

MULTIPLE SPECIES CONSERVATION PROGRAM CONFORMANCE STATEMENT
For the Roetzheim Tentative Parcel Map; PDS2017-TPM-21255
APN 596-152-04

April 26, 2019

I. Introduction

The project proposes a Tentative Parcel Map to subdivide the 10.31 acre property into four lots. The proposed project is located at 3390 Jamul Highlands Road in the Jamul-Dulzura Community Plan Area in the unincorporated County of San Diego (APN 596-152-04). Access would be provided by a private driveway connecting to J Jamul Highlands Road. Water service would be provided by the Otay Water District and individual on-site wastewater systems are proposed.

The project site is subject to the Semi-Rural Regional Category and the Semi-Rural (SR-2) Land Use Designation. The Zoning Use Regulation for the site is Limited Agricultural (A70).

The project is located within the Metro-Lakeside-Jamul Area of the Multiple Species Conservation Plan (MSCP). The project is located outside the Pre-Approved Mitigation Area (PAMA). The closest PAMA is located over one-half mile north of the project site. Five acres of the site have been cleared in accordance with a grading permit (PDS2015-LDGRMJ-30036) for a single family home. A Certificate of Inclusion (COI) was issued for this work. The remainder of the site contains 4.71 acres of chamise chaparral, 0.52 acres of coastal sage scrub and 0.08 acres of coast live oak woodland. Sensitive wildlife species identified on-site include turkey vulture (*Cathartes aura*) and San Diego horned lizard (*Phrynosoma coronatum blainvillii*). No sensitive plant species were identified onsite.

Table 1. Impacts to Habitat and Required Mitigation

Habitat Type	Tier Level	Existing On-site (ac.)	Proposed Impacts (ac.)	Impact Neutral (ac.)	Mitigation Ratio	Required Mitigation
Disturbed Habitat	IV	5.00	5.00	--	--	--
Chamise Chaparral	III	4.71	4.71	--	0.5:1	2.36
Coastal Sage Scrub	II	0.52	0.50	0.02	1:1	0.50
Coast Live Oak Woodland	I	0.08	0	0.08	1:1	--
Total:	--	10.31	10.21	0.10	--	2.86

The findings contained within this document are based on County records, staff field site visits and the Biological Resources Letter Report prepared by Cummings Environmental, Inc., dated November 19, 2018. 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 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 site 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 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 site is shown as moderate, low and developed on the Habitat Evaluation Model.

- 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 site does not contain a high number of sensitive species. Sensitive wildlife species identified on-site include turkey vulture (*Cathartes aura*) and San Diego horned lizard (*Phrynosoma coronatum blainvillii*). No sensitive plant species were identified onsite. The site also does not contain geologic formations which are known to support sensitive species.

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

The project will mitigate in an offsite mitigation bank located within the MSCP and within a BRCA.

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.

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 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 site 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.

No wetlands or other jurisdictional waters are located within the project boundaries and 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 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 site contains only a small area of coastal sage scrub (0.52 acres) and the site is ranked as moderate, low and developed on the Habitat Evaluation Model. Therefore, it was determined that the site is not appropriate for onsite preservation.

- 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 site was determined to not be appropriate for onsite preservation due to the lack of adjacent open space and the existing development surrounding 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.**

The project site was determined to not be appropriate for onsite preservation due to the lack of adjacent open space and the existing development surrounding the site. Therefore, the entire site will be developed and mitigation will be provided in an offsite mitigation bank.

- 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, 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 site is small and not located within a large interconnecting block of habitat. Onsite preservation is not proposed as it would not contribute to the preservation of wide-ranging species such as Mule deer, Golden eagle, and predators as appropriate.

- 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 the site is 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 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 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 site does not qualify as a BRCA. The project site was determined to not be appropriate for onsite preservation due to the lack of adjacent open space and the existing development surrounding the site. No threatened, endangered, narrow endemic species were detected on the project site. The project will provide offsite mitigation in a mitigation bank and will implement a limited building zone to protect and existing adjacent offsite open space easement. Every effort has been made to avoid impacts to BRCAs, to sensitive resources, and to specific sensitive species as defined in the BMO.

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