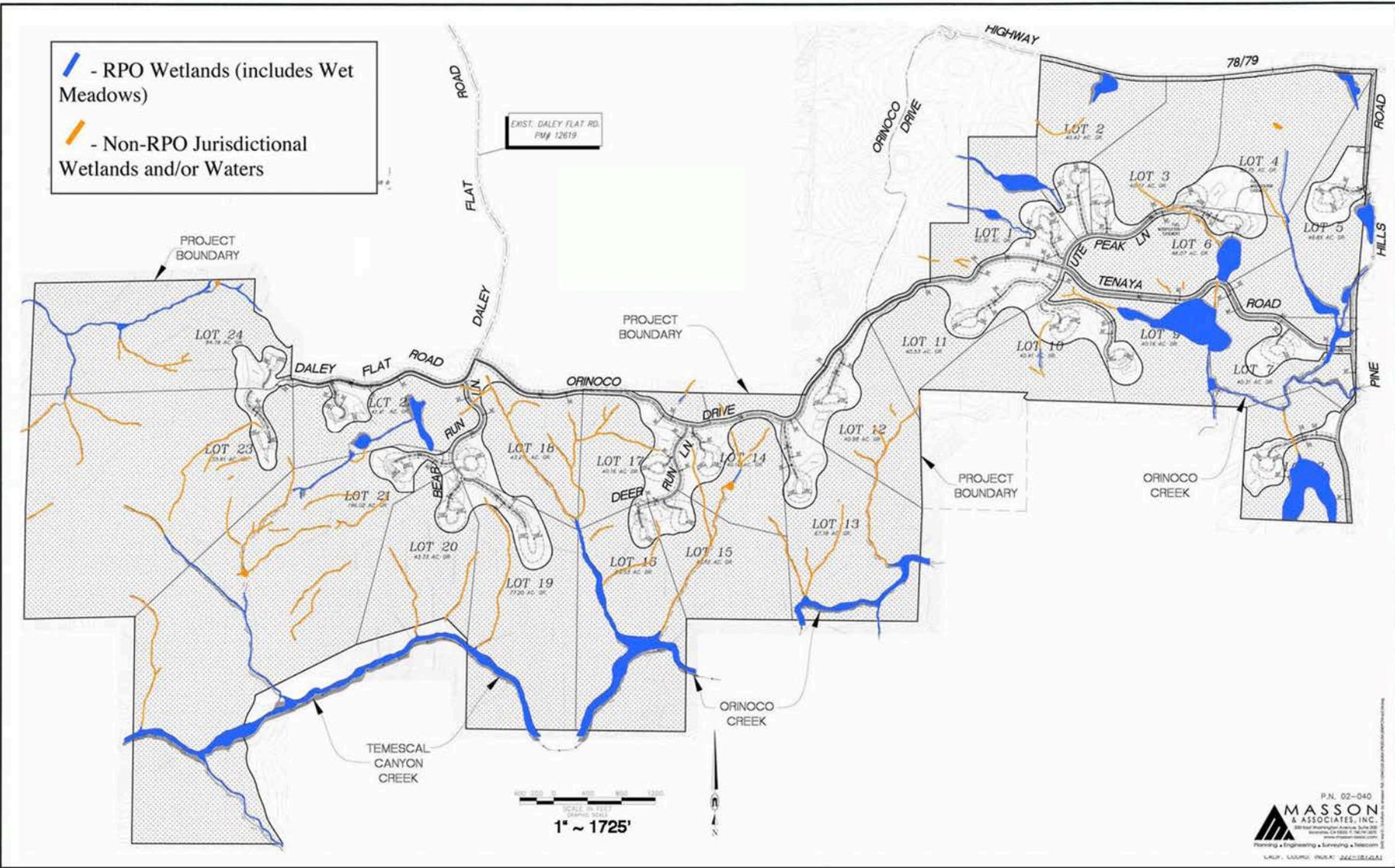


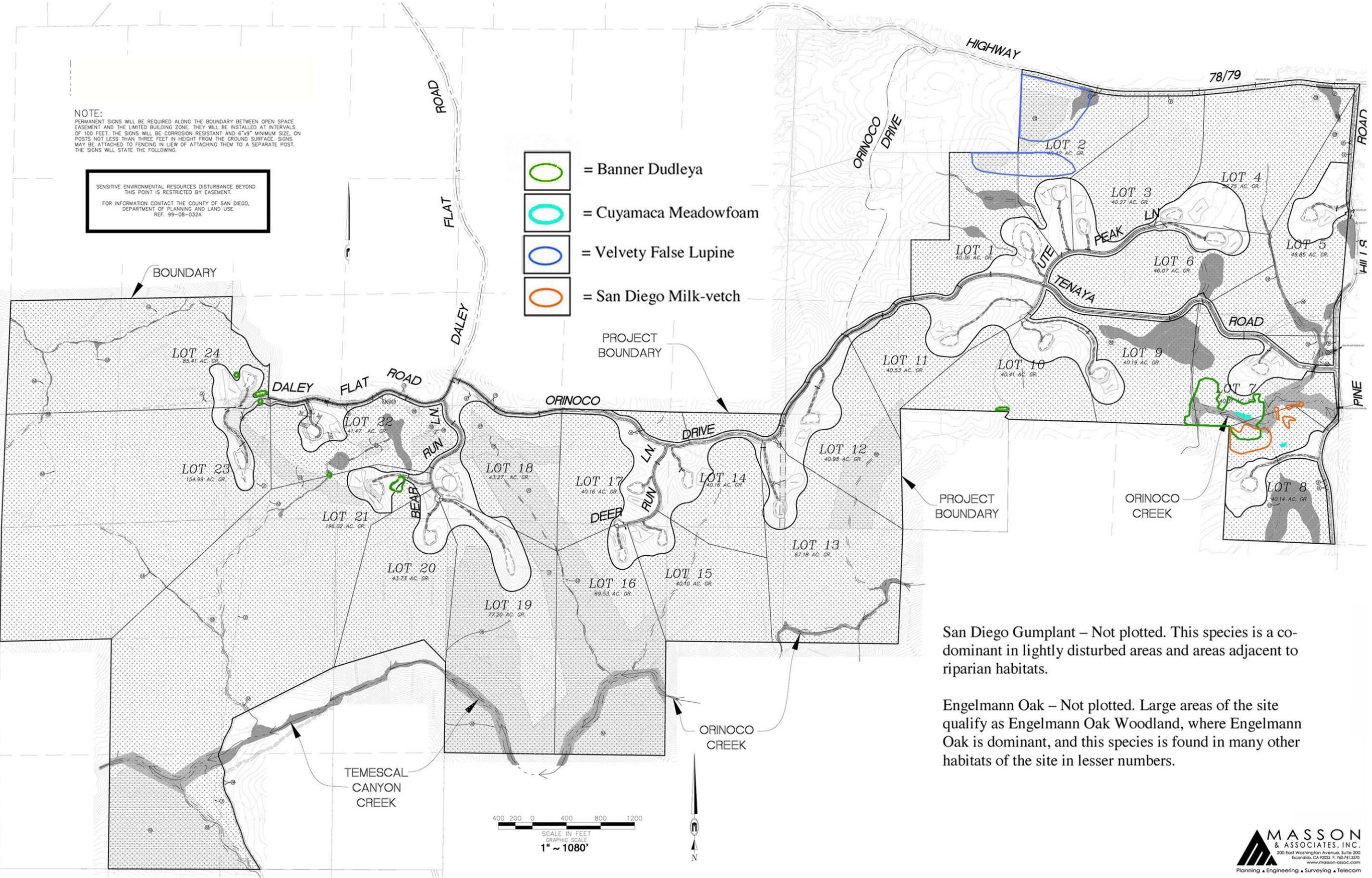
Figure 2-1-3

Wetland Delineation

NOTE:
PERMANENT SIGNS WILL BE REQUIRED ALONG THE BOUNDARY BETWEEN OPEN SPACE EASEMENT AND THE LIMITED BUILDING ZONE. THEY WILL BE INSTALLED AT INTERVALS OF 100 FEET. THE SIGNS WILL BE CORROSION RESISTANT AND 6"x9" MINIMUM SIZE. ON POSTS NOT LESS THAN THREE FEET IN HEIGHT FROM THE GROUND SURFACE. SIGNS MAY BE ATTACHED TO FENCING IN LIEU OF ATTACHING THEM TO A SEPARATE POST. THE SIGNS WILL STATE THE FOLLOWING:

SENSITIVE ENVIRONMENTAL RESOURCES DISTURBANCE BEYOND THIS POINT IS RESTRICTED BY EASEMENT.
FOR INFORMATION CONTACT THE COUNTY OF SAN DIEGO, DEPARTMENT OF PLANNING AND LAND USE, REF. 99-08-032A

-  = Banner Dudleya
-  = Cuyamaca Meadowfoam
-  = Velvety False Lupine
-  = San Diego Milk-vetch



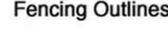
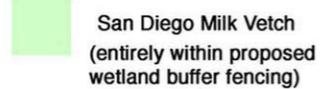
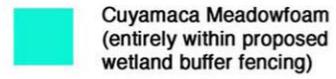
San Diego Gumplant – Not plotted. This species is a co-dominant in lightly disturbed areas and areas adjacent to riparian habitats.

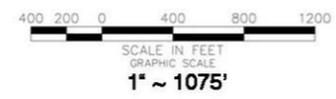
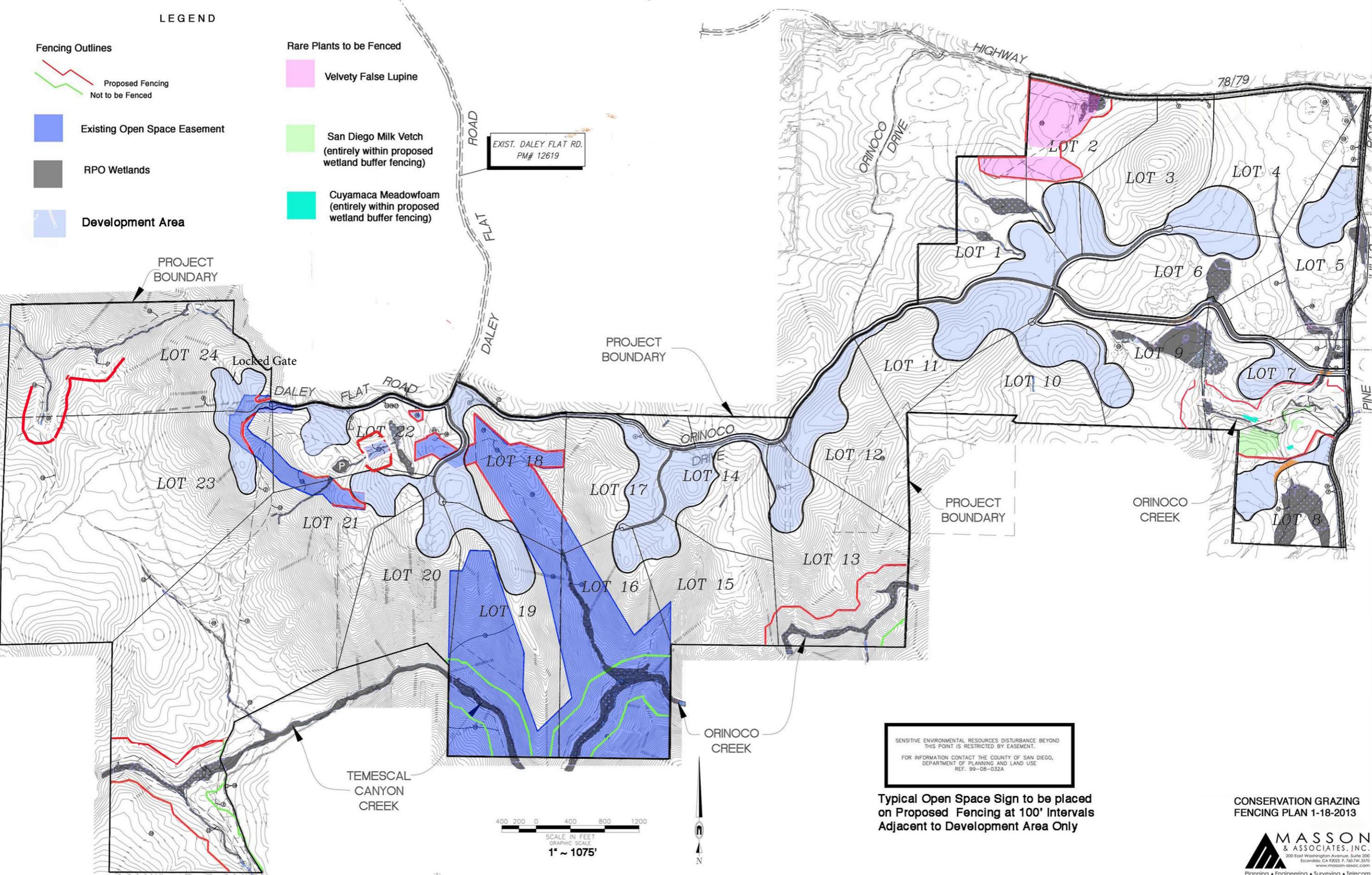
Engelmann Oak – Not plotted. Large areas of the site qualify as Engelmann Oak Woodland, where Engelmann Oak is dominant, and this species is found in many other habitats of the site in lesser numbers.

Rare Plant Survey

Figure 2-1-4

LEGEND

- Fencing Outlines**
-  Proposed Fencing
 -  Not to be Fenced
- Rare Plants to be Fenced**
-  Velvety False Lupine
 -  San Diego Milk Vetch (entirely within proposed wetland buffer fencing)
 -  Cuyamaca Meadowfoam (entirely within proposed wetland buffer fencing)
- Other Features**
-  Existing Open Space Easement
 -  RPO Wetlands
 -  Development Area



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Typical Open Space Sign to be placed on Proposed Fencing at 100' Intervals Adjacent to Development Area Only

CONSERVATION GRAZING FENCING PLAN 1-18-2013



Open Space, Fencing and Signage Plan

Figure 2-1-5

Habitat	Existing Acres	Development Impact Acres	OSE Vacation Impact Acres	“Impact Neutral” Acres
<u>Southern Mixed Chaparral</u>	117.5	12.6	0.00	26.9
<u>Chamise Chaparral</u>	96.9	0.8	0.00	12.7
<u>Diegan Coastal Sage Scrub</u>	40.6	3.8	0.00	1.5
<u>Flat-top Buckwheat</u>	71.4	12.8	0.00	6.0
<u>Coastal Sage–Chaparral Scrub</u>	38.3	0.00	0.00	23.8
<u>Coast Live Oak Woodland</u>	175.8	4.6	0.00	51.8
<u>Engelmann Oak Woodland</u>	246.0	45.9	2.2	44.2
<u>Mixed Oak Woodland</u>	115.0	15.3	0.00	45.4
<u>Mixed Oak/.../Coulter</u>	8.7	0.8	0.00	2.8
<u>Non-native Grassland</u>	375.8	102.8	1.3	13.8
<u>Montane Meadow</u>	76.3	7.3	0.00	2.3
<u>Southern CLO Riparian Forest</u>	49.5	0.00	0.00	47.54
<u>Open Water</u>	0.07	0.00	0.00	0.00
<u>CVF Marsh/Emergent Wetland</u>	0.85	0.00	0.00	0.17
<u>Riparian Scrub</u>	3.21	0.25	0.00	2.96
<u>Disturbed Wetland</u>	0.07	0.00	0.00	0.00
<u>Urban/Developed Habitat</u>	0.8	0.00	0.00	0.00
<u>Totals (rounded)</u>	1416.8	207.0	3.5	281.9



Biological Impact Table

**Table
2-1-1**