

O-9 THE NATURE CONSERVANCY

Comment Letter O-9



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April 16, 2018

Via Email

Mr. Gregory Mattson
County of San Diego
Planning & Development Services
5510 Overland Avenue
San Diego, CA 92123
Gregory.Mattson@sdcounty.ca.gov

Regarding: Otay Ranch Village 14 and Planning Areas 16 and 19 Draft Environmental Impact Report ("DEIR")
LOG NO. PDS2016-ER-16-19-006; SCH NO. 2016121042SCH

Dear Mr. Mattson:

Thank you for the opportunity to comment on the Otay Ranch Village 14 and Planning Areas 16 & 19 (hereafter referred to as Village 14) DEIR. To achieve our mission of conserving the lands and waters on which all life depends, The Nature Conservancy (Conservancy) works closely with cities, counties, individual landowners, developers, the military, public resource agencies, and various other public and private partners to protect many of the State's most ecologically significant natural areas. Over the last 30 years, the Conservancy has supported local, state and federal partners in their efforts to secure hundreds of millions of dollars to protect some of the most biologically diverse lands in San Diego County. More recently, the Conservancy conserved two properties in close proximity to the proposed Village 14 project: the 1,905-acre Hidden Valley Property and 40-acre Proctor Valley SSBT Property.

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The proposed Village 14 Project is situated in Proctor Valley and in the heart of the greater San Diego National Wildlife Refuge (Refuge). The Refuge represents the largest expanse of undeveloped land in the Multi Species Conservation Plan (MSCP) planning area and is fundamental to the integrity of the MSCP preserve system. This core habitat area anchors and is anchored by large public ownerships representing hundreds of millions of dollars of public conservation investments. All of these public lands rely on minimizing the loss and fragmentation of remaining private lands and effective management to preserve the conservation values of this area.

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The Proctor Valley habitat area of South San Diego County supports some of the last remaining coastal habitats of Southern California, each supporting many rare and endangered species. It provides large expanses of coastal sage scrub, grassland, and riparian habitats as well as vernal pools. The area specifically supports habitat for the federally threatened California gnatcatcher (*Poliptila californica californica*), federally endangered Quino checkerspot butterfly (*Euphydryas editha quino*), and two federally endangered plants: San Diego ambrosia (*Ambrosia pumila*) and Otay tarplant (*Deinandra conjugans*). Additionally, vernal pools in Proctor Valley support the federally endangered San Diego fairy shrimp (*Branchinecta sandiegonensis*), and further, the area is vital to preserving the foraging and nesting habitats for the golden eagle (*Aquila chrysaetos canadensis*); one pair has nested on adjacent San Miguel Mountain.

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The Conservancy continues to have concerns about the Village 14 development proposal. We reached out to the project applicant multiple times to try and resolve many of our issues, specifically related to the project's impacts

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on species and wildlife connectivity. Although we appreciate their willingness to exchange ideas on how to redesign the project to decrease impacts, we were unable to resolve our issues with the project in its current configuration. The goal, we all share, to ensure the long-term integrity of the MSCP and the ecological health of the greater Refuge cannot be achieved with the project as designed. We continue to have concerns with the location and configuration of Otay Village 14 and Planning Areas 16 & 19 and its impacts on the MSCP. The following list outlines these concerns:

-Urban Edge Effects

The Project's intense level of development and network of access roads through protected lands would significantly increase the spatial extent and intensity of edge effects of night-time lighting, runoff, increased wildfire ignitions, spread of invasive plants and animals, disturbance of intact native soils and vegetation, and increased noise related to human activities. These impacts would extend well beyond the development footprint onto adjoining conserved lands and cannot be mitigated by existing land managers in Proctor Valley. Moreover, access roads to development parcels in Planning Areas 16 and 19 cross state protected lands, and creates issues with runoff, erosion, natural hydrological flows, and entry points for invasive species.

-Habitat Connectivity

Since the MSCP was adopted in the mid-1990s, additional conservation by public agencies has occurred in Proctor Valley, decreasing the amount of proposed future development and increasing Proctor Valley's value as core habitat for a number of species within the Refuge and greater MSCP regional preserve. As currently designed, the project would introduce development within the center of Proctor Valley. The persistence of many species in the already conserved areas, such as the golden eagle, San Diego black-tailed jack rabbit and QCB, is dependent on landscape connectivity between occupied habitats. Enabling concentrated development in the middle of Proctor Valley will likely sever functional connectivity for many species, making it highly likely that the QCB, golden eagle, and a variety of other species will be lost from the Proctor Valley area and beyond over time. The connectivity analyses provided in the DEIR are based on outdated assumptions, and should instead rely on more up-to-date modelling for target species. While the DEIR analysis compares widths of presumed linkages, the width of a habitat linkage is not, by itself, an appropriate metric for evaluating functionality. Habitat linkages should be species-specific and evaluated based on habitat quality, vegetation communities, and topography, and not just width of the linkage. Wildlife corridor studies should be conducted in the area with these metrics in mind, instead of relying on a single study conducted in 1992. Allowing this development to move forward without consideration of the changed circumstances since 1992 will sever functional connectivity.

-Golden Eagle

Although the original MSCP permit for the golden eagle assumed the San Miguel nesting territory would remain viable, additional studies of this species over the past few years by US Geological Survey suggest otherwise. The US Geological Survey study (Tracey et al. 2016) emphasizes the relative importance of the Otay-Sweetwater area to golden eagles in coastal Southern California, and identifies that the central Proctor Valley area (where Village 14 is proposed) is a moderately to heavily used part of at least seven eagle foraging areas. Despite the analysis in the DEIR stating that the nesting site will remain viable, we remain concerned that the direct and indirect impacts associated with the loss and fragmentation of habitat in Proctor Valley resulting from the development will make much of the remaining habitat unsuitable for foraging and will result in the likely extirpation of the San Miguel eagle territory, thus having a direct negative impact on regional golden eagle populations. This is a changed circumstance in the planning area that should be addressed in the EIR.

-MSCP and Otay Ranch Specific Plan Obligations

The proposed project includes the development of Proctor Valley areas 1, 2 and 3 ("PV1", "PV2" and "PV3") which, per the MSCP Subarea Plan, are designated as preserve. To meet the obligations of the MSCP, such a proposed change to the hardline preserve would require the project applicant seek a major amendment to the MSCP. A major

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amendment would likely require additional mitigation to make up for the mitigation-preservation shortfall, including a shift/removal of development from the center of Proctor Valley. To ensure that the proposed project is fully consistent with the MSCP, the major amendment should be accomplished prior to project approval and evaluated within the DEIR.

-Alternatives Analysis

The DEIR Alternatives Analysis includes the proposed exchange of lands owned by the State Department of Fish and Wildlife in Village 14 with privately held parcels in Villages 16 and 19. It is our understanding that this proposed land exchange was deemed infeasible and was declined by the State and, thus, would not be a viable alternative, based on that previous decision. Consider removing this from the Alternatives Analysis.

In summary, The Nature Conservancy has concerns about the proposed development impacts to multiple habitat species and wildlife corridors. To address our concerns the Conservancy recommends the following:

- To remain consistent with the MSCP, remove the development from PV1, PV2 and PV3 or seek a major amendment to the MSCP, which may require additional mitigation and removal/shift of development from the middle of the wildlife corridor.
- Process the major amendment prior to project approval so that the amendment and its required mitigation can be evaluated within the DEIR.
- To reduce impacts to connectivity, remove the proposed development in the center of Proctor Valley so that the wildlife corridor remains functional. Density in the middle of the wildlife corridor impacts multiple species and their ability to move and adapt in response to changing conditions.
- Remove proposed land exchange from the alternatives analysis, since the State has already denied this proposal. Therefore, it is no longer a viable option.

Thank you very much for your time and for reading this letter. We look forward to continuing this dialogue.

Sincerely



Cara Lacey
Associate Director of Regional Planning

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