

O-6.2 QUINO REVIEW

- O-6.2-1** The comment provides an introduction to comments that follow. The comment does not raise an issue regarding the adequacy of the Draft EIR; therefore, no further response is required or provided.
- O-6.2-2** The comment describes the commenters' expertise related to Quino checkerspot butterfly (QCB) and their experience in previously providing QCB comments on another project in San Diego County. The comment does not raise an issue regarding the adequacy of the Draft EIR; therefore, no further response is required or provided.
- O-6.2-3** The comment states that their previous assessment of the Village 13 project warned of deleterious effects on the same QCB metapopulation that occurs in Village 14 and Planning Areas 16/19. The comment does not raise an issue regarding the adequacy of the Draft EIR; therefore, no further response is required or provided.
- O-6.2-4** The comment states that the "Otay Ranch Village 14 and Planning Areas 16/19 is merely geographically somewhat north on [sic] the same QCB metapopulation and complex of Core populations" of Village 13. The comment then states that the commenters' concerns regarding the QCB population in southwestern San Diego, while first expressed in their comments on the Village 13 EIR, apply equally to the Proposed Project (Village 14 and Planning Areas 16/19). The comment states that the County should review and respond to concerns raised in the prior reports, which are attached to the comment letter.

The cited documents have been reviewed. The County notes, however, that while the Draft EIR acknowledges the Project Area is part of a metapopulation complex in Proctor Valley, the Draft EIR also correctly states that, unlike Village 13, the Project Area is not part of a Core area identified in the QCB Recovery Plan adopted by the USFWS.²⁰ As discussed in subsequent responses to comments, Village 14 and Planning Areas 16/19 have never been known to support large populations that would contribute to a Core population, and current surveys conducted for the Proposed Project confirm this conclusion.

²⁰ The QCB Recovery Plan does not consider the Proctor Valley Region a Core area for QCB but does identify portions of Proctor Valley Region (including the southern portion of the Project Area) as containing Quino Occurrence Complexes (see Figure 9 of the Recovery Plan).

- O-6.2-5** The County acknowledges the comment as an introduction to comments that follow. The comment does not raise an issue regarding the adequacy of the Draft EIR; therefore, no further response is required or provided.
- O-6.2.6** The comment states that, after reviewing the Draft EIR, the commenters have concluded that the Proposed Project is not compatible with QCB conservation. The comment also expresses the opinion that while this development would not likely, by itself, cause the global extinction of the QCB, it would significantly contribute to that end. The comment further expresses the opinion that the Proposed Project will cause “decline and extirpation” of the QCB in the larger landscape surrounding the Project Area. The comment does not raise an issue regarding the adequacy of the Draft EIR; therefore, no further response is required or provided.
- O-6.2-7** The comment states that the Draft EIR and its Executive Summary of QCB findings “diminishes” what the commenters perceive as the significance of the Project Area to the metapopulation structure and stability in the area. The comment states that the first 2 years of surveys (2014 and 2015) obtained invalid results because the surveys were undertaken during drought years when QCB flight was greatly diminished or absent, and because they failed to cover the full Project site. The comment further states that the 2016 survey was conducted in a year following multiple drought years when QCB could not have expected to recover from the drought. The comment then states that had surveys been conducted in 2017, it is likely large numbers of QCB would have been found on the site. Lastly, the comment refers to QCB collection records from the early 1980s demonstrating presence of QCB in the area.

The County does not agree that the QCB surveys conducted for the Proposed Project are inadequate or invalid. As an initial legal matter, CEQA does not require that biological surveys take place during years of average or above-average rainfall. Periods of drought are common in California and have characterized the state’s climate for many years. In this case, Dudek and HELIX conducted three QCB habitat assessments in the Project Area during the 2014–2016 timeframe (Dudek in 2014 and HELIX in 2015 and 2016). HELIX conducted protocol surveys for QCB adults following the USFWS survey guidelines on the Village 14 portion of the Development Footprint in 2015 (HELIX 2015) and within the entire Project Area in 2016 (HELIX 2016). The “drought” conditions to which the comment refers did not, in the HELIX biologist’s opinions, adversely affect QCB habitat or obligate host plant. The County notes there were multiple documented QCB sightings less than 1 mile from the Proposed Project survey area in 2016. This indicates that conditions in 2016 were suitable for QCB presence and activity during the survey year in which the entire Project Area was surveyed; yet, no QCB were observed at the Project Area

during the 2016 survey. Based on the survey results, the Project Area is not expected to support a Core population of QCB.

The commenters refer to observations of a USFWS biologist who saw “several” QCB near the Project Area in 2017. These observations are not inconsistent with the Draft EIR’s conclusion that the Project Area and immediate vicinity may support scattered individuals intermittently; however, these observations in 2017 do not support the conclusion of a Core population of the species within the Project Area. Further, based on the QCB habitat resources present in the Project Area, the biologists preparing the Draft EIR do not agree, “hundreds or thousands of adult QCB would have been found in the Project Area.”

The comment also refers to QCBs collected by L. Shoemaker on March 30, 1982, from a low ridgeline on the southwestern portion of Proctor Valley. While the exact location of this collection was not provided, the commenters indicate that this sighting further demonstrates the long-term QCB population presence in this area. The Draft EIR’s conclusion that the Project Area and immediate vicinity may support scattered individuals intermittently is consistent with the commenters’ reference to a 1982 collection.

The QCB surveys performed for the Draft EIR provide an adequate baseline for assessing the Proposed Project potential impacts on the species under CEQA.

O-6.2-8 The comment states that the Draft EIR incorrectly diminishes the significance of QCB habitat on the Project Area by stating such habitat is “limited to scattered patches throughout the valley.” The comment then states, “virtually the entire project area ... represents QCB habitat.” The comment further states that scattered host plant distribution is a definitive trait of core QCB habitat. The comment then restates information from the Draft EIR and expresses the commenters’ opinions regarding that information. The comment also contends that it is irrelevant whether the QCB Recovery Plan identifies as the Project Area as a “Core” area for the species.

The County disagrees that the Draft EIR mischaracterizes the value or significance of the QCB habitat on the Project Area. The Draft EIR’s description of existing QCB habitat in the Project Area is based on substantial surveys. Those surveys determined that the majority of the host plant patches found in the Project Area contain 1–100 individual dwarf plantains (*Plantago erecta*). For year 2016 survey data, the majority of the host plant locations within the Development Footprint (292 of the 380 mapped locations; 77%) were mapped as point locations ranging from a few square feet to 250 square feet in size. Furthermore, of the 292 point locations, the majority of these (280

of the 292 locations; 96%) were Low density (1–100 plants) or Medium density (100–1,000 plants); and most occurred within a matrix of chaparral and coastal sage scrub habitats. The Conserved Open Space in the Project Area has a similar patchy distribution of host plants. The assessment in the Draft EIR is correct in describing the QCB habitat as “limited to scattered patches throughout the valley” and that the “region is included in the metapopulation structure for the species.”

The commenters state that the assumption that the habitat is marginal and only used in good years is incorrect because it is based on “a series of weak and invalid survey results.” As noted above, however, the 2016 survey results are considered valid surveys by the USFWS based on host plant expression in 2016 and positive survey results in the immediate Project vicinity by others, including Village 13.

- O-6.2-9** The commenters question the Draft EIR preparers’ knowledge of QCB biology “because they fail to apprehend that the distribution and quantities of QCB hostplants as documented by their own hostplant surveys actually represents a profoundly high quality environment for QCB metapopulation dynamics.” The comment further asserts the Project Area represents core habitat from which QCB might expand into other areas during years of high reproductive success.

The Draft EIR’s QCB surveys and analyses were performed by biologists at HELIX who have shown technical competence to conduct those surveys by the USFWS through their obtaining permits necessary to conduct USFWS protocol surveys. The authors (Barry Jones and Shelby Howard) of Appendix D of the Biological Resources Technical Report, which summarizes the results of those surveys, have extensive experience with QCB across Southern California, including site-specific experience with some of the highest density QCB populations. Thus, there is no merit to the comment that the Draft EIR preparers “have little to no understanding” of QCB ecology. The qualified QCB biologists and Draft EIR preparers disagree that the Project Area contains “profoundly high quality environment for QCB metapopulation dynamics.” The QCB biologists and Draft EIR preparers have conducted surveys on very high value areas, including Village 13 where significant QCB populations do occur, and have correctly concluded that the Project Area is not a Core area but can function as part of the dynamics for the species in the region.

- O-6.2-10** The comment sets forth the commenters’ opinion that a QCB Core area exists from the Miguel Mountain area, through Proctor Valley to the Mexico border. The comment does not provide empirical data to support this statement/opinion. The comment does not raise an issue regarding the adequacy of the Draft EIR; therefore,

no further response is required or provided. See also **Responses to Comments O-6.2-4** and **O-6.2-7** through **O-6.2-9** regarding Core areas.

- O-6.2-11** The comment states that the Draft EIR fails to address “far reaching edge effects (both direct and indirect) on QCB population function in the vicinity of the project.”

The County disagrees with the comment. The Draft EIR, in Section 2.4.3.1, analyzes the Proposed Project’s long-term indirect impacts on sensitive wildlife species. This analysis covered indirect edge impacts to QCB. Specifically, the Draft EIR identifies the following long-term indirect impacts that might adversely affect QCB and other sensitive wildlife: generation of fugitive dust; off-road-vehicle use; introduction of non-native, invasive plant and animal species; habitat fragmentation; increased human activity; alteration of the natural fire regime; and altered hydrology. The Draft EIR identifies these effects as potentially significant, absent mitigation. The Draft EIR then recommends the following mitigation measures to address the significant long-term indirect impacts to special-status wildlife species (including the QCB): M-BI-5 (permanent fencing and signage), M-BI-14 (SWPPP), M-BI-15 (erosion and runoff control), M-BI-16 (prevention of invasive plant species), M-BI-17 (noise), M-BI-19 (fire protection), and M-BI-20 (lighting).

The Draft EIR, in Section 2.4.3.4, also evaluated the Proposed Project’s long-term indirect impacts on wildlife movement, which includes movement by QCB. Specifically, long-term indirect impacts would include habitat fragmentation, human activity, lighting, and noise from the proposed urban development, recreational facilities, and human activity. Mitigation measures M-BI-3 (habitat conveyance and preservation), M-BI-4 (biological open space easement), M-BI-5 (permanent fencing and signage), M-BI-18 (noise), and M-BI-20 (lighting), described in Section 2.4.6 of the Draft EIR, would mitigate these impacts to less than significant.

Also refer to **Thematic Response – Quino Checkerspot Butterfly** regarding the impact analysis and edge effects.

- O-6.2-12** The comment states that the Draft EIR fails to address development-related habitat fragmentation separating Otay Mountain critical habitat from San Miguel Mountain.

The County disagrees with the comment that the Draft EIR does not address impacts associated with habitat fragmentation and loss of habitat connectivity between Otay Mountain and San Miguel Mountain. The Draft EIR in Section 2.4.3.1 specifically addresses habitat connectivity for the QCB and states,

The Quino checkerspot butterfly habitat within the Otay Ranch Resource Management Plan (RMP) Preserve and non-impacted areas (Limited Development Area and Conserved Open Space) contains a mosaic of open habitat communities along with some chaparral areas, hilltop areas, cryptogamic soils, and scattered host plant areas. The habitat is also connected to other large blocks of preserved habitat that is considered suitable for Quino checkerspot butterfly (Figure 2.4-21, Preservation of Documented QCB Sightings in County Subarea Plan). As shown in Figure 2.4-21, the preserved lands that occur adjacent to Village 14 include portions of the Rancho Jamul Ecological Preserve, City of San Diego Cornerstone Lands, and a parcel to the east that was acquired by BLM as conserved lands. The preserved lands that occur adjacent to Planning Areas 16/19 include portions of the Rancho Jamul Ecological Reserve. There have been substantial numbers of Quino checkerspot butterflies documented to the south of the Development Footprint, to the east of the Otay Reservoir System, and also farther south (CDFW 2017; USFWS 2017). The Proposed Project's design would maintain contiguous habitat with these locations with areas to the north on San Miguel Mountain; provide widespread Quino checkerspot butterfly resource areas, including hilltops and nectaring resources; and provide host plant patches to help maintain metapopulation dynamics for the species.

The Otay Ranch RMP Preserve within the Project Area allows for contiguity of suitable habitat and resource areas with adjacent MSCP and Otay Ranch RMP Preserve lands (Figure 2.4-21 of the Draft EIR). The majority of the on-site Otay Ranch RMP Preserve is composed of open coastal sage scrub that is also contiguous with off-site sage scrub habitats. Substantial numbers of QCB occur south of the Project Area, east of Otay Reservoir, as well as farther south toward the Otay Mesa/Otay Mountain area. The Proposed Project would preserve contiguous habitat connections to these locations and areas to the north on San Miguel Mountain, which would provide multiple QCB observations and QCB resource areas, including hilltops and nectaring resources, and would provide host plant patches to help maintain metapopulation dynamics for the species.

- O-6.2-13** The comment expresses an opinion that the proposed mitigation for the Proposed Project does not compensate for the significant regional impacts to the QCB metapopulation function. The comment states the mitigation is inadequate, in part because the proposed mitigation areas are close to existing or planned development and thus subject to edge effects such as invasive species, human disturbance, loss of nearby breeding habitat, and other factors.

The County does not agree with the comment. The proposed mitigation is appropriate given the negative survey results for QCB individuals, the scattered distribution of QCB resources (e.g., host plants) across the site, and the measures being implemented to minimize edge effects on the Otay Ranch RMP Preserve (refer to **Response to Comment O-6.2-11**). The proposed mitigation on site consists of large, contiguous blocks of potential habitat that is connected with higher value QCB habitat to the north and southwest. Measures would also be implemented to minimize edge effects on the Otay Ranch RMP Preserve (refer to **Response to Comment O-6.2-11**).

In addition, per the MSCP, the Otay Ranch RMP Preserve is managed by the Preserve Owner/Manager to avoid and minimize potential deleterious edge effects in perpetuity. Management of long-term indirect impacts are addressed in the MSCP Plan in Section 6.3, Guidelines for Preserve Management, including Section 6.3.1, Preparation of Framework Management Plans; Section 6.3.2, Responsibility for Preserve Management and Biological Monitoring; Section 6.3.3, Preserve Management on Private Lands; Section 6.3.4, Fire Management; Section 6.3.5, Restoration; Section 6.3.7, Hydrology; Section 6.3.7, Fencing, Signage, and Lighting; Section 6.3.8, Predator and Exotic Species Control; Section 6.3.9, Species Reintroduction; and Section 6.3.10, Enforcement. Specifically, the MSCP states that “through the subarea plans and regulations, the participating jurisdictions and other take authorization holders will ensure that that direct and *indirect impacts* of new development on the preserve will be minimized using good land planning and design principles and preserve management provisions” (page 6-3; italics added for emphasis).

The additional off-site lands within the Otay Ranch RMP Preserve will provide mitigation for the QCB within the 11,375-acre RMP Preserve and is consistent with conservation requirements for the larger Otay Ranch project. As noted in **Responses to Comments O-6.2-4** and **O-6.2-7** through **O-6.2-9**, the Proposed Project does not occur within Core habitat for the QCB but is within a larger metapopulation matrix.

- O-6.2-14** The comment notes that the “development area” has been occupied for decades and is critical for continued persistence of the QCB in the region. The comment does not raise an issue regarding the adequacy of the Draft EIR; therefore, no further response is required or provided. The County would point out, however, that while QCB may have been noted previously as occurring in the Project Area, recent surveys of the Proposed Project’s “development area” were all negative. Further, M-BI-8 requires consultation with USFWS to determine if take authorization is required.

- O-6.2-15** The comment describes failed QCB population “experiences” at sites (Osborne 2015) similar in the nature and extent of impacts that would occur from development of Village 14 and Planning Areas 16/19 on the QCB metapopulation in the region.

The comment does not raise an issue regarding adequacy of the Draft EIR; therefore, no further response is required. Nevertheless, the County notes that the examples mentioned in the comment (as cited in Osborne 2015) are fundamentally different from the Proposed Project. Examples such as Dictionary Hill (completely surrounded by dense urban development), Otay Mesa (significant development and heavy soils with dense non-native weed cover), and the Hogbacks and Warm Springs Creek (more isolated and smaller in total size) are not comparable to the proposed Conserved Open Space on site and the Otay Ranch RMP Preserve because the soils are less likely to be overwhelmed by non-native grasses, and the Otay Ranch RMP Preserve will be interconnected with thousands of acres of already conserved lands to the north, south, east, and to some extent to the west of the Project Area.

- O-6.2-16** The comment expresses the commenters’ opinion that the protocol surveys for the Proposed Project improperly excluded suitable habitat that should have been surveyed.

As noted in the Draft EIR, Section 2.4.1, Existing Conditions, on page 2.4-1 and 2.4-10, HELIX conducted an updated habitat assessment of the Project Area in 2016 based on input from the USFWS. HELIX’s 2016 habitat assessment relied on a combination of desktop analysis of aerial photographs (multiple photographs from various years and various times of the year) and field verification of conditions to ascertain where closed-canopy woody vegetation was present. The commenters, by contrast, only relied on a desktop review of a satellite image to draw the conclusion that areas that were not surveyed are considered valuable habitat for the QCB and must be surveyed. Interpretation of an aerial photograph signature without a field verification of the conditions does not fully meet the accepted survey protocol developed by the USFWS.

Prior to conducting the protocol-level QCB surveys in 2016, HELIX coordinated with USFWS regarding the approach to the habitat assessment and the results of the excluded habitat mapping (personal communication between Shelby Howard [HELIX] and Susan Wynn and Eric Porter [USFWS]). HELIX’s approach to the 2016 habitat assessment resulted in 104 fewer acres of the Development Footprint being excluded from protocol surveys as compared to the 2015 habitat assessment approach. It is also worth noting that in 2016, 98% of the Development Footprint was considered potential habitat and was surveyed.