

**BIOLOGICAL TECHNICAL REPORT
FOR
MC NALLY ROAD SUBDIVISION
TPM-21004
ER 06-02-007**

PREPARED FOR:

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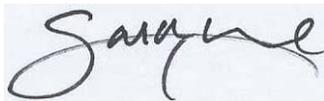
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1.0 SUMMARY OF FINDINGS

The proposed project is the subdivision of an 87.25 gross acre parcel into 5 parcels, ranging in size from 4.0 to 66.11 gross acres. The project site contains an existing residence, trailers, agricultural structures, water tank with paved access and several dirt roads which provide access to the orchards. The existing residence and adjacent agricultural structures will be demolished as a result of the proposed project. The property is divided from east to northwest by McNally Road.

The proposed project is located in the community of Valley Center, south of the Pala Indian Reservation on McNally Road. The site is shown on the Pala 7.5' USGS Quadrangle, Section 24, Township 10 South, Range 2 West.

This report provides information regarding existing conditions, compliance with the Resource Protection Ordinance (RPO), and performs an impact analysis based on the current site design. This report also identifies mitigation measures to reduce any impacts to below a level of significance.

A general biological survey and sensitive plant survey were undertaken on-site. The biological resources on-site include four habitat types: southern mixed chaparral, artificial wetland, orchard and developed. The artificial wetland occurs onsite as a result of runoff from the irrigated orchard.

No state or federally listed plant or animal species were observed on-site. No sensitive plant species were observed on-site. Three sensitive wildlife species were observed, southern mule deer (*Odocoileus hemionus fuliginata*), red-shouldered hawk (*Buteo lineatus*) and turkey vulture (*Cathartes aura*). Five other sensitive animal species have a high potential to occur, but were not found.

No impacts to native habitat will occur as a result of the proposed project. Impacts to sensitive biological resources are being avoided through project design. Impacts will occur to 11.77 acres of orchard and 1.81 acres of developed habitat. The developed and orchard habitats have a low biological value. Impacts to sensitive species observed and sensitive species with the potential to occur would be considered locally important, but would not require mitigation. Since no significant impacts will occur as a result of the project, the project will also not contribute to cumulative impacts.

2.0 INTRODUCTION

The proposed project is the subdivision of an 87.25 gross acre parcel into 5 parcels, ranging in size from 4.0 to 66.11 gross acres. The project site contains an existing residence, trailers, agricultural structures, water tank with paved access and several dirt roads which provide access to the orchards. The existing residence and adjacent agricultural structures will be demolished as a result of the proposed project. The property is divided from east to northwest by McNally Road.

The proposed project is located in the community of Valley Center, south of the Pala Indian Reservation on McNally Road. The site is shown on the Pala 7.5' USGS Quadrangle, Section 24, Township 10 South, Range 2 West.

Topography, Soils, Land Use

The northern portion of the project is generally sloping from the west to the northeast. The southern portion of the project is generally sloping from the northwest to the west, south and east. Elevations on-site range from approximately 1370 feet above mean sea level in the northeast to approximately 1820 feet above mean sea level in the western portion of the property.

The soils on the property include Cieneba-Fallbrook rocky sandy loam, 9-30 percent slopes, eroded (CnE2), Cieneba-Fallbrook rocky sandy loam, 30-65 percent slopes (CnG2), Fallbrook sandy loam, 5-9 percent slopes eroded (FaC2) and Fallbrook-Vista sandy loam, 9-15 percent slopes (FvD) (Bowman 1973). The Cieneba series consist of excessively drained, very shallow to shallow coarse sandy loams. These soils formed in material weathered in place from granitic rock. Below this is weathered granodiorite. The Fallbrook series consist of well-drained, moderately deep to deep sandy loams that formed in material weathered in place from granodiorite. Below this is decomposed granodiorite. The Fallbrook- Vista series consist of well-drained, moderately deep to deep sandy loams that formed in material weathered in place from granodiorite or quartz diorite. Below this is decomposed granodiorite and strongly weathered granitic rock (Bowman 1973).

Current land use consists of an existing residence, trailers, agricultural structures, water tank with paved access, several dirt roads which provide access to the orchards, and a drained agricultural pond. The property owner has no intention for future use of the agricultural pond. The property is divided from east to northwest by McNally Road. The site is predominantly active avocado and citrus orchards.

Regional Setting

The proposed project is located outside of the adopted Multiple Species Conservation Program (MSCP) as well as the Draft Pre-Approved Mitigation Area for the North County MSCP, which is in the planning stage. The site is located in area of agricultural lands with associated rural residential development.

Fig 1

Figure2

3.0 SURVEY METHODOLOGY

The site was surveyed on foot and was habitat mapped (Figure 3). Mapping was performed following the Biological Resources Mapping Requirements (County of San Diego, 2002). Wildlife species were identified directly by sight or by vocalizations, and indirectly by scat, tracks, or burrows. Field notes were maintained throughout the surveys and species of interest were mapped. The primary focus of the survey was to document and map the size, location, and general quality of all habitat types and the presence or potential presence of any sensitive resources on-site.

Date	Time	Survey	Temperature (°F)	Sky	Wind (mph)	Observers
7/13/06	9:30- 12:30	General Biology & Habitat Assessment	90-97	Clear	0-5	ST
8/15/06	9:00- 10:00	Wetland Assessment	N/A	N/A	N/A	RC, ST

RC= Robin Church, ST= Sara Thorne

Nomenclature for this report conforms to Hickman (1993) for plants, Holland (1986) and Oberbauer (1996) for plant communities and habitat types, American Ornithological Union (AOU 1998, 2000) for birds, Jennings (1983) and Stebbins (2003) for reptiles and amphibians, Jones (1992) for mammals, and Powell (1979) for insects.

4.0 RESULTS

The following discussion summarizes the existing biological resources on-site including habitats, vegetation, and wildlife. Habitats are depicted on Figure 3.

4.1 Vegetation

Habitat descriptions are based on the County's Biological Mapping Requirements (County of San Diego, 2002) and Terrestrial Vegetation Communities in San Diego County based in Holland's Descriptions (Oberbauer 1996), however, it has been shown that habitats on the project sites in San Diego County are often not pristine and rarely fit into one description. Therefore, the best-fit definition based on the County's current descriptions and dominant plant species has been applied. Four habitat types occur within the project site: southern mixed chaparral, artificial wetland, orchard and developed (Figure 3). A complete list of plant species observed on-site is included in Appendix A.

Southern Mixed Chaparral (Habitat Code: 37121)

Approximately 7.39 acres of southern mixed chaparral occur onsite. Southern mixed chaparral occurs along the central to southwestern property boundary and in a canyon

located in the northeastern portion of the property. The habitat is dominated by chamise (*Adenostoma fasciculatum*), laurel sumac (*Malosma laurina*), Ramona lilac (*Ceanothus tomentosus*), chia (*Salvia columbariae*), and monkeyflower (*Mimulus aurantiacus*). California buckwheat (*Eriogonum fasciculatum*) occurs on the edges adjacent to disturbed areas.

Artificial Wetland

Approximately 0.61 acre of artificial wetland occurs in the south-central portion of the property along the property boundary. The artificial wetland occurs onsite in association with drainage and a low spot in the topography. There is no other wetland habitat upstream or downstream. This is an isolated patch that is supported by irrigation runoff. As a result of the artificial water source, hydrophytic plants have been able to invade the area. If the water supply to the irrigated orchard was terminated, the artificial wetland would cease to exist. The dominant species are mule fat (*Baccharis salicifolia*) and tamarisk (*Tamarix* sp.). Other plant species observed in this habitat include coast live oak (*Quercus agrifolia* var. *agrifolia*), southern cat-tails (*Typha domingensis*), bristly ox-tongue (*Picris echioides*), and sweet fennel (*Foeniculum vulgare*).

Orchard (Habitat Code: 18100)

The project site is dominated by avocado and citrus orchards accounting for approximately 72.92 acres onsite. An abandoned agricultural pond is located in the southern part of the orchard, and dirt roads and irrigation traverse the understory. The understory is comprised of non-native species such as scarlet pimpernel (*Anagallis arvensis*), prickly lettuce (*Lactuca serriola*), and leaf litter.

Developed (Habitat Code: 12000)

Approximately 6.32 acres of this habitat occur onsite. Current site use includes an existing residence in the most eastern portion of the property, trailers, agricultural structures, and a water tank with paved access.

4.2 Wildlife

A total of twenty-six wildlife species were identified on-site. These included ten invertebrate species, two reptiles, eleven bird species, and three mammals. A complete list of wildlife species observed on-site is included as Appendix B.

Invertebrates observed included, but are not limited to, Behr's metalmark (*Apodemia mormo virgulti*), tarantula hawk (*Hemipepsis* sp.), and western tiger swallowtail (*Papilio rutulus*). The reptiles observed included the common side-blotched lizard (*Uta stansburiana*) and southern alligator lizard (*Gerrhonotus multicarinatus*). Birds observed included, but are not limited to, American crow (*Corvus brachyrhynchos*), lesser goldfinch (*Carduelis psaltria*), mourning dove (*Zenaida macroura*) and red-tailed hawk (*Buteo jamaicensis*). Mammals observed onsite included California ground squirrel

(*Spermophilus beecheyi nudipes*), coyote (*Canis latrans clepticus*), and mule deer (*Odocoileus hemionus fuliginata*).

4.3 Sensitive Resources

Sensitive or special interest plant and wildlife species and habitats are those which are considered rare, threatened, or endangered within the state or region by local, state, or federal resource conservation agencies. Sensitive habitats, as identified by these same groups, are those which generally support plant or wildlife species considered sensitive by these resource protection agencies or groups. Sensitive species and habitats are so called because of their limited distribution, restricted habitat requirements, particular susceptibility to human disturbance, degradation due to development or invasion by non-native species, or a combination of all of these factors.

In addition to RPO, the following lists were used in the determination of sensitive biological resources: U.S. Fish and Wildlife Service (USFWS) (USFWS 2001); and California Department of Fish and Game (CDFG) (CDFG 1999, 2000 and 2001). An explanation of the sensitivity codes used in this report is included in Appendix E.

Applicable Resource Conservation Plans and Ordinances

In San Diego County, regulations have been adopted which define and provide protection to certain types of sensitive biological resources, as follows:

Resource Protection Ordinance (RPO)

The purpose of the RPO is to protect sensitive resources located outside of approved MSCP areas, and prevent their degradation and loss. The sensitive resources protected by the RPO include wetlands, wetland buffer areas, and sensitive habitat lands, which are defined by the County as follows:

Lands having one or more of the following attributes are ‘wetlands’:

- aa. At least periodically, the land supports a predominance of hydrophytes (plants whose habitat is water or very wet places);
- bb. The substratum is predominantly undrained hydric soil; or
- cc. An ephemeral or perennial stream is present, whose substratum is predominately non-soil, and in which either:
 - i. water from a tributary drainage area of 100 acres or larger flow; or
 - ii. (for waters from a tributary drainage of less than 100 acres) substantial evidence demonstrates that such lands contribute substantially to the biological function or value of adjacent wetlands located up-or down-stream.

"Wetland buffer" areas include lands that provide a buffer area of an appropriate size to protect the environmental and functional habitat values of the wetland, or

which are integrally important in supporting the full range of the wetland and adjacent upland biological community. Buffer widths shall be 50 to 200 feet from the edge of the wetland as appropriate based on above factors. Where oak woodland occurs adjacent to the wetland, the wetland buffer shall include the entirety of the oak habitat (not to exceed 200 feet in width).

"Sensitive habitat lands" include those which support unique vegetation communities, or the habitats of rare or endangered species or sub-species of animals or plants, including the area which is necessary to support a viable population of any of these species in perpetuity, or which is critical to the proper functioning of a balanced natural ecosystem or which serves as a functioning corridor.

"Unique vegetation community" refers to associations of plant species which are rare or substantially depleted. These may contain rare or endangered species, but other species may be included because they are unusual or limited due to a number of factors, for example: (a) they are only found in the San Diego region; (b) they are a local representative of a species or association of species not generally found in San Diego County; or (c) they are outstanding examples of the community type as identified by the California Department of Fish and Game listing of community associations.

4.3.1 Sensitive Habitats

Two sensitive habitats occur onsite, southern mixed chaparral and artificial wetland. Each of these is discussed below.

Southern Mixed Chaparral

This habitat type consists of broad leaved sclerophyllous shrubs, (1.5 – 3 M) tall, that form dense, sometimes nearly impenetrable vegetation with occasional patches of bare soil. Plants are typically deep-rooted, usually with little or no understory vegetation, and often with considerable accumulation of leaf litter. Growth may occur throughout the year, but is highest in spring and much reduced during the later summer to fall dry season or during the winter at higher elevations. Flowering season extends from late winter to early summer. Southern mixed chaparral is adapted to repeated fire, to which many species respond by stump sprouting. A dense cover of annual herbs may appear during the first growing season after a fire, followed in subsequent years by perennial herbs, short-lived shrubs and re-establishment of dominance by the original shrub species. This habitat occupies areas within the central to southwestern property boundary and a canyon located in the northeastern portion of the property.

Artificial Wetland

Although artificially sustained, the wetland onsite is considered jurisdictional by Army Corps of Engineers (ACOE) and the California Department of Fish and Game (CDFG). Wetland habitats, in general, are considered sensitive biological resources because they have been dramatically reduced in San Diego County and across the nation. Due to the regional and national loss of wetland habitat, resource agencies have a “no net loss policy” for wetlands. Wetland habitat is important because it has high levels of food and nutrients, high wildlife diversity, and it is a valuable water source in the arid climate of Southern California. This habitat’s sensitivity and its ultimate reduction is evidenced by the large number of declining bird species closely associated with, or dependent on this habitat type for reproduction and ultimate success. Agencies which consider wetland habitat sensitive include the County, ACOE, USFWS, CDFG, and the EPA. Wetland habitat protection is specifically addressed by the State CDFG Code, Sections 1600-1606 (Streambed Alteration Agreement) and the ACOE’s Section 404 permit process (Clean Water Act). It is also addressed by the San Diego Regional Water Quality Board, which asserts jurisdiction using the Porter-Cologne Water Quality Act.

This habitat does not qualify as an RPO wetland as a result of the revisions to the RPO adopted by the Board of Supervisors on 2/28/2007. The revisions exclude artificially created and/or supported wetlands from regulation.

This habitat occurs in the south-central portion of the property along the property boundary. The artificial wetland occurs in the south-central portion of the property along the property boundary in association with agricultural drainage and a low spot in the topography. Without the additional water provided by the irrigation, this would likely have been an ephemeral drainage. Instead, as a result of the artificial water source, hydrophytic plants have been able to invade the area. No impacts are proposed to this habitat.

4.3.2 Sensitive Plants

Sensitive or special interest plant species are those which are considered rare, threatened, or endangered within the state or region by local, state, or federal resource conservation agencies. Sensitive plant species are so called because of their limited distribution, restricted habitat requirements, or particular susceptibility to human disturbance, or a combination of these factors. Sources used for the determination of sensitive plant species include: CDFG (1999) and the California Native Plant Society Electronic Inventory (CNPS 2003).

No rare, threatened or endangered plant species were observed onsite.

4.3.3 Sensitive Animals

Sensitive or special interest wildlife species and habitats are those which are considered rare, threatened, or endangered within the state or region by local, state, or federal

resource conservation agencies. Sensitive species are so called because of their limited distribution, restricted habitat requirements, or particular susceptibility to human disturbance, or a combination of these factors. Sources used for the determination of sensitive biological resources include: USFWS (USFWS 2001), CDFG (CDFG 2000 and 2001). Additional species receive federal protection under the Bald Eagle Protection Act and the Migratory Bird Treaty Act and Convention for the Protection of Migratory Birds and Animals.

The CDFG also lists species as threatened or endangered, or as candidates for listing as threatened or endangered. Lower sensitivity animals may be listed as “species of special concern” (CDFG 2000). The CDFG further classifies some species under the following categories: “fully protected,” “protected furbearer,” “harvest species,” “protected amphibian,” and “protected reptile.” The designation “protected” indicates that a species may not be taken or possessed except under special permit from the CDFG; “fully protected” indicates that a species can be taken only for scientific purposes. The designation “harvest species” indicates that take of the species is controlled by the state government.

No rare, threatened, or endangered animal species were observed on-site. Three sensitive species were observed, southern mule deer (*Odocoileus hemionus fuliginata*), red-shouldered hawk (*Buteo lineatus*) and turkey vulture (*Cathartes aura*). These species are discussed below.

Southern mule deer (*Odocoileus hemionus fuliginata*)

The southern mule deer is a San Diego County sensitive species. It occurs in many habitats except in deserts, intensively farmed areas without cover, or urbanized areas. It prefers early to intermediate successional stages of most forest, woodland, and brush habitats. Optimal habitat has a mosaic of various-aged vegetation that provides woody cover, meadow, shrubby openings, and water. Fawning occurs in moderately dense shrublands, woodlands, dense herbaceous stands, and riparian habitats with available water and forage (Zeiner et al 1990). This species may be resident or migratory. Southern mule deer tracks were observed in the orchard onsite.

Red-shouldered hawk (*Buteo lineatus*)

The red-shouldered hawk is a County sensitive species. It inhabits most of the county west of the desert (Unitt 1984). It occupies a variety of woodland habitats – riparian, live-oak, montane coniferous, urban and suburban groves. Eucalyptus and other stands of non-native trees may serve as breeding habitat, and the species has favored eucalyptus as nest sites since the early 1900’s (Sharp 1906 in Unitt 1984). One red-shouldered hawk was observed flying over the project site.

Turkey Vulture (*Cathartes aura*)

The turkey vulture is a County sensitive species. According to Unitt (1984), this species is a fairly common to common spring and fall migrant, uncommon to locally common winter visitor and rare to uncommon summer resident of San Diego County. One turkey vulture was observed flying over the project site.

Sensitive Wildlife Species with the potential to occur on-site

Sensitive wildlife species with the potential to occur on-site are discussed in Appendix D. Of the thirty-two sensitive species with the potential to occur on-site, nineteen have a low potential to occur on-site, eight have a moderate potential to occur on-site and five have a high potential to occur onsite. The species with a low potential to occur on-site include western spadefoot toad (*Scaphiopus hammondi*), orange-throated whiptail (*Cnemidophorus hyperythrus*), San Diego banded gecko (*Coleonyx variegates abbotti*), San Diego horned lizard (*Phrynosoma coronatum blainvillei*), American badger (*Taxidea taxus*), big free-tailed bat (*Nyctinomops macrotis*), California leaf-nosed bat (*Macrotus californicus*), greater western mastiff bat (*Eumops perotis californicus*), northwestern San Diego pocket mouse (*Chaetodipus fallax fallax*), pocketed free-tailed bat (*Nyctinomops femorosaccus*), San Diego desert woodrat (*Neotoma lepida intermedia*), Stephens' kangaroo rat (*Dipodomys stephensi*), pallid bat (*Antrozous pallidus*), Yuma myotis (*Myotis yumanensis*), California gnatcatcher (*Polioptila californica californica*), northern harrier (*Curcus cyaneus hudsonius*), rufous-crowned sparrow (*Aimophila ruficeps canescens*) and sharp-shinned hawk (*Accipiter striatus*). The species with a moderate potential to occur on-site include: coastal rosy boa (*Charina trivirgata roseofusca*), coast patch-nosed snake (*Salvadora hexalepis virgultea*), Silvery legless lizard (*Anniella pulchra pulchra*), San Diego black-tailed jackrabbit (*Lepus californicus bennetti*), southern grasshopper mouse (*Onychomys torridus Ramona*), Bell's sage sparrow (*Amphispiza belli belli*), Cooper's hawk (*Accipiter cooperi*) and loggerhead shrike (*Lanius ludovicianus*). The species with a high potential to occur onsite are northern red diamond rattlesnake (*Crotalus rubber rubber*), San Diego ringneck snake (*Diadophis punctatus similes*), mountain lion (*Felis concolor*), golden eagle (*Aquila chrysaetos canadensis*) and Dulzura California pocket mouse (*Chaetodipus californicas femoralis*).

All of these species with a low, moderate, or high potential to occur on-site, except for the California gnatcatcher, San Diego ringneck snake and the mountain lion, are federal and/or state species of concern. The San Diego ringneck snake and the mountain lion are County sensitive species. The California gnatcatcher is a federally threatened species and is discussed below.

California Gnatcatcher (*Polioptila californica californica*)

Status: Federally listed as Threatened, State Species of Concern

The California gnatcatcher (CAGN), a federally Threatened species and California Species of Concern, is a small gray songbird that is a resident of scrub-dominated communities in southwestern California from the Los Angeles Basin through Baja, Mexico. California gnatcatcher populations have declined due to extensive loss of coastal sage scrub habitat to urban and agricultural uses. The southern mixed chaparral habitat onsite is not appropriate for the California gnatcatcher. The southern mixed chaparral onsite is too dense, not comprised of the correct species and the slopes are generally too steep to support the gnatcatcher.

5.0 ANTICIPATED PROJECT IMPACTS AND MITIGATION

This section addresses potential direct, indirect, and cumulative impacts to biological resources that would result from implementation of the proposed project, and provides analyses of significance for each potential impact.

Direct Impacts are immediate impacts resulting from the permanent removal of habitat.

Indirect Impacts result from changes in land use adjacent to natural habitat and primarily result from adverse “edge effects;” either short-term indirect impacts related to construction or long-term, chronic indirect impacts associated with urban development. During construction of the project, short-term indirect impacts include dust and noise which could temporarily disrupt habitat and species vitality or construction related soil erosion and run-off. Long-term indirect impacts may include intrusions by humans and domestic pets, noise, lighting, invasion by exotic plant and wildlife species, use of toxic chemicals (fertilizers, pesticides, herbicides, and other hazardous materials), soil erosion, litter, fire, and hydrological changes (e.g., groundwater level and quality).

Cumulative Impacts refer to incremental individual environmental effects of two or more projects when considered together. These impacts taken individually may be minor, but collectively significant as they occur over a period of time.

Thresholds of Significance

The evaluation of whether or not an impact to a particular biological resource is significant must consider both the resource itself and the role of that resource in a regional context. Substantial impacts are those that contribute to, or result in, permanent loss of an important resource, such as a population of a rare plant or animal. Impacts may be important locally because they result in an adverse alteration of existing site conditions, but considered not significant because they do not contribute substantially to the permanent loss of that resource regionally. The severity of an impact is the primary determinant of whether or not that impact can be mitigated to a level below significant. Generally, there are three levels of adverse impacts associated with biological resources: significant, locally important, and not significant.

5.1 Proposed Project and Potential Impacts

The proposed project is the subdivision of an 87.25 gross acre parcel into 5 parcels, ranging in size from 4.0 to 66.11 gross acres. Biological resources are depicted in Figure 3. Table 2 below, identifies the habitats and potential impacts on-site. The remainder parcel is 66.11 acres in size. The assumed limits of impacts associated with the development of the parcel are indicated on Figure 3 and comprise 13.58 acres.

Habitats	Total On-Site (Acres)	Assumed Impacts (Acres)	Amount within Proposed Open Space (Acres)	Mitigation Ratio
Southern Mixed Chaparral	7.39	0	N/A	1:1
Artificial wetland	0.61	0	N/A	N/A
Orchard	72.92	11.77	N/A	N/A
Developed	6.32	1.81	N/A	N/A
Total	87.25	13.58	N/A	N/A

5.2 Significance of Impacts

Generally, there are three levels of adverse impacts associated with biological resources: significant, locally important, and not significant. These levels of impacts were applied to the project site and are used below in the discussion of specific potential impacts.

Southern Mixed Chaparral

No impacts will occur to southern mixed chaparral.

Artificial Wetland

No impacts will occur to artificial wetland habitat.

Orchard

Impacts to orchard habitat on-site would not be considered significant. This area includes existing citrus and avocado groves.

Developed

Impacts to developed habitat on-site would not be considered significant.

Sensitive Plant Species

No sensitive plant species were documented on-site. No impacts to sensitive plant species are expected to occur.

Sensitive Wildlife Species

Three sensitive wildlife species, southern mule deer, turkey vulture and red-shouldered hawk were observed or detected on-site. Impacts to sensitive species would be considered locally important. Due to the minimal habitat and low habitat value, impacts to sensitive species with the potential to occur are not significant.

6.0 MITIGATION

Under CEQA, mitigation is required for all significant biological impacts. In addition, the CDFG 1600 and the ACOE 404 permit process generally require mitigation for the loss of wetland resources. The following mitigation measures are recommendations for locally important biological impacts. Although mitigation measures are not often required for locally important impacts, local jurisdictions often implement these measures to minimize cumulative impacts within the region.

According to Appendix G of the State CEQA guidelines, the proposed project would have a potentially significant impact to on-site biological resources if it would:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Under CEQA, mitigation is required for all significant biological impacts. Mitigation, per each resource, is discussed below with corresponding level of significance after mitigation.

Southern Mixed Chaparral

No impacts will occur to southern mixed chaparral so mitigation will not be necessary.

Artificial Wetland

No impacts will occur to the artificial wetland habitat therefore no mitigation is required.

Sensitive Wildlife Species

Impacts to sensitive species observed and with the potential to occur onsite are locally important. Based on County Regulations, mitigation is not required for locally important impacts. In addition, no impacts are occurring to the native habitats onsite. To avoid impacts to avian species, all brushing, clearing, and/or grading shall be restricted such that none will be allowed during the breeding season of avian species. This is defined as occurring between February 1 and June 1. The Director of Planning and Land Use may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, if no raptor nests are present in the vicinity of brushing, clearing, or grading.

7.0 CONCLUSION

No significant impacts to biological resources will occur as a result of the proposed project. As a result no mitigation is required and the project will not contribute to cumulatively significant impacts.

8.0 LITERATURE CITED

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9.0 CERTIFICATION

This report has been prepared by Robin Church, County Certified Biologist and Sara Thorne, Associate Biologists.