

MULTIPLE SPECIES CONSERVATION PROGRAM CONFORMANCE STATEMENT
For Randy Lane TPM
PDS2013-TPM-21197
APN 592-141-33

February 10, 2015

I. Introduction

The proposed project is a Tentative Parcel Map to subdivide 2.68 acres into four parcels. The project includes fuel management around the proposed structures as required in the Fire Protection Plan. The property is situated in an area of residential development on the south side of Sweetwater Road, east of Interstate Freeway 805 in the unincorporated neighborhood of Lynwood Hills. The survey identified five vegetation communities within the study area: Disturbed Habitat, Urban/Developed, Eucalyptus Woodland and Diegan Coastal Sage Scrub. Implementation of the proposed project would directly impact 0.47 acre of Disturbed Habitat, 0.91 acre of Urban/Developed, 0.07 acre of Eucalyptus Woodland and 0.38 acre of Diegan Coastal Sage Scrub.

No narrow endemic or special status plant species were discovered during the thorough botanical survey. Other than a foraging Cooper's Hawk and Red-shouldered Hawk over the site, no other sensitive animals were detected on the property during the survey. A habitat assessment was conducted for the federally endangered Quino Checkerspot Butterfly (*Euphydryas editha quino*), on 25 March 2013, with negative results. A protocol survey for Coastal California Gnatcatcher (*Polioptila californica californica*) was conducted on 25 March, 3 & 10 April 2013, also with negative results.

The site qualifies as a Biological Resource Core Area (BRCA) as defined in the County Biological Mitigation Ordinance, Article VI (County 2004) because it is designated as PAMA, is adjacent to natural open space of the eastern memorial park, and contains Diegan Coastal Sage Scrub. The site does not consist of, nor is it located in, a block of habitat greater than 500 acres.

Impacts to 0.38 acre of Diegan Coastal Sage Scrub would be mitigated to a less than significant level by the conservation of 0.57 acre of Diegan Coastal Sage Scrub on site at a 1.5:1 mitigation ratio. The biological open space would be protected by a dedicated biological open space easement, a 100-foot Limited Building Zone easement, permanent open space fencing and signs, a 30-foot Limited Building Zone and 6-foot concrete masonry wall on the east side of proposed parcel 4. The project would be conditioned for breeding season avoidance to prevent brushing, clearing, and/or grading between January 15 and August 31.

Table 1. Impacts to Habitat and Required Mitigation

Habitat Type	Tier Level	Existing On-site (ac.)	Proposed Impacts (ac.)	Mitigation Ratio	Required Mitigation
Diegan coastal sage scrub	II	0.95*	0.38	1.5:1	0.57
Disturbed habitat	IV	0.58	0.47	N/A	N/A
Urban/developed	IV	0.91	0.91	N/A	N/A
Eucalyptus Woodland	IV	0.07	0.07	N/A	N/A
Total:	--	2.51*	1.83	--	0.57

* There is an additional 0.17 acre of DCSS within Sweetwater Authority easements that is considered impact neutral.

The findings contained within this document are based on County records, staff field site visits and the Biological Letter Report prepared by Mitch Beauchamp dated September 26, 2014. 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 site qualifies as a BRCA because it is designated as PAMA, is adjacent to preserved natural open space on the Glen Abbey Cemetery, and contains Diegan Coastal Sage Scrub.

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

The mitigation would occur on-site, and the site qualifies as a BRCA as stated above. As a Biological Resource Core Area, the open space resulting from this project is considered part of the regional MSCP preserve system. As such, all of the requirements relating to the "Preserve" outlined in the County's Subarea Plan, the Implementation Agreement and the Final MSCP Plan apply to this open space.

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.

1. Project development shall be sited in areas to minimize impact to habitat.

All four homes would be located on the northern end of the site in the existing disturbed area, minimizing the impact to sensitive habitat.

2. Clustering to the maximum extent permitted by County regulations shall be considered where necessary as a means of achieving avoidance.

Although the lot sizes are not clustered, all four homes will be pushed up against the northern property boundary, adjacent to existing homes, allowing the southern portion to be avoided.

3. Notwithstanding the requirements of the slope encroachment regulations contained within the Resource Protection Ordinance, effective October 10, 1991, projects shall be allowed to utilize design that may encroach into steep slopes to avoid impacts to habitat.

The site does not support steep slopes as defined by the RPO.

4. The County shall consider reduction in road standards to the maximum extent consistent with public safety considerations.

No reduction in road standards was required in order to minimize habitat impacts.

5. Projects shall be required to comply with applicable design criteria in the County MSCP Subarea Plan, attached hereto as Attachment G (Preserve Design Criteria) and Attachment H (Design Criteria for Linkages and Corridors).

See below for applicable design criteria.

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.

- 1. Acknowledge the “no net loss” of wetlands standard that individual projects must meet to satisfy State and Federal wetland goals, policies, and standards, and implement applicable County ordinances with regard to wetland mitigation.**

The project site does not support wetlands.

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

The project will preserve the coastal sage scrub adjacent to preserved habitat.

- 3. Provide for the 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 value by the MSCP habitat evaluation model.**

The project will preserve the majority of coastal sage scrub on the site.

- 4. Create significant blocks of habitat to reduce edge effects and maximize the ratio of surface area to the perimeter of conserved habitats. Subsequently, using criteria set out in Chapter 6, Section 6.2.3 of the MSCP Plan, potential impacts from new development on biological resources within the preserve that should be considered in the design of any project include access, non-native predators, non-native species, illumination, drain water (point source), urban runoff (non-point source) and noise.**

The on-site open space will be located adjacent to existing preserved habitat in order to reduce edge effects and maximize the ratio of surface area to perimeter.

- 5. Provide incentives for development in the least sensitive habitat areas.**

The project proposes development in the least sensitive habitat areas.

- 6. Minimize impacts to narrow endemic species and avoid impacts to core populations of narrow endemic species.**

The project site does not support narrow endemic species.

7. Preserve the biological integrity of linkages between BRCA's.

The project is within a BRCA and preserves continuity with native habitat across Randy Lane.

8. Achieve the conservation goals for covered species and habitats (refer to Table 3-5 of the MSCP Plan).

The project will preserve 60% of the coastal sage scrub on-site, which exceeds the 59% preservation rate listed for Cooper's hawk in table 3-5; in addition, breeding season avoidance would ensure no impacts to nests.

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 project site is not located within a regional linkage and does not support topographic features that would encourage east-west movement across the site. There is some native habitat remaining to the southwest across Randy Lane; however, the coastal sage scrub transitions to non-native grassland to the west. Wildlife moving east-west through coastal sage scrub would likely travel further south over the Sweetwater Authority property. Therefore, the findings for linkages and corridors are not applicable to this project.

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.

The project site does not support wetlands, and thus will not conflict with the no-net-loss standard.

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 site does not support unique habitat features such as a hilltop, wetlands, or large boulders. The project design will conserve the majority of the sensitive coastal sage scrub habitat.

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.

The project site does not include habitats ranked as having high or very high biological value by the MSCP habitat evaluation model. On-site habitat was ranked as low on the south end and developed on the north end.

- 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.**

Although the proposed on-site open space is small, it is located adjacent to a dedicated biological open space easement and thus would contribute to the creation of significant blocks of habitat and reduce edge effects.

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

The project would develop the less sensitive northern end of the site where there is an existing home and eucalyptus trees, while the more sensitive southern end would be preserved.

- 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; however, the majority of the sensitive habitat on the site would be preserved, with connectivity to the preserved habitat to the east.

- 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 project site is fairly small and not likely to support Golden eagles or large mammals; however, the proposed open space would expand upon the adjacent open space, improving its value for the Cooper's hawk, red-shouldered hawk, and similar species.

- 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 identified critical populations, narrow endemics, rare or endangered plants.

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 possible or probable assembly of a preserve system because the portion of the site designated as PAMA will be preserved in biological open space, and the development will be pushed to the north end of the site, in a disturbed area adjacent to existing homes. The proposed development would not block a wildlife corridor or linkage and would not impact rare plants.

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

Edge effects to the proposed open space will be minimized because the project is adjacent to existing open space on the east side, and there is some habitat remaining on the west side. Edge effects from the proposed homes on the north side will be minimized by dedicating a 100-foot Limited Building Zone to preclude fire clearing from extending into the open space. The open space will also be protected by permanent open space fencing and signs.

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 homes have been pushed north as far as possible, thus avoiding impacts to BRCAs as much as possible. The project will not impact wetlands, wildlife corridors, rare plants, or narrow endemics since none occur on-site. The proposed biological open space will preserve 60% of the Coastal Sage Scrub on the site, meeting the 1.5:1 mitigation ratio required by the BMO. The project will be conditioned to avoid grading during the breeding season, January 15 to August 31.

Beth Ehsan, Planning & Development Services
February 10, 2015



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
 - Pre-Approved Mitigation Area
 - Santa Fe Valley II Designator
 - Santa Fe Valley Open Space II
 - Take Authorized Area
 - Unincorporated Land in Metro-Lake

1:10,000



NAD_1963_StatePlane_California_VLFRPS_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.
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Notes