

**Comment Letter I81**

**From:** Amanda Mascia <amandamascia77@gmail.com>  
**Sent:** Monday, March 19, 2018 10:02 AM  
**To:** LUEG, PalomarMP  
**Subject:** Comment PEIR for CRQ Master Plan / Gnatcatcher habitat and nests

**Comments for Submittal:**

**I do not believe the mitigation measures to adequately address the significant impacts to gnatcatcher habitats/nests and disagree that plan provides for "less than significant impacts."**

**PEIR:** "The 2011 Hardline letter confirmed this mitigation strategy is adequate *assuming adoption* of the North County Multiple Species Conservation Program (NC MSCP)"

According to the San Diego County website, the NC MSCP is still in development (Source: <https://www.sandiegocounty.gov/pds/mscp/>)

***Mitigation measures for an "assumed adoption" of a plan (NC MSCP) still in development cannot and should not be applied.***

This is further addressed here in the PEIR: "If the NC MSCP is not adopted at the time of project-specific implementation, take authorization for impacts to coastal California gnatcatcher would require approval of either an Habitat Loss Permit (HLP) from the County or Section 7 (or 10) permit from USFWS."

***Mitigation measures for a potential take authorization have not been approved.***

Seeing that BOTH avenues for mitigation, adoption of the NC MSCP and the take authorization via HLP Permit or permit from USFWS have NOT been approved, the mitigation measures should NOT be validated.

The significant impacts should stand without reference to mitigation, as there is currently not proven mitigation for the significant impacts to gnatcatcher habitats and nests.

**Submitted 3/19/18**

**Amanda Mascia**

**Oceanside, CA 92056**

**Reference:**

**Table S-2. Summary of Significant Effects and Mitigation Measures**

**Section 2.2 "Biology"**

**Page S-8 McClellan-Palomar Airport Master Plan Draft PEIR January 2018**

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**BI-1.** The Proposed Project would impact coastal California gnatcatcher- occupied habitat resulting in the potential to impact California gnatcatcher nests. This would be considered a significant direct and indirect impact.

**M-BI-1a.** In accordance with the mitigation strategy described in a joint letter from the United States Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW ) (2011 Hardline letter), mitigation for impacts to coastal California gnatcatcher (*Polioptila californica californica*) habitat (Diegan coastal sage scrub) shall occur at a 2:1 ratio through the preservation of southern maritime chaparral on County-owned lands on or contiguous with the eastern parcel (Assessor’s Parcel Number [APN] 209-050- 25), or at another location deemed acceptable by the County and Wildlife Agencies. This would result in the preservation of 6.2 acres of southern maritime chaparral. The 2011 Hardline letter confirmed this mitigation strategy is adequate assuming adoption of the North County Multiple Species Conservation Program (NC MSCP).

If the NC MSCP is not adopted at the time of project-specific implementation, take authorization for impacts to coastal California gnatcatcher would require approval of either an Habitat Loss Permit (HLP) from the County or Section 7 (or 10) permit from USFWS.

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cont.

**Response to Letter I81****Amanda Mascia**

**I81-1** This comment disagrees that impacts to coastal California gnatcatcher habitat would be less than significant. Specifically, the comment states that mitigation measures that assume adoption of the NC MSCP should not be applied. While impacts to occupied coastal California gnatcatcher habitat are considered significant, implementation of the proposed mitigation measures would reduce the impacts to less than significant. These measures include habitat preservation at a location deemed acceptable to the County and Wildlife Agencies, at agreed-upon ratios, as well as breeding season avoidance measures should active nests be present. These are acceptable mitigation measures that are consistent with regional standards for impacts to the species and occupied habitat. Furthermore, since the PEIR is a program-level document and impacts may or may not occur prior to adoption of the NC MSCP, it is necessary to anticipate mitigation under both scenarios. No changes to the PEIR have been made in response to this comment.

The comment also states that because neither a Habitat Loss Permit nor Section 7 (or 10) permit have been obtained, the mitigation is not valid and impacts should be identified without mitigation. As noted the PEIR Section 2.2, consultation with the resource agencies and implementation of project-specific mitigation would occur at the time when individual projects are funded, designed, and proposed for construction. The County is not required to obtain the aforementioned authorizations until such time that individual project elements and their associated impacts are proposed. No changes to the PEIR have been made in response to this comment.