


A-3.6 CALIFORNIA FISH AND WILDLIFE ATTACHMENT 6

Comment Letter A-3.6

Attachment 6
Wildlife Agency Response Letter to Gary Pryor
regarding Otay Ranch Conveyance Plan,
December 17, 1999

A-3.6-1



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DEC 17 1999

Mr. Gary L. Pryor, Director
Department of Planning and Land Use
County of San Diego
5201 Ruffin Road, Suite B
San Diego, CA 92123

Re: Proposed Revised Otay Ranch Conveyance Plan

Dear Mr. Pryor:

This letter responds to your letter of November 10, 1999 which requested that the California Department of Fish and Game (Department) and U.S. Fish and Wildlife Service (Service), the Wildlife Agencies, review and comment on the proposed revised Otay Ranch Conveyance Plan. The revised plan would allow non-Otay Ranch developers to mitigate within the designated Otay Ranch Preserve (ORP), and allow Otay Ranch developers to mitigate outside of the ORP upon the event of the ORP being completed prior to the last of the Otay Ranch developers receiving their entitlements. Non-Otay Ranch developers would "convey" mitigation lands within the ORP to the Preserve Owner-Manager (POM) in the same manner as Otay Ranch developers mitigating under the current Conveyance Plan. The remaining Otay Ranch developers would be allowed to fulfill their "conveyance" requirements by purchasing habitat land outside of the ORP but within the MSCP and adjacent to or near other existing County or City preserved habitat areas. This approach is outlined in the draft City of Chula Vista (City) MSCP Subarea Plan. We appreciate the need for the City to clarify how this process would result in equivalent habitat conservation and provide the following comments:

In your November 10 letter, you raised the concern of whether off-site conveyances by Otay Ranch developers would conflict with MSCP targets for preservation of various habitats. To ensure that only appropriate habitat is purchased and that mitigation does not conflict with MSCP conservation targets, your office proposed two options:

1. Require off-site, post-Preserve completion conveyances by Otay Ranch developers to consist of one or more of the key Preserve habitats (Diegan coastal sage scrub, maritime succulent sage scrub, native grassland, non-native grassland, riparian or vernal pools), and
2. Require off-site, post-Preserve completion conveyances by Otay Ranch developers to consist of habitats and acreages that will, when added to Preserve habitat acreages previously conveyed by Otay Ranch developers for development entitlements, result in habitat totals that match the composition of the original designated Otay Ranch Preserve.

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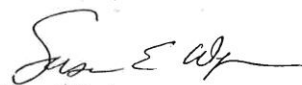
Mr. Gary Pryor

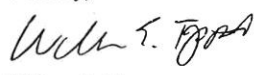
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We are equally concerned with maintaining habitat preservation goals specified in the MSCP, however, we do not consider non-native grassland to be a "key habitat" type even though it is an element of the Otay Ranch Plan and MSCP. To ensure that the revised Conveyance Plan does not compromise expected levels of conservation, we provide the following measures:

1. All off-site mitigation by Otay Ranch developers must occur entirely within the MSCP boundary, in either the Multiple Habitat Planning Area (MHPA) or within the County's Pre-approved Mitigation Area.
2. The ratio of conveyed off-site habitat to impacted habitat must be specified. Non-Otay Ranch developers who choose to mitigate within Otay Ranch must purchase habitat acreage and value as required per the standard MSCP ratios; Otay Ranch developers conveyance would be at or above the 1:188:1 ratio that is specified in the Otay Ranch General Development Plan (GDP).
3. All conveyed Preserve land must be tracked by vegetation type for both non-Otay Ranch developers as well as for Otay Ranch developers. This is necessary to determine the appropriate acreage by habitat type (i.e., equivalent or higher habitat value) that must be purchased by Otay Ranch developers who mitigate outside of the ORP.
4. All non-native grassland acquisitions outside of the ORP by Otay Ranch developers should not exceed the amount purchased within the ORP for non-Otay Ranch projects.
5. All mitigation transactions regarding ORP or Otay Ranch off-site mitigation must include provisions for the management of the mitigation lands.
6. All proposed mitigation transactions regarding ORP or Otay Ranch off-site mitigation must be submitted to the Wildlife Agencies for concurrence. The Wildlife Agencies will have 30 days to respond if the proposal is not acceptable.

In summary, we do not object to the revised Otay Ranch Conveyance Plan provided the habitat preservation goals specified in the MSCP are met and the management of the mitigation lands is provided for. If you have any questions regarding our comments, please contact either of us at the above phone numbers.


 Nancy Gilbert
 Acting Assistant Field Supervisor
 U.S. Fish and Wildlife Service

Sincerely,

 William E. Tippetts
 Habitat Conservation Planning Supervisor
 CA Department of Fish and Game

cc: Mr. Robert Leiter, Planning Director, City of Chula Vista
Ms. Laurie McKinley, MNA Consulting

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