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Biological Resources Technical Report for Otay Ranch Village 14 and Planning Areas 16/19 San Diego County, California

Lead Agency:

County of San Diego Planning and Development Services PDS2016-SP-16-002

5510 Overland Avenue San Diego, California 92123 Contact: Kimberly Smith

Project Applicant:

Jackson Pendo Development

2245 San Diego Avenue, No. 223 San Diego, California 92110 Contact: Liz Jackson

Prepared by:

DUDEK

605 Third Street
Encinitas, California 92024
Contact: Brock Ortega

FEBRUARY 2018



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ACRONYMS AND ABBREVIATIONS

ACOE U.S. Army Corps of Engineers

amsl above mean sea level

BCC U.S. Fish and Wildlife Service Bird of Conservation Concern

BGEPA Bald and Golden Eagle Protection Act
BLM U.S. Bureau of Land Management
BMO Biological Mitigation Ordinance
BRCA Biological Resource Core Area

CDFG California Department of Fish and Game
CDFW California Department of Fish and Wildlife
CEQA California Environmental Quality Act
CESA California Endangered Species Act
CFGC California Fish and Game Code
CFR Code of Federal Regulations

CNDDB California Natural Diversity Database

CNPS California Native Plant Society

County County of San Diego

CRPR California Rare Plant Rank dBA A-weighted decibel(s)

EIR environmental impact report
FE federally listed as endangered
FESA federal Endangered Species Act

FP fully protected

FT federally listed as threatened

GDP/SRP General Development Plan/Otay Subregional Plan

HCP Habitat Conservation Plan
HOA homeowner's association
LDA Limited Development Area
Leq equivalent sound level
M- mitigation measure

MBTA Migratory Bird Treaty Act
MHPA Multiple Habitat Planning Area

MSCP Multiple Species Conservation Program NCCP Natural Community Conservation Plan

POM Preserve Owner/Manager RMP Resource Management Plan

ROW right-of-way



RPO Resource Protection Ordinance

RWQCB Regional Water Quality Control Board SANDAG San Diego Association of Governments

SSC Species of Special Concern

SWPPP stormwater pollution prevention plan

U.S.C. United States CodeUSGS U.S. Geological Survey

USFWS U.S. Fish and Wildlife Service

WL Watch List

SUMMARY

Otay Ranch Village 14 and Planning Areas 16/19 (Proposed Project) would implement a portion of the Otay Ranch City of Chula Vista General Development Plan/County of San Diego Otay Subregional Plan Volume II (Otay Ranch GDP/SRP), which identifies and coordinates land use patterns, objectives, and goals for the Otay Ranch community. The Otay Ranch GDP/SRP organized development in a series of villages and planning areas with varying character and densities (City of Chula Vista and County of San Diego 1993a). The Proposed Project would be composed of parcels within the planned Village 14 and within Planning Areas 16/19. The Otay Ranch GDP/SRP designates the parcels within these planning areas for residential development and Otay Ranch Resource Management Plan (RMP) Preserve.

The Project Area encompasses approximately 1,369 acres, including approximately 723.7 acres within Otay Ranch Village 14, 559.9 acres within Planning Areas 16/19, and 85.4 acres of offsite development. Development of the Proposed Project would occur on approximately 740.9 acres (not including 67.1 acres of temporary impacts), with the remainder of the Project Area consisting of 83.7 acres of non-graded Limited Development Area (LDA), 72.4 acres of Conserved Open Space (including areas designated as development and LDA), and 426.7 acres of Otay Ranch RMP Preserve. Of those 426.7 acres of Otay Ranch RMP Preserve, the Proposed Project would result in 11.8 acres of permanent impacts and 10.1 acres of temporary impacts for road improvements. Portions of the development would occur off site on approximately 85.4 acres of lands owned by the City of San Diego, City of Chula Vista, California Department of Fish and Wildlife (CDFW), County of San Diego (road easement), and private property.

The Project Area, including off-site impact areas (related to Proctor Valley Road and access to Planning Area 16), is located on portions of land within the jurisdiction of several planning documents: the County of San Diego Multiple Species Conservation Program (MSCP) Subarea Plan, the Otay Ranch RMP, the City of Chula Vista MSCP Subarea Plan, and the City of San Diego Cornerstone Lands.

Biological surveys conducted in 2014, 2015, 2016, and 2017 included vegetation mapping; a jurisdictional delineation; focused rare plant surveys; habitat assessments and focused surveys for Quino checkerspot butterfly (*Euphydryas editha quino*), Hermes copper butterfly (*Lycaena hermes*), and vernal pool branchiopods; and focused surveys for burrowing owl (*Athene cunicularia*), coastal California gnatcatcher (*Polioptila californica californica*), and western spadefoot (*Spea hammondii*). A habitat assessment was conducted for arroyo toad (*Anaxyrus californicus*); however, no focused survey was deemed necessary. Dudek biologists also reviewed the Project Area in conjunction with planning documents to determine whether the Proposed Project's impacts on golden eagle (*Aquila chrysaetos*) would be consistent with those

anticipated in the MSCP County of San Diego Subarea Plan. As part of its golden eagle analysis, Dudek consulted raptor specialists at H.T. Harvey & Associates.

Twelve sensitive vegetation communities occur within the Project Area: granitic chamise chaparral (including disturbed), granitic southern mixed chaparral, Diegan coastal sage scrub (including disturbed), Diegan coastal sage scrub-*Baccharis* dominated (including disturbed), non-native grassland, cismontane alkali marsh, mulefat scrub, coastal and valley freshwater marsh, southern coast live oak riparian forest, southern willow scrub, unvegetated channel, and open water. Approximately 1,336.3 acres of sensitive vegetation communities occurs within the Project Area.

Based on a jurisdictional delineation, 12.55 acres of resources occur under the jurisdiction of the U.S. Army Corps of Engineers, Regional Water Quality Control Board, and/or CDFW within Village 14 and Planning Areas 16/19, and 1.18 acres occurs within the off-site areas.

Focused rare plant surveys recorded 22 special-status plants, including one federally or state-listed plant: Otay tarplant (*Deinandra conjugens*). Forty-nine additional rare plants have a moderate or high potential to occur in the Project Area. Proposed Project surveys recorded 27 special-status wildlife species, including two federally and state-listed species (coastal California gnatcatcher and San Diego fairy shrimp (*Branchinecta sandiegonensis*)) and one fully protected species (golden eagle). An additional 24 special-status wildlife species have potential to occur in the Project Area.

Development of the Project Area, including the off-site improvements areas, as proposed, would result in potentially significant direct or indirect effects to special-status plant species, special-status wildlife species, wildlife movement, special-status vegetation communities, and jurisdictional resources. Most of these impacts, however, have been or would be mitigated by virtue of the applicant's participation in the MSCP Plan.

In addition, the Proposed Project would result in potential significant direct impacts to foraging or breeding habitat, wildlife movement, and avian species protected under the Migratory Bird Treaty Act. These impacts also have been or would be mitigated, in whole or in part, by the applicant's participation in the MSCP Plan. Impacts not covered under the MSCP Plan would be addressed by other mitigation measures, as described in this report.

Mitigation for the Proposed Project is generally governed by the terms of the Otay Ranch RMP and includes conveyance of Preserve land at a ratio of 1.188, for a total of 776.8 acres, 426.7 acres of which would be preserved on site (in the Project Area). The additional 350.1 acres would be acquired through the purchase of Otay Ranch RMP land outside of the Project Area.

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Included in the conveyance acreage is mitigation for 9.1 acres (10.8 acres of conveyance) of impacts to sensitive vegetation within CDFW lands, this acreage is included in the 776.8 acres of conveyance calculation. Note, however, that certain portions of the Project Area are subject to the Biological Mitigation Ordinance and/or impact City of San Diego Cornerstone Lands. These portions of the Proposed Project would require additional mitigation beyond that called for in the Otay Ranch RMP. Since the Biological Mitigation Ordinance mitigation requirements are more stringent for certain types of habitat, the Biological Mitigation Ordinance requires an additional 24.6 acres of mitigation, in addition to the 776.8 acres of conveyance. Impacts to City of San Diego Cornerstone Lands would require an additional 11.3 acres of mitigation. Therefore, the total required mitigation for the Proposed Project is 812.7 acres.

Specific mitigation related to special-status plants and wildlife species, and jurisdictional resources have also been incorporated into the Proposed Project. If adopted and implemented, these mitigation measures would reduce the Proposed Project's impacts on biological resources to less than significant. In addition, the Proposed Project's impacts on local policies, ordinances, and adopted plans would be less than significant.



1 INTRODUCTION

1.1 Purpose of the Report

The purpose of this biological resources technical report is to (1) describe the existing conditions of biological resources within the Project Area, including vegetation communities, jurisdictional resources, special-status plants, special-status wildlife, and wildlife movement; (2) discuss potential impacts to biological resources that would result from development of the property and describe those impacts in terms of biological significance in view of federal, state, and local laws and policies; and (3) recommend mitigation measures for potential impacts to sensitive biological resources, if necessary. Recommendations will follow federal, state, and local rules and regulations, including the California Environmental Quality Act (CEQA); the County of San Diego's (County) Guidelines for Determining Significance and Report Format and Contents Requirements (County of San Diego 2010a); the County's Report Format and Contents Requirements (County of San Diego 2010b); the County's Resource Protection Ordinance (County of San Diego 2007); and various planning documents, including the Multiple Species Conservation Program (MSCP) Plan, MSCP County of San Diego Subarea Plan, City of Chula Vista MSCP Subarea Plan, City of San Diego MSCP Subarea Plan, the Otay Ranch Resource Management Plan (RMP), and the Otay Ranch City of Chula Vista General Development Plan/County of San Diego Otay Subregional Plan Volume II (Otay Ranch GDP/SRP).

1.2 Project Location and Description

Project Location

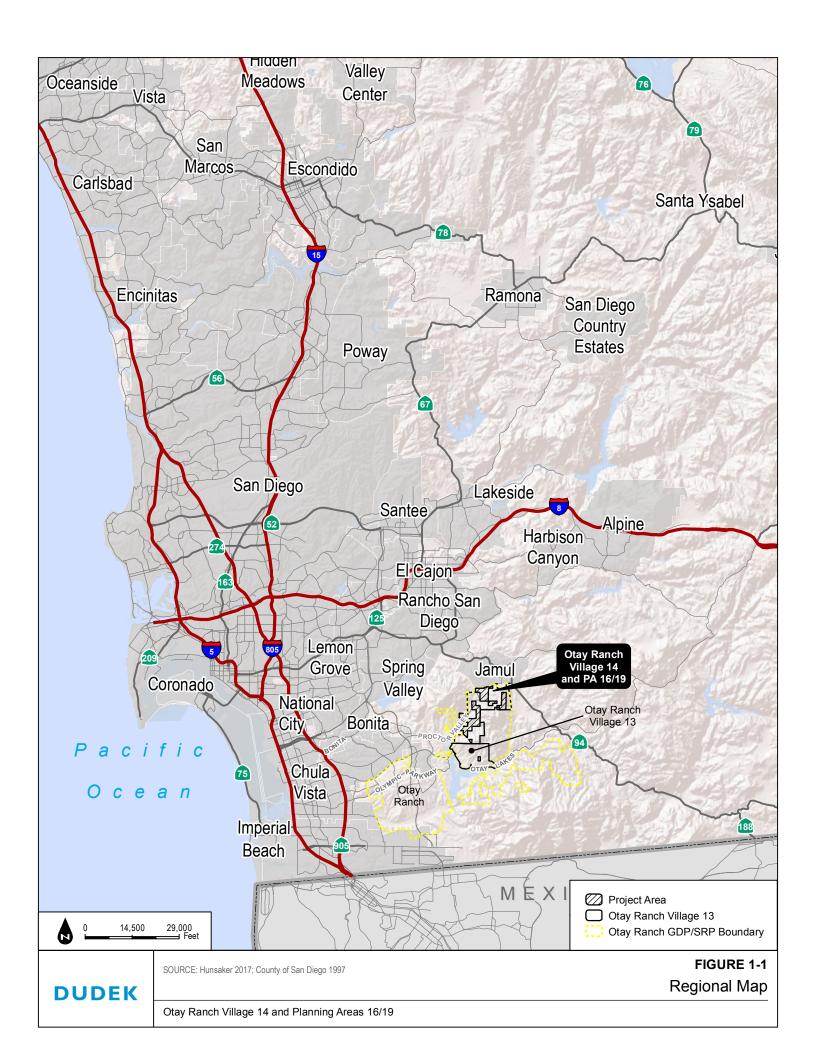
Otay Ranch Village 14 and Planning Areas 16/19 (Proposed Project) is part of overall Otay Ranch, an approximately 23,000-acre master-planned community in southern San Diego County designed as a series of villages and planning areas. The Proposed Project is located in unincorporated southwestern San Diego County (Figure 1-1, Regional Map, and Figure 1-2, Vicinity Map, Otay Ranch Village 14 and Planning Areas 16/19). In 1993, the County of San Diego, in cooperation with the City of Chula Vista, adopted the Otay Ranch GDP/SRP (City of Chula Vista and County of San Diego 1993a). The Otay Ranch GDP/SRP plans land use in Otay Ranch and designates parcels for residential development and open space, including parcels that are part of the Proposed Project. These parcels include land in Otay Ranch Village 14 (Village 14) and Otay Ranch Planning Areas 16/19 (Planning Areas 16/19). The "Inverted L" is excluded from the Proposed Project since it is not owned by the applicant and is in the City of Chula Vista's jurisdiction. The "Inverted L" property is owned by the Otay Water District and the U.S. Fish and Wildlife Service (USFWS).

The Project Area encompasses 1,369.0 acres, including approximately 723.7 acres within Otay Ranch Village 14, 559.9 acres within Planning Areas 16/19, and 85.4 acres of off-site development. The majority of the Project Area is within the jurisdictional boundaries of the Otay Ranch GDP/SRP, with the exception of the 85.4-acre off-site improvement area. The 85.4-acre off-site improvement area lies within the jurisdictional boundaries of the City of San Diego's property ownership of the "Cornerstone Lands" (33.7 acres), the City of Chula Vista's MSCP Subarea Plan (5.4 acres), the California Department of Fish and Wildlife (CDFW) (45.2 acres), the County of San Diego Proctor Valley Road easement (0.3 acres), and private property (0.8 acres) (Figure 1-3, Project Area Ownership). Impacts to areas outside of the Village 14 and Planning Areas 16/19 are required for improvements and realignment of the existing Proctor Valley Road, a connecting road between the two disconnected parcels in Planning Area 16, and the extension of Whispering Meadows Lane south into the eastern-most portion of Planning Area 16 (Figure 1-4, Proctor Valley Site Utilization Plan). In addition, the County is contemplating increasing the right-of-way width for Proctor Valley Road North from 40 feet to approximately 48 feet. This would provide for two dedicated bike lanes, one on each side of the road. Increasing the right-of-way would result in an additional 1.3 acres of impacts.

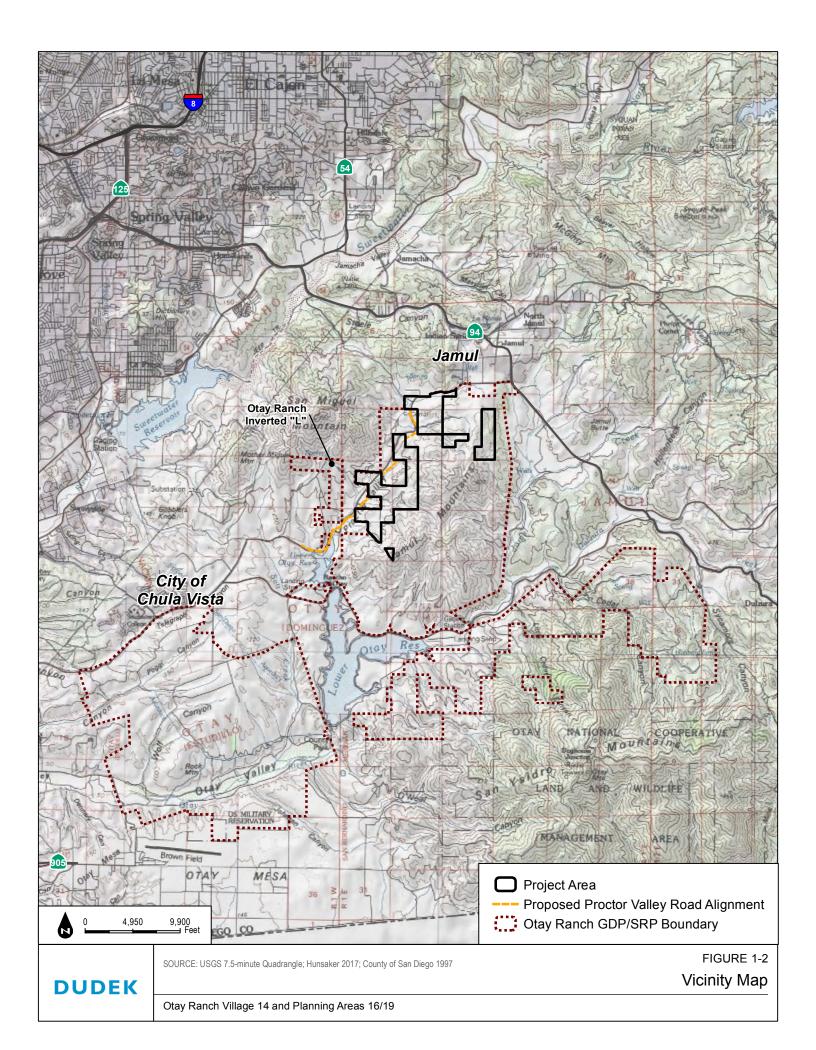
Regional Planning Context

The Otay Ranch RMP is a component of the Otay Ranch GDP/SRP and establishes the mechanism by which property owners are to mitigate impacts related to the overall Otay Ranch implementation, including biological impacts. The RMP also provides for the conservation and management of the entire 11,375-acre Otay Ranch RMP Preserve (City of Chula Vista and County of San Diego 1993b).

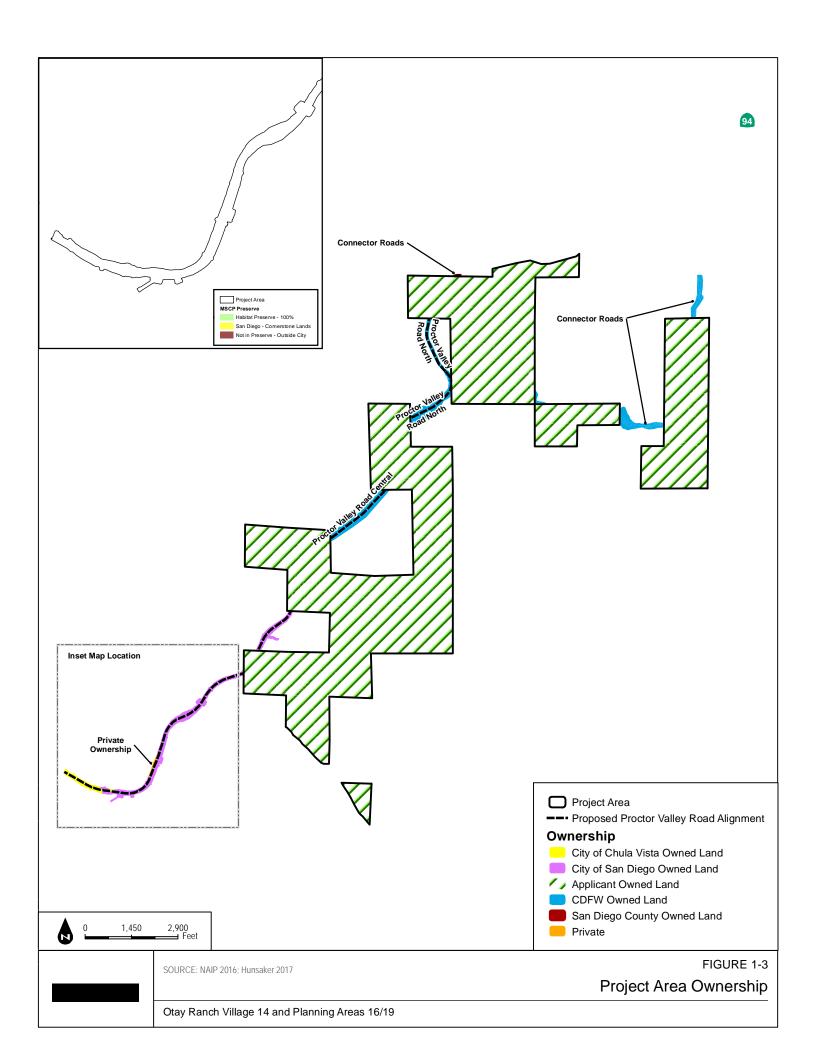
Otay Ranch is also located within the boundaries of the MSCP Plan, which is a comprehensive multijurisdictional habitat conservation planning program for the southwestern portion of San Diego County (MSCP 1998). Local jurisdictions and special districts implement their respective portions of the MSCP Plan through Subarea Plans. The Proposed Project, except for some offsite improvements, is located within the South County Segment of the County of San Diego's MSCP Subarea Plan (County of San Diego 2010c). Implementation of the Proposed Project would result in conveyance of 776.8 acres to the Otay Ranch RMP Preserve. The MSCP Plan and Otay Ranch RMP are discussed in more detail in Section 2.3.

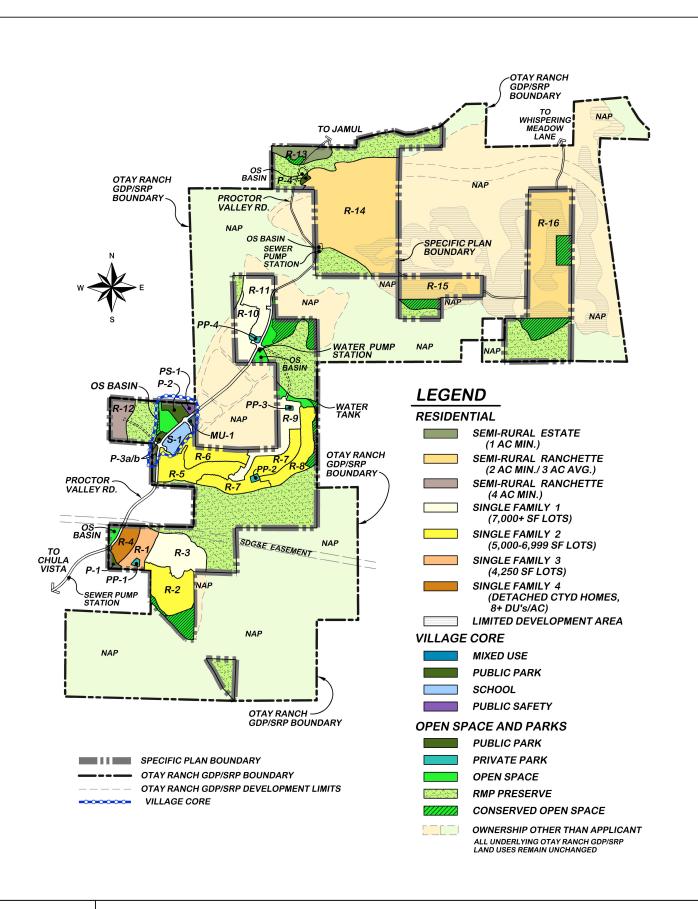












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SOURCE: Hunsaker 2018

FIGURE 1-4 Proctor Valley Site Utilization Plan



Proposed Land Uses

The Proposed Project's proposed land uses are set forth in Table 1-1 and shown in Figure 1-4. The proposed land uses would consist of single-family neighborhoods, mixed-use commercial space, an elementary school site, a site for public safety facilities, Conserved Open Space, Otay Ranch RMP Preserve, and park and recreational uses. The Proposed Project would include approximately 707.7 acres designated for 1,119 homes (Table 1). Ultimately, the Proposed Project proposes 16 neighborhoods with approximate densities ranging from 0.2 to 10 dwelling units per acre.

Table 1-1 **Proposed Land Use Plan**

Land Use	Acres	Units
Otay Ranch Village 14 and Planni	ing Areas 16/19	
Otay Ranch Village	14	
Single-Family Residential	344.2	897
Residential Subtotal	344.2	897
Mixed-Use ^a	1.7	_
Public Parks	13.8	N/A
Private Parks	4.5	N/A
Private Pocket Parks ^b	0.1	N/A
Public Safety Site	2.3	N/A
Elementary School ^c	9.7	97
Circulation	12.7	N/A
Private HOA Open Space (includes fuel modification and drainage)d	27.7	N/A
Conserved Open Space	36.9	N/A
Otay Ranch RMP Preservee	270.2	N/A
Non-Residential Subtotal	379.5	97
Village 14 Subtotal	723.7	994
Planning Areas 16/1	19	
Estates and Ranchettesf	363.5	125
Residential Subtotal	363.5	125
Public Park	1.4	N/A
Private HOA Open Space (includes fuel modification and drainage)	2.1	N/A
Conserved Open Space ⁹	35.5	N/A
Otay Ranch RMP Preserveh	156.5	N/A
Circulation	0.8	N/A
Non-Residential Subtotal	196.3	N/A
Planning Areas 16/19 Subtotal	559.9	125
Otay Ranch Village 14 and Planning Areas 16/19 Total	1,283.6	1,119 ^E

Units are allocated to the school site at 10 dwelling units per acre per the Otay Ranch GDP/SRP policies, which equals 97 future units, should the school site not be required.

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Table 1-1 Proposed Land Use Plan

Land Use	Acres	Units
Off-Site Project Components		
Planning Area 16 Roads – within CDFW Lands	15.7	N/A
North PVR – within CDFW Lands	16.8	N/A
North PVR – within County Road Easement	0.3	N/A
Central PVR – within CDFW Lands	12.7	N/A
Central PVR - within City of San Diego/County of San Diego	7.1	N/A
South PVR – within City of Chula Vista	4.6	N/A
South PVR – within City of San Diego/County of San Diego	27.4	N/A
South PVR – within Private Lands	0.8	N/A
Total Off-Site	85.4	N/A

HOA = homeowner's association; RMP = Resource Management Plan; CDFW = California Department of Fish and Wildlife; PVR = Proctor Valley Road; N/A = not applicable.

- a Mixed-use acreage includes 10,000 square feet of commercial use.
- b Village 14 has 5 acres of private pocket parks included in the residential acreage.
- Units allocated to school site at 10 dwelling units per acre per the Otay Ranch GDP/SRP policies. Should school site not be needed, 97 units may be built.
- d Village 14 residential acreage excludes 27.7 acres of private HOA open space in residential development and 36.9 acres in Conserved Open Space.
- e Includes 5.9 acres associated with Proctor Valley Road within the Preserve.
- f Planning Areas 16/19 residential acreage includes approximately 95.2 acres of Limited Development Area, 83.7 of which is in private lots and 11.6 in roadways. Therefore, total LDA is 127.1 acres (95.2 acres in development bubble plus 31.9 acres in Conserved Open Space).
- Gonserved Open Space in Planning Areas 16/19 is 35.5 acres (31.9 acres of Limited Development Area plus 3.6 acres of designated development suitable for conservation)
- h Includes the 1.2 acres of circulation for Proctor Valley North within the Preserve.

Otay Ranch Village 14

Up to 994 homes would be located in Village 14, set in three distinct areas (referred to herein as the South, Central, and North Village 14). Of these 994 homes, 878 would be single-family homes located in gated enclaves and 116 would be detached courtyard homes. There are 12 neighborhoods planned with approximate densities ranging from 0.2 to 8.4 dwelling units per acre. Village 14 is planned around a centrally located Village Core. The Village Core would be composed of a 9.7-acre elementary school, a 7.2-acre Village Green (public park), a 1.7-acre Mixed-Use Site with up to 10,000 square feet of commercial/retail uses, and a 2.3-acre public safety site for a fire station and satellite sheriff's facility/storefront. Additional public and private parks, swim clubs, trails, and recreational facilities would be situated throughout Village 14. The Proposed Project also includes a perimeter trail option in Village 14 that would be located within the Development Footprint.

Planning Areas 16/19

In addition to the homes in Village 14, there are 13 one-acre estate lots proposed in Planning Area 19 and 112 ranchettes averaging 3 acres located in Planning Area 16. Planning Areas 16/19 homes would not be gated. In addition to the proposed development, Planning Areas 16/19 would include approximately 190 acres of private homeowner's association (HOA) open space, 127.1 acres of Limited Development Area (LDA), and 156.5 acres of Otay Ranch RMP Preserve within the applicant's ownership. The LDA may include public infrastructure and/or be included in the private lots with an open space easement.

Allowable Uses in the Otay Ranch RMP Preserve

Approximately 1.1 acres within the Otay Ranch RMP Preserve boundary for Planning Areas 16/19 is associated with Proctor Valley Road North and its connector roads, and 5.9 acres within the Otay Ranch RMP Preserve boundary for Village 14 is associated with a small portion of Proctor Valley Road Central (Figure 1-3). Per Sections 1.9.3.2 and 1.9.3.3 of the MSCP County of San Diego Subarea Plan (County of San Diego 1997), these roads are an allowable use within the Preserve and, therefore, are still considered Preserve Lands and do not require mitigation. Preserve Lands consist of lands set aside for dedication to the Otay Ranch Preserve Owner/Manager (POM) in satisfaction of Otay Ranch RMP conveyance requirements. Protection of Otay Ranch RMP Preserve Lands are addressed in the Otay Ranch Village 14 and Planning Areas 16/19 Preserve Edge Plan (RH Consulting et al. 2017). Three connector roads are located within Planning Area 16 on lands owned by CDFW. The underlying designations for these areas are development and LDA. Per Section 1.9.3.3 of the MSCP County of San Diego Subarea Plan, these roads are an allowable use (County of San Diego 1997). The Proposed Project also includes two Preserve trail options. The two Preserve trail options would be located within existing disturbed trails. The Proposed Project would retain these portions of trails in their existing conditions, and no improvements to these trails are anticipated.

1.3 Project Terminology and Definitions

The following describes the terminology associated with the Proposed Project.

Proposed Project

The "Proposed Project" reflects the applicant's ownership within Village 14 and Planning Areas 16/19 (1,283.6 acres). Other than the off-site impacts described below, the Proposed Project specifically excludes CDFW's ownership in Village 14 and Planning Areas 16/19, which remains approved for development per the County's General Plan (County of San Diego 2011a) and the Otay Ranch GDP/SRP. The underlying County General Plan and Otay Ranch GDP/SRP

land uses on CDFW property would remain unchanged. In addition, there is an area of Village 14 commonly known as the "Inverted L," which is excluded from the Proposed Project because it is not owned by the applicant; it was acquired by USFWS and the Otay Water District for conservation purposes; and it is located in the City of Chula Vista.

Project Area

The "Project Area" is the applicant's ownership located within Otay Ranch Village 14 and Planning Areas 16/19, in addition to off-site improvement areas for infrastructure. The Project Area covers approximately 1,283.6 acres owned by the applicant and approximately 85.4 acres of off-site improvements, for a total of 1,369 acres (Figure 1-5, Project Area). The 85.4 acres of off-site improvements lie within (1) the City of San Diego's MSCP Subarea Plan's "Cornerstone Lands" (33.7 acres), and is thus within the City of San Diego's ownership and land use jurisdiction; (2) the City of Chula Vista's MSCP Subarea Plan (5.4 acres); (3) CDFW's ownership within Otay Ranch (45.2 acres); (4) the County of San Diego Proctor Valley Road easement (0.3 acres); and (5) private ownership (0.8 acres).

Development Footprint

The "Development Footprint" consists of areas where there would be either permanent or temporary ground disturbance. Areas of open space that would be managed by an HOA (private HOA open space) are also included in the Development Footprint. The Development Footprint includes all on-site development, off-site improvements, graded LDA, and impact areas resulting from infrastructure and other allowable uses within the Otay Ranch RMP/MSCP Preserve per Section 1.9.3 of the MSCP County of San Diego Subarea Plan (County of San Diego 1997). The Development Footprint also includes all areas of fuel modification.

Otay Ranch RMP Preserve

The Otay Ranch RMP Preserve includes areas defined as Preserve in the MSCP County of San Diego Subarea Plan Implementing Agreement (USFWS et al. 1998), which defines the County's required contribution to the MSCP Preserve. As described in Section 1.2, Project Location and Description, the Otay Ranch RMP provides for the conservation and management of the entire 11,375-acre Otay Ranch RMP Preserve. The Implementing Agreement states that the required mitigation for Otay Ranch includes "protection of the areas identified as preserved in the boundaries of the Otay Ranch project including approximately 11,375 acres" of the Otay Ranch RMP Preserve (USFWS et al. 1998). Therefore, the Otay Ranch RMP Preserve is a subset of the MSCP Preserve. The portion of the Proposed Project's land use designated as Otay Ranch RMP Preserve is, therefore, referred to as the "Otay Ranch RMP Preserve," which includes 270.2 acres in Village 14 and 156.5 acres in Planning Areas 16/19, for a total of 426.7 acres (Figure 1-5).