

**MULTIPLE SPECIES CONSERVATION PROGRAM CONFORMANCE STATEMENT  
For Webster Los Coches TPM  
PDS2013-TPM-21204  
APN (s) 397-060-80**

**December 11, 2013**

**I. Introduction**

The proposed project is subdivision of a 3.56 gross acre parcel into four lots and a remainder parcel for residential uses. The proposed project is located within the Community of Lakeside within unincorporated San Diego County. The project is located within the Metro-Lakeside-Jamul Area of the Multiple Species Conservation Plan (MSCP). The project is not located within the Pre-Approved Mitigation Area (PAMA). The site supports 2.86 acres of non-native grassland and 0.7 acre of coast live oak woodland. Los Coches Creek runs through the adjoining parcel to the north, and likely functions as a local wildlife corridor. The project would impact 2.86 acres of non-native grassland and 0.1 acre of coast live oak woodland; the remaining 0.6 acre of coast live oak woodland would be preserved in biological open space as an RPO wetland buffer, which extends up to 200 feet from the off-site RPO wetland. Impacts will be mitigated through the off-site purchase and preservation of 1.4 acres of Tier III habitat and 0.1 acre of coast live oak woodland.

Table 1. Impacts to Habitat and Required Mitigation

Habitat Type	Tier Level	Existing On-site (ac.)	Proposed Impacts (ac.)	Mitigation Ratio	Required Mitigation
Coast Live Oak Woodland	I	0.7	0.1	1:1	0.1
Non-native grassland	III	2.86	2.86	0.5:1	1.4
<b>Total:</b>	--	3.56	2.96	--	1.5

The findings contained within this document are based on County records, staff field site visits and the Biological Letter Report prepared by Robin Church, dated October 21, 2013 and submitted November 14, 2013. The information contained within these Findings is correct to the best of staff's knowledge at the time the findings were completed. Any subsequent environmental review completed due to changes in the proposed project or changes in circumstance shall need to have new findings completed based on the environmental conditions at that time.

The project has been found to conform to the County's Multiple Species Conservation Program (MSCP) Subarea Plan, the Biological Mitigation Ordinance (BMO) and the Implementation Agreement between the County of San Diego, the CA Department of Fish and Wildlife and the US Fish and Wildlife Service. Third Party Beneficiary Status and the associated take authorization for incidental impacts to sensitive species (pursuant to the County's Section 10 Permit under the Endangered Species Act) shall be conveyed only after the project has been approved by the County, these MSCP

Findings are adopted by the hearing body and all MSCP-related conditions placed on the project have been satisfied.

## **II. Biological Resource Core Area Determination**

The impact area and the mitigation site shall be evaluated to determine if either or both sites qualify as a Biological Resource Core Area (BRCA) pursuant to the BMO, Section 86.506(a)(1).

### **A. Report the factual determination as to whether the proposed Impact Area qualifies as a BRCA. The Impact Area shall refer only to that area within which project-related disturbance is proposed, including any on and/or off-site impacts.**

The Impact Area does not qualify as a BRCA since it does not meet any of the following BRCA criteria:

#### **i. The land is shown as Pre-Approved Mitigation Area on the wildlife agencies' Pre-Approved Mitigation Area map.**

The site is not shown as PAMA.

#### **ii. The land is located within an area of habitat that contains biological resources that support or contribute to the long-term survival of sensitive species and is adjacent or contiguous to preserved habitat that is within the Pre-Approved Mitigation Area on the wildlife agencies' Pre-Approved Mitigation Area map.**

The site does not support sensitive species and is not adjacent to PAMA.

#### **iii. The land is part of a regional linkage/corridor. A regional linkage/corridor is either:**

- a. Land that contains topography that serves to allow for the movement of all sizes of wildlife, including large animals on a regional scale; and contains adequate vegetation cover providing visual continuity so as to encourage the use of the corridor by wildlife; or**
- b. Land that has been identified as the primary linkage/corridor between the northern and southern regional populations of the California gnatcatcher in the population viability analysis for the California gnatcatcher, MSCP Resource Document Volume II, Appendix A-7 (Attachment I of the BMO.)**

The project site is located along Los Coches Creek, which runs through coast live oak woodland and functions as a local wildlife corridor; however, it is not within a regional wildlife linkage/corridor. The Lakeside Archipelago linkage is located approximately 350 feet north of the project site, separated by a row of homes one to two homes deep. Los Coches Creek crosses under Los Coches

Road and enters a concrete channel about a quarter-mile west of the project site, then runs north through the Lakeside Archipelago. The road crossing, channelization of the creek and encroachment of homes on either side minimize the potential for wildlife movement along Los Coches Creek between the project site and the Lakeside Archipelago.

- iv. The land is shown on the Habitat Evaluation Map (Attachment J to the BMO) as very high or high and links significant blocks of habitat, except that land which is isolated or links small, isolated patches of habitat and land that has been affected by existing development to create adverse edge effects shall not qualify as BRCA.**

The northern edge of the project site, about 1/3 of an acre, is shown as very high value on the Habitat Evaluation Map; however, this portion would be preserved as RPO wetland buffer. The remainder of the site is shown as developed. In addition, the site does not link significant blocks of habitat.

- v. The land consists of or is within a block of habitat greater than 500 acres in area of diverse and undisturbed habitat that contributes to the conservation of sensitive species.**

The project site is not located within a block of habitat greater than 500 acres.

- vi. The land contains a high number of sensitive species and is adjacent or contiguous to surrounding undisturbed habitats, or contains soil derived from the following geologic formations which are known to support sensitive species:**
- a. Gabbroic rock;**
  - b. Metavolcanic rock;**
  - c. Clay;**
  - d. Coastal sandstone**

The project site does not contain a high number of sensitive species, is not adjacent to undisturbed habitats, and does not contain a soil type known to support sensitive species.

- B. Report the factual determination as to whether the Mitigation Site qualifies as a BRCA.**

The mitigation shall occur off-site either in an approved mitigation bank or another site qualifying as a BRCA.

### **III. Biological Mitigation Ordinance Findings**

#### **A. Project Design Criteria (Section 86.505(a))**

The following findings in support of Project Design Criteria, including Attachments G and H (if applicable), must be completed for all projects that propose impacts to Critical Populations of Sensitive Plant Species (Attachment C), Significant Populations of Narrow Endemic Animal Species (Attachment D), Narrow Endemic Plant Species (Attachment E) or Sensitive Plants (San Diego County Rare Plant List) or proposes impacts within a Biological Resource Core Area.

The project does not propose impacts to Critical Populations of Sensitive Plant Species, Significant Populations of Narrow Endemic Animal Species, Narrow Endemic Plant Species, Sensitive Plants, or a Biological Resource Core Area. Therefore, the Project Design Criteria Findings do not apply.

#### **B. Preserve Design Criteria (Attachment G)**

In order to ensure the overall goals for the conservation of critical core and linkage areas are met, the findings contained within Attachment G shall be required for all projects located within Pre-Approved Mitigation Areas or areas designated as Preserved as identified on the Subarea Plan Map.

The project is not located within PAMA or Preserve land. Therefore, the Preserve Design Criteria do not apply.

#### **C. Design Criteria for Linkages and Corridors (Attachment H)**

For project sites located within a regional linkage and/or that support one or more potential local corridors, the following findings shall be required to protect the biological value of these resources:

The site is not located within a regional linkage or corridor. Los Coches Creek may function as a local wildlife corridor; however, the creek and associated RPO wetland area is located off-site. The project will preserve all Coast Live Oak woodland within 200 feet of the RPO wetland limit, thereby avoiding any indirect impacts to the creek and preserving the portion of the site most likely to be used for wildlife movement associated with the creek.

### **IV. Subarea Plan Findings**

Conformance with the objectives of the County Subarea Plan is demonstrated by the following findings:

#### **1. The project will not conflict with the no-net-loss-of-wetlands standard in satisfying State and Federal wetland goals and policies.**

There are no wetlands on-site. The project will dedicate biological open space up to 200 feet from the off-site RPO wetland, thereby avoiding any indirect impacts to the wetland.

- 2. The project includes measures to maximize the habitat structural diversity of conserved habitat areas including conservation of unique habitats and habitat features.**

The project will preserve 85% of the coast live oak woodland on-site, extending up to 200 feet from the edge of RPO wetland. The less sensitive non-native grassland habitat will be impacted.

- 3. The project provides for conservation of spatially representative examples of extensive patches of Coastal sage scrub and other habitat types that were ranked as having high and very high biological values by the MSCP habitat evaluation model.**

There is no coastal sage scrub on-site. The project will preserve 85% of the coast live oak woodland that was ranked as having very high biological value.

- 4. The project provides for the creation of significant blocks of habitat to reduce edge effects and maximize the ratio of surface area to the perimeter of conserved habitats.**

The proposed open space is in a compact block on the north side of the site, with minimal perimeter for the area. Edge effects will be further reduced by the provision of open space fencing, signage, and a 100-foot limited building zone.

- 5. The project provides for the development of the least sensitive habitat areas.**

The project will impact the less sensitive non-native grassland area, while preserving 85% of the coast live oak woodland.

- 6. The project provides for the conservation of key regional populations of covered species, and representations of sensitive habitats and their geographic sub-associations in biologically functioning units.**

The project site does not support key regional populations of covered species, but will preserve 85% of the coast live oak woodland on-site. The proposed open space abuts Los Coches Creek, which likely serves as a local wildlife corridor. All mitigation will occur off-site in a BRCA with superior biological function and value compared to the project site.

- 7. Conserves large interconnecting blocks of habitat that contribute to the preservation of wide-ranging species such as Mule deer, Golden eagle, and predators as appropriate. Special emphasis will be placed on conserving adequate foraging habitat near Golden eagle nest sites.**

The site is small and not located within a large interconnecting block of habitat; however, all mitigation will occur off-site in a BRCA, which should contribute to the

preservation of wide-ranging species such as Mule deer, Golden eagle, and predators as appropriate.

- 8. All projects within the San Diego County Subarea Plan shall conserve identified critical populations and narrow endemics to the levels specified in the Subarea Plan. These levels are generally no impact to the critical populations and no more than 20 percent loss of narrow endemics and specified rare and endangered plants.**

The site does not support critical populations or narrow endemics.

- 9. No project shall be approved which will jeopardize the possible or probable assembly of a preserve system within the Subarea Plan.**

The project will not jeopardize the assembly of a preserve system because the site is not designated as PAMA or Preserve and does not qualify as a BRCA. The northern portion of the site with oak woodland slopes down toward Los Coches Creek and may contribute to local wildlife movement; however, all coast live oaks within 200 feet of the wetland boundary will be preserved in biological open space.

- 10. All projects that propose to count on-site preservation toward their mitigation responsibility must include provisions to reduce edge effects.**

The project does not count the on-site preservation of 0.6 acre of coast live oak woodland toward their mitigation requirements; however, the project does include provisions to reduce edge effects, including open space fencing, signage, and a 100-foot limited building zone.

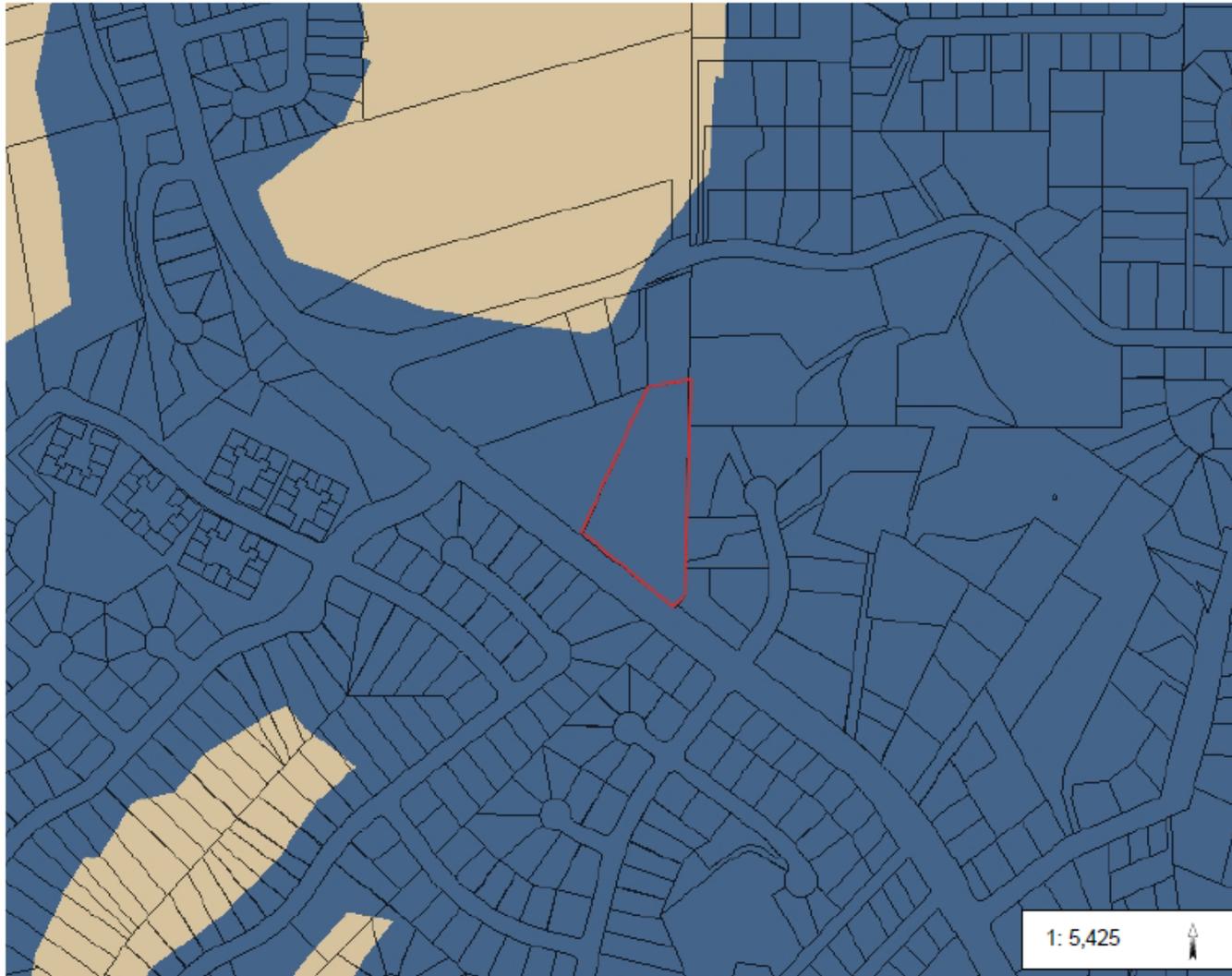
- 11. Every effort has been made to avoid impacts to BRCAs, to sensitive resources, and to specific sensitive species as defined in the BMO.**

The site does not qualify as a BRCA, and no sensitive species were observed on-site. The project does support 0.7 acre of coast live oak woodland, of which 0.6 acre will be preserved in a biological open space easement. The remaining 0.1 will be mitigated off-site in a BRCA. The biological open space will be protected by fencing, signage, and a 100-foot limited building zone. In addition, the project will be conditioned to avoid clearing or grading during the bird breeding season, February 1 to August 31.

Beth Ehsan, Planning & Development Services

December 11, 2013

# TPM 21204 MSCP Designations



**Legend**

- Parcels
- MSCP Designations - South**
  - Conserved Subject to Agreement w
  - Hardline Preserve
  - Major Amendment Area
  - Minor Amendment Area
  - Minor Amendment Area Subject to :
  - Otay Ranch Areas Where no Take I
  - Pre-Approved Mitigation Area
  - Santa Fe Valley 'D' Designator
  - Santa Fe Valley Open Space II
  - Take Authorized Area
  - Unincorporated Land In Metro-Lake

**Notes**

Project site is outlined in red.



NAD\_1983\_StatePlane\_California\_VI\_FIPS\_0406\_Feet  
 Planning and Development Services

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**