

MULTIPLE SPECIES CONSERVATION PROGRAM CONFORMANCE STATEMENT
For Balazs Residence
PDS2022-LDGRMJ-30446
APN(s) 267-147-06-00

May 28, 2025

I. Introduction

The project proposes the construction of one single family residence, associated hardscape features, ornamental landscaping, installation of leach lines, retaining walls, and a driveway. The project site is located west of Camino Del Sur, north of Artesian Road, and south of Top of Morning Way. The project site is also located within a Minor Amendment Area of the County's Multiple Species Conservation Program (MSCP). The site does not qualify as Biological Resource Core Area (BRCA) and is not located within or adjacent to any Pre-Approved Mitigation Areas (PAMA).

Biological resources on the site were evaluated in a Biological Resources Letter Report (Klutz Biological Consulting; May 27, 2025). The 2.3-acre project site contains 0.6-acre non-native grassland, 1.53 acres Diegan coastal sage scrub, 0.07 riparian scrub, and 0.1-acre eucalyptus woodland. One special status plant species, California adolphia (*Adolphia californica*), was observed onsite. Two special status wildlife species, Crotch's bumble bee (*Bombus crotchii*) and Cooper's hawk (*Accipiter cooperi*), were observed onsite.

As a result of this project, impacts will occur to 1.73 acres of habitat including 0.4 acre of non-native grassland, 1.3 acres of Diegan coastal sage scrub, and 0.3 acre of eucalyptus woodland. However, as the site is located within a Minor Amendment Area, without preservation of the areas outside of the impact footprint, the entire site must be considered impacted. Therefore, mitigation will be provided for impacts to 0.6 acre of non-native grassland, 1.53 acres of Diegan coastal sage scrub, 0.07 acre of riparian scrub, and 18 California adolphia individuals.

Mitigation will occur through a combination of preservation of an offsite property and purchase of credits at a mitigation bank. The offsite property is approximately 0.99 acre in size and includes 0.36 acre of southern maritime chaparral (tier I), 0.63-acre of Diegan coastal sage scrub (tier II), and 44 California adolphia individuals. This will mitigate for 0.14 acres of riparian scrub (tier I) habitat, 0.85 acres of Diegan coastal sage scrub (tier II) habitat, and 18 California adolphia individuals. This offsite property would be protected by a biological open space easement and managed by the Escondido Creek Conservancy. The remaining mitigation would be satisfied by purchasing 0.68 acres of tier II and 0.3 acres of tier III credits at the Willows Mitigation Bank. Table 1 of Appendix F in the Biological Resource Letter Report (Klutz Biological Consulting, May 27, 2025) details the habitat impacts and mitigation proposed at each of the two mitigation locations. Mitigation will also include breeding season avoidance, Crotch's bumble bee preconstruction surveys, and best management practices.

Table 1. Impacts to Habitat and Required Mitigation

Habitat Type	Tier Level	Existing On-site (ac.)	Proposed Impacts (ac.)	Mitigation Ratio	Required Mitigation
Non-Native Grassland	III	0.6	0.6	0.5:1	0.3
Diegan Coastal Sage Scrub	II	1.53	1.53	1:1	1.53
Riparian Scrub	I	0.07	0.07	2:1	0.14
Eucalyptus Woodland	IV	0.1	0.1	--	--
Total:	--	2.3	2.3	--	1.97

The findings contained within this document are based on County records and the Biological Resource Letter Report (Klutz Biological Consulting, May 27, 2025). 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 concurrence is received from the Wildlife Agencies, 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 land is shown as a Minor Amendment Area and not as Pre-Approved Mitigation Area. Therefore, the project does not meet this criterion.

- 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.**

While the land is located within an area of habitat that could contain biological resources that support or contribute to the long-term survival of sensitive species, it is not adjacent or contiguous to preserved habitat that is within the Pre-Approved Mitigation Area. Therefore, the project does not meet this criterion.

- 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 land does not qualify as a linkage/corridor based on either of the above criteria. The site is surrounded by residential development. Therefore, the project does not meet this criterion.

- 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 land is shown on the Habitat Evaluation Map as very high and high habitat value. However, the land does not link significant blocks of habitat as it is surrounded by residential development. Therefore, the project does not meet this criterion.

- 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 does not consist 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 surrounded by residential development. Therefore, the project does not meet this criterion.

- 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 surrounding undisturbed habitats. Three sensitive species were observed onsite, California adolphia (County List B species), Copper's Hawk (County Group 1 species), and Crotch's bumble bee (candidate listing under CESA). The land is surrounded by residential development. The land contains Huerhuero loam soil complex, which is not known to support sensitive species. Therefore, the project does not meet this criterion.

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

While the offsite mitigation parcel is not within the MSCP, it does meet the criteria for a BRCA, as it 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 and contiguous to preserved habitat.

The remaining mitigation will occur through credit purchase at an offsite mitigation bank located within a BRCA in the MSCP.

III. 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.

1. Project development shall be sited in areas to minimize impact to habitat.

The entire project site is considered impacted by project development. Since the site is not considered a BRCA and more suitable for development, offsite mitigation for habitat impacts is more appropriate than onsite preservation.

2. Clustering to the maximum extent permitted by County regulations shall be considered where necessary as a means of achieving avoidance.

The entire project site is considered impacted by project development. The project site was not determined to be suitable for onsite preservation due to the existing surrounding residential development. Therefore, clustering is not applicable.

- 3. Notwithstanding the requirements of the slope encroachment regulations contained within the Resource Protection Ordinance, effective October 10, 1991, projects shall be allowed to utilize design that may encroach into steep slopes to avoid impacts to habitat.**

Steep slopes are not located on the property. Therefore, encroachment into steep slopes is not applicable.

- 4. The County shall consider reduction in road standards to the maximum extent consistent with public safety considerations.**

Minimum private road standards have been applied to the onsite proposed private roads. No reduction in road standards is necessary.

- 5. Projects shall be required to comply with applicable design criteria in the County MSCP Subarea Plan, attached hereto as Attachment G (Preserve Design Criteria) and Attachment H (Design Criteria for Linkages and Corridors).**

The project complies with applicable design criteria in the County MSCP Subarea Plan (Attachment G and H) as discussed below.

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 is not located within Pre-Approved Mitigation Areas or areas designated as Preserve. Therefore, the Preserve Design Criteria from Attachment G does 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 is not located within a regional linkage or corridor. Therefore, the Design Criteria for Linkages and Corridors from Attachment H does not apply.

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.

A potential jurisdictional wetland occurs along the eastern portion of the property. This ephemeral drainage will not be directly impacted by the project. Therefore, the project will not conflict with the no-net-loss-of-wetlands standard.

2. 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 does not support any unique habitats or habitat features. The loss of non-native grassland, coastal sage scrub, riparian habitat, and California adolphia individuals will be mitigated through a combination of preservation of an offsite property and purchase of credits at a mitigation bank, as described in Attachment F of the Biological Resource Letter Report (Klutz Biological Consulting, May 27, 2025). These measures will contribute towards maximizing diversity by preserving habitat in areas known to have unique habitats and habitat features.

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.

While the project site contains coastal sage scrub habitat ranked as having high and very high habitat value, it does not link significant blocks of habitat and it is surrounded by residential development. Therefore, preservation of the onsite habitat would not be desirable, and the entire project site will be considered impacted. Mitigation for impacts will occur through a combination of preservation of an offsite property and purchase of credits at a mitigation bank, as described in Attachment F of the Biological Resource Letter Report (Klutz Biological Consulting, May 27, 2025).

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.

Due to the existing development surrounding the project site, onsite preservation would not be desirable, and the entire project site is considered impacted. Impacts to onsite habitat will be mitigated through a combination of preservation of an offsite property and purchase of credits at a mitigation bank, as described in Attachment F of the Biological Resource Letter Report (Klutz Biological Consulting, May 27, 2025).

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

The entire project site is considered impacted by project development. Since the site is not considered a BRCA and more suitable for development, offsite mitigation for habitat impacts is more appropriate than onsite preservation.

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.

The project site is surrounded by existing residential development. Therefore, developing the site will not eliminate highly sensitive habitat or impact key populations of covered species. The offsite mitigation provided for project impacts will contribute to the conservation of key populations of covered species, and representations of sensitive habitats.

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.

No wide-ranging species are expected to occur onsite due to adjacent development and surrounding land uses. Offsite purchase and preservation of high-quality habitat to mitigate for impacts to non-native grassland, coastal sage scrub, and riparian habitat will occur in an approved mitigation bank within a BRCA in the MSCP, as well as preservation of an offsite parcel which will be managed by the Escondido Creek Conservancy. This will contribute to the development of large interconnecting blocks of habitat that support wide ranging species.

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.

No critical or narrow endemic species were detected on the project site.

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

The project site is not within an area of regional significance with regard to conservation of sensitive species and habitats. The site is not part of or adjacent to large interconnecting blocks of habitat, lands identified as PAMA or Preserve, or other sensitive resources. The surrounding development does not aid in conservation or wildlife dispersal. Therefore, developing the site 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.

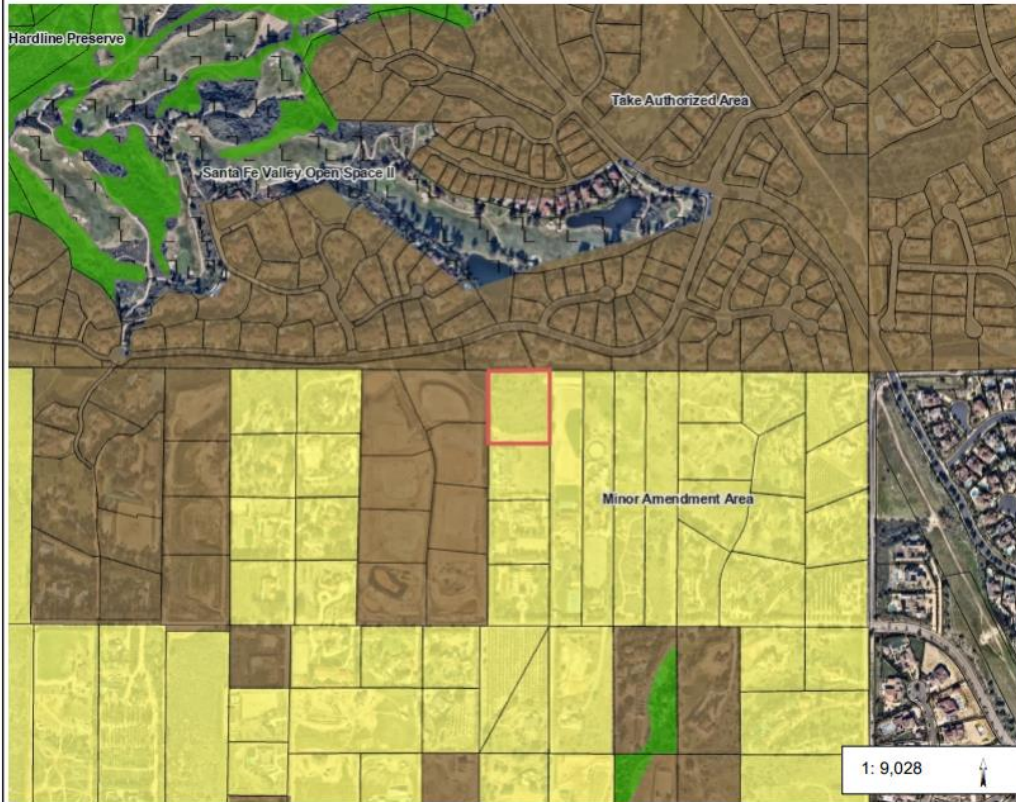
The project does not propose to count onsite preservation toward their mitigation.

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 site does not qualify as a BRCA and is not adjacent or contiguous to preserved habitat that is within the Pre-Approved Mitigation Area. Due to the surrounding development, the project site is suitable for development with the incorporation of mitigation measures. Mitigation will occur through a combination of preservation of an offsite property and purchase of credits at a mitigation bank, as described in Attachment F of the Biological Resource Letter Report (Klutz Biological Consulting, May 27, 2025). Every effort has been made to avoid impacts to BRCAs, to sensitive resources, and to specific sensitive species as defined by the BMO.

Kendalyn White, Planning & Development Services
May 28, 2025

MSCP Designation



Legend

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

1: 9,028

0.3 0 0.14 0.3 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
Planning and Development Services

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 or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes