

MULTIPLE SPECIES CONSERVATION PROGRAM CONFORMANCE STATEMENT
For PERRIN RANCH WINERY PROJECT
PDS2016-AD-16-023
APN (s) 276-101-14

April 16, 2020

I. Introduction

The proposed project is a winery, including a winery building, wine tasting room, storage building, and associated parking and stormwater detention facilities. The 21.69-acre project site (Administrative Permit area), a portion of APN 276-101-14, is located along Highland Valley Road northwest of Ramona. The project site supports 0.89 acre of non-vegetated channel/seasonal ponds, 1.5 acres of coast live oak woodland, 0.3 acre of Diegan coastal sage scrub - disturbed, 2.2 acres of disturbed habitat, 15.5 acres of orchards and vineyards, and 1.3 acres of developed land. One individual plant and one bird species that are considered sensitive, Engelmann oak (*Quercus engelmannii*) and oak titmouse (*Baeolophus inornatus*), were observed on site. One other sensitive plant species and nine sensitive animal species have a high potential to occur on site. An ephemeral drainage channel that traverses the site will remain in place and will not be impacted by the project, except for potential access improvements that could impact up to 0.02 acre of non-vegetated channel/seasonal ponds. The channel and man-made seasonal ponds along it are not a County Resource Protection Ordinance (RPO) wetland. The project site is located within the adopted Multiple Species Conservation Program (MSCP) and is consistent with MSCP requirements. The proposed project site is not designated as Pre-Approved Mitigation Area (PAMA), although PAMA is designated approximately 160 feet northeast of the project site. General land uses in and surrounding the project site include undeveloped land, agriculture, and residential.

The project will result in impacts to 0.6 acre of coast live oak woodland (including impacts to oak root protection zone) and 0.02 acre of non-vegetated channel/seasonal ponds (potential non-wetland waters of the U.S./State and CDFW unvegetated streambed). The project has potential for impacts to nesting migratory birds or raptors if the project were to grade or clear during the breeding season. As per the Biological Resources Letter Report dated September 3, 2019 prepared by HELIX Environmental Planning, the project will mitigate for coast live oak woodland impacts within the MSCP subarea at a 1:1 ratio with Tier I habitat. The project proposes breeding season avoidance measures in order to prevent any impact to raptors and nesting birds for any future grading or construction work. Finally, impacts to jurisdictional waters would be addressed by obtaining any required permits from the agencies with jurisdiction and providing mitigation as required by those permits. The project would have no other significant impacts, and no other mitigation would be required.

Table 1. Impacts to Habitat and Required Mitigation

Vegetation Community/ Habitat Type*	Existing On Site	Total Impacts	Mitigation Ratio	Proposed Mitigation
Disturbed Habitat (11300)	2.2	1.6	N/A	N/A
Developed (12000)	1.3	1.1	N/A	N/A
Orchards and Vineyards (18100)	15.5	5.7	N/A	N/A
Diegan Coastal Sage Scrub - Disturbed (32500)	0.3	0	N/A	N/A
Non-vegetated Channel/Seasonal Ponds (64200/64100)	0.89	0.02	N/A**	N/A**
Coast Live Oak Woodland (71160)	1.5	0.6 [†]	1:1	0.6
TOTAL	21.69	9.02		0.62

*Upland habitat acreages are rounded to the nearest tenth. Channel/pond acreage is rounded to the nearest hundredth. Totals reflect rounding.

[†]Coast live oak woodland impact acreages include oak root protection zone impacts.

**The BMO does not set a Tier level or mitigation ratio for non-vegetated channel/seasonal pond; therefore, mitigation for impacts to non-vegetated channel/seasonal pond will be determined by the regulatory permitting agencies.

The findings contained within this document are based on County records and the Biological Resources Letter Report, dated September 3, 2019 prepared by HELIX Environmental Planning. The information contained within these Findings is correct to the best of staff's knowledge at the time the findings were completed. Any subsequent environmental review completed due to changes in the proposed project or changes in circumstance shall need to have new findings completed based on the environmental conditions at that time.

The project has been found to conform to the County's Multiple Species Conservation Program (MSCP) Subarea Plan, the Biological Mitigation Ordinance (BMO) and the Implementation Agreement between the County of San Diego, the CA Department of Fish and Wildlife and the US Fish and Wildlife Service. Third Party Beneficiary Status and the associated take authorization for incidental impacts to sensitive species (pursuant to the County's Section 10 Permit under the Endangered Species Act) shall be conveyed only after the project has been approved by the County, these MSCP Findings are adopted by the hearing body and all MSCP-related conditions placed on the project have been satisfied.

II. Biological Resource Core Area Determination

The impact area and the mitigation site shall be evaluated to determine if either or both sites qualify as a Biological Resource Core Area (BRCA) pursuant to the BMO, Section 86.506(a)(1).

A. Report the factual determination as to whether the proposed Impact Area qualifies as a BRCA. The Impact Area shall refer only to that area within which project-related disturbance is proposed, including any on and/or off-site impacts.

The Impact Area does not qualify as a BRCA since it does not meet any of the following BRCA criteria:

- i. The land is shown as Pre-Approved Mitigation Area on the wildlife agencies' Pre-Approved Mitigation Area map.**

The project impact area is not located within a Pre-Approved Mitigation Area (PAMA).

- ii. The land is located within an area of habitat that contains biological resources that support or contribute to the long-term survival of sensitive species and is adjacent or contiguous to preserved habitat that is within the Pre-Approved Mitigation Area on the wildlife agencies' Pre-Approved Mitigation Area map.**

The project impact area is not located in an area of habitat that contains biological resources that support or contribute to the long-term survival of sensitive species and is not located within PAMA.

- iii. The land is part of a regional linkage/corridor. A regional linkage/corridor is either:**

- a. Land that contains topography that serves to allow for the movement of all sizes of wildlife, including large animals on a regional scale; and contains adequate vegetation cover providing visual continuity so as to encourage the use of the corridor by wildlife; or**
- b. Land that has been identified as the primary linkage/corridor between the northern and southern regional populations of the California gnatcatcher in the population viability analysis for the California gnatcatcher, MSCP Resource Document Volume II, Appendix A-7 (Attachment I of the BMO.)**

The site is not a part of a regional linkage or corridor.

- iv. The land is shown on the Habitat Evaluation Map (Attachment J to the BMO) as very high or high and links significant blocks of habitat, except that land which is isolated or links small, isolated patches of habitat and land that has been affected by existing development to create adverse edge effects shall not qualify as BRCA.**

The project impact area is shown as having mostly developed, low, and agricultural lands with a small amount of very high value lands on the County's Habitat Evaluation Map.

- v. The land consists of or is within a block of habitat greater than 500 acres in area of diverse and undisturbed habitat that contributes to the conservation of sensitive species.**

The land is not within a block of habitat greater than 500 acres in area of diverse and undisturbed habitat.

- vi. The land contains a high number of sensitive species and is adjacent or contiguous to surrounding undisturbed habitats, or contains soil derived from the following geologic formations which are known to support sensitive species:**
- a. Gabbroic rock;**
 - b. Metavolcanic rock;**
 - c. Clay;**
 - d. Coastal sandstone**

The land does not contain a high number of sensitive species and is not adjacent or contiguous to undisturbed habitats. Two soil types have been mapped in the project site: Cieneba-Fallbrook rocky sandy loams, 30 to 65 percent slopes, eroded and Vista rocky coarse sandy loam, 15 to 30 percent slopes. Neither of the named soils mapped in the project site are listed as hydric

- B. Report the factual determination as to whether the Mitigation Site qualifies as a BRCA.**

III. The project will mitigate in an offsite mitigation bank located within the MSCP and within a BRCA. Biological Mitigation Ordinance Findings

A. Project Design Criteria (Section 86.505(a))

The following findings in support of Project Design Criteria, including Attachments G and H (if applicable), must be completed for all projects that propose impacts to Critical Populations of Sensitive Plant Species (Attachment C), Significant Populations of Narrow Endemic Animal Species (Attachment D), Narrow Endemic Plant Species (Attachment E) or Sensitive Plants (San Diego County Rare Plant List) or proposes impacts within a Biological Resource Core Area.

The project does not propose impacts to Critical Populations of Sensitive Plant Species, Significant Populations of Narrow Endemic Animal Species, Narrow Endemic Plant Species, Sensitive Plants, or a Biological Resource Core Area. Therefore, the Project Design Criteria Findings do not apply.

B. Preserve Design Criteria (Attachment G)

In order to ensure the overall goals for the conservation of critical core and linkage areas are met, the findings contained within Attachment G shall be required for all projects located within Pre-Approved Mitigation Areas or areas designated as Preserved as identified on the Subarea Plan Map.

The project impact area is not located within PAMA and the site is not designated as Preserve land. Therefore, the Preserve Design Criteria do not apply.

C. Design Criteria for Linkages and Corridors (Attachment H)

For project sites located within a regional linkage and/or that support one or more potential local corridors, the following findings shall be required to protect the biological value of these resources:

The project impact area is not located within a regional linkage or corridor. Therefore, the Design Criteria for Linkages and Corridors is not required.

IV. Subarea Plan Findings

Conformance with the objectives of the County Subarea Plan is demonstrated by the following findings:

- 1. The project will not conflict with the no-net-loss-of-wetlands standard in satisfying State and Federal wetland goals and policies.**
2. An ephemeral drainage traverses the southern portion of the site. The drainage is considered potential non-wetland waters of the U.S./State under US Army Corps of Engineers and San Diego Regional Water Quality Control Board (USACE and RWQCB) jurisdiction and could fall under CDFW jurisdiction based on the definition of streambed as “a body of water that flows at least periodically or intermittently through a bed or channel having banks and supporting fish or other aquatic life. The project will be required to obtain any necessary permits from the USACE, RWQCB and CDFW and will therefore comply with the no-net-loss of wetland standard.**The project includes measures to maximize the habitat structural diversity of conserved habitat areas including conservation of unique habitats and habitat features.**

The project site was determined to not be appropriate for onsite preservation and therefore, measures to maximize the habitat structural diversity of conserved habitat areas including conservation of unique habitats and habitat features are not necessary.

- 3. The project provides for conservation of spatially representative examples of extensive patches of Coastal sage scrub and other habitat types that were ranked as having high and very high biological values by the MSCP habitat evaluation model.**

The project impact area consists primarily of orchard/vineyards and disturbed and developed lands. Coast live oak woodland ranks as very high by the MSCP habitat evaluation model and occupies approximately 1.5 acres on site. The project will impact 0.6 acre of coast live oak woodland (including impacts to oak root protection zone) and will mitigate within the MSCP subarea at a 1:1 ratio with Tier I habitat as it was determined that onsite preservation is not appropriate.

The project impact area contains approximately 0.3 acre of disturbed Diegan coastal sage scrub which is ranked as low on the Habitat Evaluation Model. The project by design will avoid impacts to the Diegan coastal sage scrub.

- 4. The project provides for the creation of significant blocks of habitat to reduce edge effects and maximize the ratio of surface area to the perimeter of conserved habitats.**

The project impact area was determined to not be appropriate for onsite preservation due to the lack of large areas of high value habitat and the existing development on and adjacent to the site. Therefore, the project does not necessitate measures to reduce edge effects.

- 5. The project provides for the development of the least sensitive habitat areas.**

Most of the impact from the project will occur in disturbed habitat or orchard/vineyard. The project will result in impacts to 0.6 acre of coast live oak woodland (including impacts to oak root protection zone) and will mitigate within the MSCP subarea at a 1:1 ratio with Tier I habitat.

- 6. The project provides for the conservation of key regional populations of covered species, and representations of sensitive habitats and their geographic sub-associations in biologically functioning units.**

No threatened, endangered, or narrow endemic species were detected on the project site. Developing the site will not eliminate highly sensitive habitat or impact key populations of covered species.

- 7. Conserves large interconnecting blocks of habitat that contribute to the preservation of wide-ranging species such as Mule deer, Golden eagle, and predators as appropriate. Special emphasis will be placed on conserving adequate foraging habitat near Golden eagle nest sites.**

The project is not located between blocks of habitat and would not substantially interfere with connectivity between blocks of habitat. The site is not located within a local or regional wildlife corridor or linkage and would not potentially block or substantially interfere with a local or regional wildlife corridor or linkage.

The site is within a golden eagle territory and a golden eagle nest is located on the steep granitic cliffs in Bandy Canyon approximately 3,000 feet east from the northeast corner of the project site. However, the project site does not provide suitable nesting or foraging habitat for the golden eagle, and impacts would be less than significant.

- 8. All projects within the San Diego County Subarea Plan shall conserve identified critical populations and narrow endemics to the levels specified in the Subarea Plan. These levels are generally no impact to the critical**

populations and no more than 20 percent loss of narrow endemics and specified rare and endangered plants.

The site does not support critical populations or narrow endemics.

9. No project shall be approved which will jeopardize the possible or probable assembly of a preserve system within the Subarea Plan.

The project will not jeopardize the assembly of a preserve system because it is mainly comprised of vineyard, disturbed, and developed land with a small amount (1.5 acres) of coast live oak woodland. A portion of the coast live oak woodland (0.6 acres) will be impacted by the project and mitigated with the purchase of credits in a County approved mitigation bank. The project will not jeopardize the assembly of a preserve system because the project impact area does not qualify as a BRCA and is not within an area of regional significance with regard to conservation of sensitive species and habitats. Developing the project impact area will not hinder possible preserve systems.

10. All projects that propose to count on-site preservation toward their mitigation responsibility must include provisions to reduce edge effects.

The project does not include onsite preservation.

11. Every effort has been made to avoid impacts to BRCAs, to sensitive resources, and to specific sensitive species as defined in the BMO.

The project impact area is not designated as PAMA, is not adjacent to preserved land within PAMA, is not part of a regional linkage or corridor, is not within a block of habitat greater than 500 acres in area of diverse and undisturbed habitat, does not contain a high number of sensitive species, and does not contain soil derived from geologic formations which are known to support sensitive species.

However, the project will result in impacts to 0.6 acre of coast live oak woodland and 0.02 acre of non-vegetated channel/seasonal ponds (potential non-wetland waters of the U.S./State and CDFW unvegetated streambed), which is habitat that has potential to support seven Group 1 and/or state Species of Special Concern: Cooper's hawk (Group 1), orange-throated whiptail (SSC, Group 2), red-shouldered hawk (SSC, Group 2), northwestern San Diego pocket mouse (SSC, Group 2), red diamond rattlesnake (SSC, Group 2), western red bat (SSC, Group 2), coast horned lizard (SSC, Group 2). If present, these species would primarily occur within the coast live oak woodland along the drainage course in the southern part of the site, and not the disturbed, orchard, and vineyard areas targeted for development. Therefore, the project would not significantly impact an on-site population of a County List A or B plant species, Group 1 animal species, or state Species of Special Concern.

One County List A plant species, Delicate clarkia, has suitable habitat on and has been observed on site; however, suitable habitat on site is already subject to

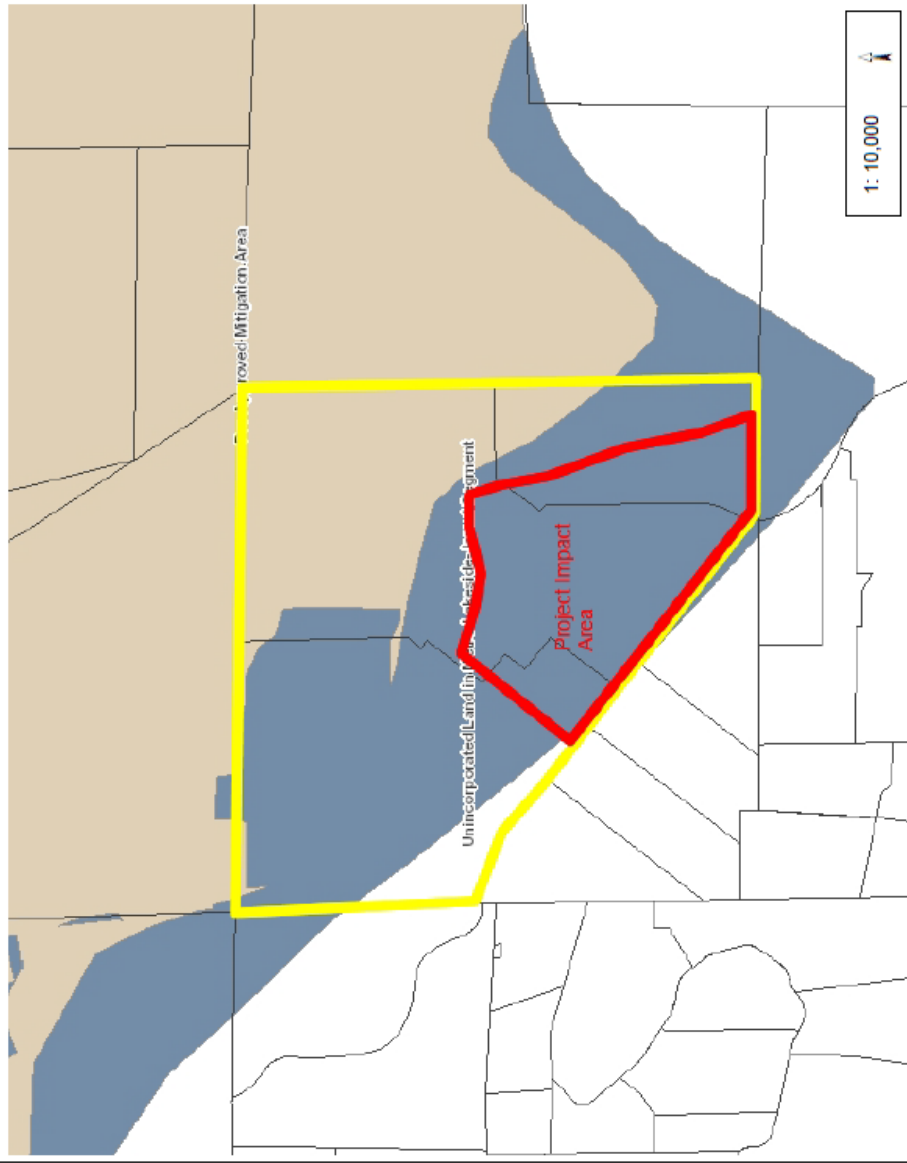
ongoing disturbance as part of the existing vineyard operation. The project will mitigate for coast live oak woodland impacts within the MSCP subarea at a 1:1 ratio with Tier I habitat. Impacts to jurisdictional waters would be addressed by obtaining any required permits from the agencies with jurisdiction and providing mitigation as required by those permits. The project has potential for impacts to nesting migratory birds or raptors if the project were to grade or clear during the breeding season. The project proposes breeding season avoidance measures in order to prevent any impact to raptors and nesting birds for any future grading or construction work. Temporary construction fencing (with silt barriers) shall be installed at the limits of project impacts (including construction staging areas and access routes) adjacent to sensitive habitat (coast live oak woodland and jurisdictional waters) to prevent sensitive habitat impacts and to prevent the spread of silt from the construction zone into adjacent habitats. Temporary fencing will be located on either side of each driveway improvement area where they pass through coast live oak woodland and cross over jurisdictional waters. Fencing shall be installed in a manner that does not impact habitats to be avoided.

The project would have no other significant impacts, and no other mitigation would be required. The project is consistent with the goals of the MSCP.

Julia Boland, Planning & Development Services

April 16, 2020

**MSCP Designation For
PERRIN RANCH WINERY PROJECT
PDS2016-AD-16-023
APN (s) 276-101-06, 13, 14**



- Legend**
- Parcels
 - Multiple Species Conservation County
 - State and Federal Pre-Approved M
 - Handline Preserve
 - Take Authorized Area
 - Conserved Subject to Agreement w
 - Clay Ranch Areas Where no Take
 - Major Amendment Area
 - Minor Amendment Area
 - Minor Amendment Area Subject to
 - Santa Fe Valley Sensitive Biologica
 - Areas
 - Golf Course Related Development
 - Open Space II Areas
 - Unincorporated Land in Metro-Lake
 - County Boundary

1: 10,000



This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes