



County of San Diego

MARK WARDLAW
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
(858) 694-2962 • Fax (858) 694-2555
www.sdcounty.ca.gov/pds

KATHLEEN A. FLANNERY
ASSISTANT DIRECTOR

PLEASE NOTE THAT A FORMAL APPLICATION FOR A HABITAT LOSS PERMIT HAS NOT BEEN FILED AT THIS TIME. THE FOLLOWING IS A DRAFT FORM OF DECISION FOR A HABITAT LOSS PERMIT SHOWING THE FORMAT AND POSSIBLE CONDITIONS FOR A FUTURE HABITAT LOSS PERMIT. BECAUSE A FORMAL APPLICATION HAS NOT BEEN FILED, CERTAIN DATES, FINDINGS AND OTHER INFORMATION IS ABSENT FROM THE DRAFT FORM OF DECISION, THIS INFORMATION WILL BE INCLUDED IN THE FINAL FORM OF DECISION.

DATE (TO BE DETERMINED)

Valley Center ESS, LLC
1455 El Camino Real, Suite 160
San Diego, CA 92130

DRAFT Habitat Loss Permit

APPLICATION NUMBER: HLP XX-XXX, ER 20-08-005

ASSOCIATED PERMIT(S): PDS2020-STP-20-011

NAME OF APPLICANT: Valley Center ESS, LLC

DESCRIPTION/LOCATION OF LOSS:

The proposed project is for a Habitat Loss Permit and will remove 0.62 acres of coastal sage scrub as shown on the attached Habitat Loss Exhibit dated June 17, 2020. The 8.93 acre proposed project site is located within unincorporated Valley Center in northern San Diego County, south of Valley Center Road, and east of Cole Grade Road (APN 189-013-20-00). The project location is indicated on the attached USGS map. The proposed Habitat Loss Permit will allow removal of habitat for the proposed Valley Center Energy Storage Project.

Biological resources on the project site were evaluate in a Biological Resources Letter Report prepared by Chambers Group Inc (June 2020), which includes protocol-level surveys for coastal California gnatcatcher that were conducted over the entire project area in the Spring and

Summer of 2020. The project area contains Diegan coastal sage scrub, non-native grassland, bare ground, rock, extensive agriculture, disturbed, and urban/developed habitat. An individual coastal California gnatcatcher (*Polioptila californica californica*), was incidentally detected during the reconnaissance-level survey. No coastal California gnatcatchers were observed during the 2020 protocol surveys. No other sensitive plant or wildlife species were observed on the project site. The project will impact 0.62 acres of coastal sage scrub.

A Habitat Loss Permit is intended to address the loss of coastal sage scrub habitat. The coastal sage scrub onsite is considered “Intermediate Value for Long-Term Conservation” according to the Southern California Coastal Sage Scrub Natural Communities Conservation Planning Process (NCCP) Guidelines Logic Flow Chart. The project area is within the draft North County Multiple Species Conservation Plan (NCMSCP) and outside the Pre-Approved Mitigation Area (PAMA). Implementation of mitigation measures would reduce project impacts to a level below significance for sensitive habitats. Therefore, the Project conforms to the NCCP standards and guidelines.

Table 1. Existing Vegetation Communities, Impacts, and Mitigation

Habitat Type	Existing Vegetation (acres)	Impacts (acres)	Mitigation Ratio	Mitigation Required (acres)
Diegan Coastal Sage Scrub	0.62	0.62	1:1	0.62
Bare Ground	0.18	0.18	--	--
Disturbed	5.79	5.79	--	--
Urban/Developed	0.05	0.05	--	--
Total	6.64	6.64	--	0.62

DECISION:

The Director of Planning & Development Services has approved your application for a HABITAT LOSS PERMIT. This Habitat Loss Permit approval does not become final until both the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) concur with the Director’s approval, by the either of the following:

1. Concurrence implied by allowing a 30-day period, initiated by their receipt of this decision, to lapse without presenting written notification to the County that the decision is inconsistent with the Southern California Coastal Sage Scrub (CSS) Natural Community Conservation Planning (NCCP) Process Guidelines (CDFW, November 1993) or any approved subregional mitigation guidelines; or
2. Granting concurrence through written notification to the County prior to the conclusion of the 30-day period, initiated by their receipt of this decision, that the project is consistent with the Southern California CSS NCCP Process Guidelines or any approved subregional mitigation guidelines.

Pending the issuance of an associated Grading Permit, Clearing Permit or Improvement Plan from the County of San Diego, this Habitat Loss Permit allows for the loss of the above-described coastal sage scrub habitat (see attached Habitat Loss Exhibit) and incidental take of the California gnatcatcher for a period of one calendar year commencing the day concurrence is given by both the USFWS and CDFW. If the loss of habitat, as authorized by this Habitat Loss

Permit, has not occurred within this one-year period, this Habitat Loss Permit and the authorization for the loss of coastal sage scrub habitat expires.

This Habitat Loss Permit cannot be relied upon for the clearing, grading or removal of any vegetation until a valid Grading Permit, Clearing Permit or Improvement Plan has been issued from the County of San Diego authorizing such vegetation removal. Furthermore, use and reliance upon this Habitat Loss Permit cannot occur until all of the requirements as specified within the “Conditions of Approval” section of this permit have been satisfied.

CONDITIONS OF APPROVAL:

The following conditions are being placed on PDS2020-STP-20-011. For the final Habitat Loss Permit, the list of conditions will be modified to require satisfaction of all conditions prior to use and reliance on the HLP.

- A. Prior to use and reliance on this Habitat Loss Permit, the following conditions shall be met:
1. Obtain approval from the County of San Diego of a Grading Permit, Clearing Permit, or Improvement Plan that authorizes the clearing and/or grading of the area addressed by this Habitat Loss Permit.

ANY PERMIT: (Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit).

2. **BIO#1–REVEGETATION PLAN**

INTENT: In order to mitigate for the permanent impacts to coastal sage scrub, revegetation shall occur. **DESCRIPTION OF REQUIREMENT:** A Revegetation Plan, shall be prepared, which mitigates impacts to 0.62 acres of coastal sage scrub and describes the revegetation for temporary impacts due to the underground generation tie-line. The revegetation shall occur within the northwestern corner of the project site. The revegetation plan shall conform to the Conceptual Revegetation Plan dated June 12, 2020 prepared by Chambers Group Inc, and the most current version of the [County of San Diego Report Format and Content Requirements for Revegetation Plans](#). If it is determined that the mitigation cannot be completed through onsite revegetation, mitigation can be accomplished through the offsite purchase of mitigation credits in a County approved mitigation bank in North San Diego. The Revegetation Plan shall include the following:

- a. The monitoring plan shall be for a length of 5 years and have an 80 percent success criterion.
- b. A preservation plan over the land to be revegetated shall be included in the Revegetation Plan. The preservation plan shall include evidence of dedication of an open space easement to the County of San Diego or evidence of protection in perpetuity by some other means to the satisfaction of the Director PDS.
- c. The report shall be prepared by a County approved biologist and the construction plans shall be prepared by a State of California Licensed Landscape Architect.

- d. Revegetation objectives, revegetation site biological resource map, 24"x36" landscape plan, map showing revegetation areas according to mitigation type and amount, site preparation information, type of planting materials (e.g. species ratios, source, size material, etc.), planting program, 80 percent success criteria, and a detailed cost estimate.
- e. A cost estimate based on a 3% annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the revegetation area for the required monitoring period, and report preparation and staff time to review.

DOCUMENTATION: The applicant shall prepare the Revegetation Plan pursuant to this condition and by using the, [Applicants Guide to Preparing Revegetation Plans, PDS Form # 717](#) then submit it to the [PDS, ZONING] and pay all the applicable review fees and deposits. **TIMING:** Prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit, the Revegetation Plan shall be approved. **MONITORING:** The [PDS, LA] shall review the Revegetation Plan for conformance with this condition and the [Report Format and Content Requirements for Revegetation Plans](#). Upon approval of the Plan, a Director's Decision of approval shall be issued to the applicant, and a request for compliance with condition BIO#2 shall be made to enter into a Secured Agreement for the implementation of the Plan.

3. **BIO#2-SECURED AGREEMENT**

INTENT: In order to assure project completion and success of the Revegetation Plan in condition BIO#1, a surety shall be provided and an agreement shall be executed. **DESCRIPTION OF REQUIREMENT:** The applicant shall enter into a Secured Agreement with the County of San Diego as follows:

- a. The security shall consist of a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the implementation of the Revegetation Plan;
- b. Provide a 10 percent cash deposit of the cost of all improvements, but no less than \$3,000 and no more than \$30,000;
- c. The monitoring time and the length of time the Secured Agreement and cash deposit will be in effect starts at the time the installation is accepted by a County staff representative. The Secured Agreement and cash deposit shall be released upon completion of the Revegetation Plan implementation provided the installed vegetation is in a healthy condition and meets the 80 percent success criteria. Eighty percent success rate and one hundred percent vegetative cover, excluding herbaceous species, shall be considered satisfactory completion of the Revegetation Plan.

DOCUMENTATION: The applicant shall execute a Secured Agreement provided with the Revegetation Plan Final Decision and provide the approved securities and the cash deposit for County monitoring time. The executed Agreement, cash deposit, and the securities shall be submitted to the [PDS, LA] for final review and approval. **TIMING:** Prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit, and after the approval of the Revegetation Plan, the agreement shall be executed and the securities provided

for the revegetation implementation. **MONITORING:** The [PDS, LA] shall review the Agreement cash deposit and securities provided are in compliance with this condition, and the Revegetation Plan Final Decision. The [PDS, LA] shall sign the Agreement for the Director of PDS and ensure the cash deposit is collected by [PDS, FISCAL]. Upon acceptance of the Agreement, securities and cash deposit, the [PDS, LA], shall provide a confirmation letter-acknowledging acceptance of securities.

- B. Prior to use and reliance on this permit the following conditions shall be placed on the face of all future grading permits or improvement plans:

PRE-CONSTRUCTION MEETING: (Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances.)

1. **BIO#3–TEMPORARY FENCING [PDS, FEE]**

INTENT: In order to prevent inadvertent disturbance to areas outside the limits of grading, temporary construction fencing shall be installed. **DESCRIPTION OF REQUIREMENT:** Prior to the commencement of any grading and/or clearing in association with this grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all areas outside the limits of grading. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary. The placement of such fencing shall be approved by the PDS, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed. **DOCUMENTATION:** The applicant shall provide evidence that the fencing has been installed and have a California licensed surveyor certify that the fencing is located on the boundary of the open space easement(s). The applicant shall submit photos of the fencing along with the certification letter to the [PDS, PPD] for approval. **TIMING:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances the fencing shall be installed, and shall remain for the duration of the grading and clearing. **MONITORING:** The [PDS, PPD] shall either attend the preconstruction conference and approve the installation of the temporary fencing, or review the certification and pictures provided by the applicant.

2. **BIO#4–MIGRATORY BIRD AND RAPTOR RESOURCE AVOIDANCE [PDS, FEE X2]**

INTENT: In order to avoid impacts to migratory birds and raptors, which are a sensitive biological resource pursuant to the Migratory Bird Treaty Act (MBTA), a Resource Avoidance Area (RAA), shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing and/or grading such that none will be allowed within 300 feet of migratory bird or raptor nesting habitat during the breeding season of the migratory bird or raptor within RAA. The breeding season is defined as occurring between February 1 and August 31. The Director of PDS [PDS, PPD] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that no migratory birds or raptors are present in the vicinity of the brushing, clearing or grading as demonstrated by a survey completed no more than 72 hours prior to clearing or grading. **DOCUMENTATION:** The

applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, no grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDCI] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PPD] is received. The [PDS, PPD] shall review the concurrence letter.

3. **BIO#5–COASTAL CALIFORNIA GNATCATCHER RESOURCE AVOIDANCE [PDS, FEE X2]**

INTENT: In order to avoid impacts to coastal California gnatcatchers, which are a sensitive biological resource pursuant to the Migratory Bird Treaty Act (MBTA) and the County's Guidelines for Determining Significance for Biological Resources, a Resource Avoidance Area (RAA), shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing and/or grading such that none will be allowed within 300 feet of gnatcatcher nesting habitat during the breeding season of the gnatcatcher within RAA. The breeding season is defined as occurring between February 15 and August 31. The Director of PDS [PDS, PPD] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that no gnatcatchers are present in the vicinity of the brushing, clearing or grading as demonstrated by a survey completed no more than 72 hours prior to clearing or grading. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, no grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDCI] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PPD] is received. The [PDS, PPD] shall review the concurrence letter.

DURING CONSTRUCTION: (The following actions shall occur throughout the duration of the grading construction).

4. **BIO#6–ONGOING ACTIVITY RESTRICTIONS**

INTENT: In order to ensure no impacts occur to sensitive wildlife species during project related activities, construction best management practices (BMP) shall be implemented. **DESCRIPTION OF REQUIREMENT:** The following shall be implemented:

1. Any open trenches or holes should be covered at the end of work each day and sealed with dirt to prevent the entrapment of wildlife.

2. Due to the expected grading, appropriate fugitive dust control measures should be implemented to minimize impacts to the surrounding areas.
3. To reduce the potential influence of artificial lighting, shielding, baffles, or other hardware will be used on structures to promote down lighting. Reduced use of lights will be encouraged and incorporated into Project design.
4. To minimize potential for vehicle collisions, vehicle speed limits of 15 miles per hour (or less) will be posted and enforced within the Project site.
5. To reduce the potential for the artificial increase of potential nest predators in the Project Area and surrounding landscape, a garbage abatement policy will remain in place that prohibits the disposal of garbage in the Project Area outside of designated and covered receptacles.
6. Utilizing existing roads and infrastructure, where feasible.

DOCUMENTATION: The applicant shall assume responsibility pursuant to this condition.
TIMING: The following actions shall occur throughout the duration of the grading construction.
MONITORING: The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.

ENVIRONMENTAL FINDINGS:

A. CEQA Findings

1. TO BE PROVIDED

B. FINDINGS MADE IN SUPPORT OF THE ISSUANCE OF THE HABITAT LOSS PERMIT:

The following findings are made based upon all of the documents contained in the record for this project, and pursuant to Section 86.104 of County of San Diego Ordinance No. 8365 (N.S.) and Section 4.2.g of the CSS NCCP Process Guidelines (CDFW, November 1993):

Finding 1.a: The habitat loss does not exceed the five percent guideline.

The proposed project will impact 0.62 acres of coastal sage scrub and no pairs of California gnatcatcher (*Polioptia californica*). Approved coastal sage scrub losses as of the date of June 15, 2020 and including this approval, for the entire unincorporated County, outside the boundaries of the Multiple Species Conservation Program (MSCP), are presented in the following table:

Unincorporated Area Coastal Sage Scrub Cumulative Losses	
Total loss allowed under five percent guideline:	2,953.30 acres
Cumulative loss of Coastal sage scrub to date:	1,651.18 acres
Net loss due to this project:	0.62 acres
Total cumulative loss:	1,651.80 acres
Remaining loss under five percent guideline:	1,301.50 acres

Finding 1.b: The habitat loss will not preclude connectivity between areas of high habitat values.

The existing habitat onsite is considered to be of intermediate quality as defined by the NCCP Conservation Guidelines. The habitat evaluation map identifies the project site as high value and agricultural. The removal of coastal sage scrub onsite will not preclude connectivity between areas of high habitat values due to the existing limited habitat connectivity between the project site and areas of high-quality habitat. The project site is separated from other areas of high-quality habitat by Valley Center Road to the north, commercial and residential development to the west, and agriculture to the south and east. The project has also been designed to limit the amount of coastal sage scrub impacts to 0.62 acres. Therefore, the habitat loss will not preclude movement corridors or habitat linkages between areas of high value habitats.

Finding 1.c: The habitat loss will not preclude or prevent the preparation of the subregional NCCP.

The habitat loss will not preclude or prevent the preparation of the subregional NCCP because the impact area is not designated as Preapproved Mitigation Area (PAMA) and the existing coastal sage scrub exists as an isolated patch of habitat surrounded by land uses that include development, agriculture, and other existing disturbance. The project concentrates development in an area that is characterized as lower in biological quality within disturbed habitat. Further, the project is not within or adjacent to any local or regional wildlife corridors. While one coastal California gnatcatcher (*Polioptila californica californica*) was incidentally detected during the reconnaissance-level survey, the site is not considered occupied. No other sensitive plant or wildlife species were observed during biological field assessments. Habitat loss will be mitigated through onsite revegetation and enhancement. Therefore, the habitat loss will not preclude or prevent the preparation of the subregional NCCP.

Finding 1.d: The habitat loss has been minimized and mitigated to the maximum extent practicable in accordance with Section 4.3 of the NCCP Process Guidelines.

The proposed development footprint would be situated in the southern portion of the property, bordered on the west by existing development, the north by an existing road, and the south and east by agriculture. Habitat loss would be mitigated through onsite revegetation and enhancement. The habitat is considered of "intermediate value", pursuant to the NCCP Logic Flow Chart. Besides the minimized project design, the project proposes measures to ensure that indirect impacts are minimized. As such, the loss of Diegan coastal sage scrub will be mitigated to the maximum extent practicable for low value habitat in accordance with Section 4.3 the NCCP Process Guidelines. The following mitigation measures have been incorporated into the project:

- Preparation of a Revegetation Plan to provide a description of the revegetation that will occur to meet the mitigation requirements for permanent impacts to coastal sage scrub and the temporary impacts due to the underground generation tie line.
- Placement of temporary fencing during grading/clearing under the supervision of a biological monitor.

- Implementation of grading and clearing restrictions during non-breeding season months for migratory birds and raptors.
- Implementation of grading and clearing restrictions during non-breeding season months for the coastal California gnatcatcher.
- Implementation of Best Management Practices (BMPs) to ensure no impacts occur to sensitive wildlife species during project related activities.

With all of the design elements and mitigation measures incorporated into the Valley Center Battery Energy Storage project, it has been found that the area proposed for habitat loss has been minimized and mitigated to the maximum extent practicable.

Finding 2 The habitat loss will not appreciably reduce the likelihood of survival and recovery of listed species in the wild.

The habitat loss will not appreciably reduce the likelihood of survival and recovery of listed species in the wild. While one coastal California gnatcatcher (*Polioptila californica californica*) was incidentally detected during the reconnaissance-level survey, the site is not considered occupied. No other sensitive plant or wildlife species were observed during biological field assessments. Protocol surveys for the coastal California gnatcatcher were performed in 2020 with negative results. The site has a low potential to support the California gnatcatcher due to the low quality and fragmented nature of the habitat on site. Habitat loss will be mitigated through onsite revegetation and enhancement. At the completion of the revegetation, the target size for the habitat will be 1.64 acres of enhanced coastal sage scrub, which is larger than the 0.62 acres of direct impacts to ensure that the enhancement of existing low-quality habitat provides an increase in biological function. Breeding season avoidance measures would be implemented to mitigate for potential impacts to nesting birds and the coastal California gnatcatcher. Through these mitigation measures, the proposed project will not appreciably reduce the likelihood of the survival and recovery of listed species.

Finding 3: The habitat loss is incidental to otherwise lawful activities.

The project will require a grading permit for the construction of a battery energy storage facility and associated underground generation tie-line. The issuance of a Habitat Loss Permit by the County of San Diego, with the concurrence of the Department of Fish and Wildlife and U.S. Fish and Wildlife Service and approval by the County of San Diego of a Grading Permit, Clearing Permit, or Improvement Plan is required prior to the clearing of any coastal sage scrub supported on the project site. No state or federal permits other than those mentioned above are identified as being required at this time. Construction and/or land use modification will not commence until all appropriate permits have been issued. The project has been found to be in conformance with Section 86.104 of the San Diego County Code. As such, the anticipated loss will be incidental to “otherwise lawful activities”.

NCCP FLOWCHART

1. Is natural vegetation present? **Yes.**
2. Is Coastal sage scrub present? **Yes.**
3. Is Coastal sage scrub the most dense in the subregion? **No.**

4. Is the land close to high value district. **Yes.**
5. Is the land located in a corridor between higher value districts. **Yes.**
6. Does the land support high density of target species? **No.**

Based on the NCCP Logic Flow Chart, the quality of habitat supported on the Valley Center Battery Energy Storage project is defined as being "Intermediate Value."

MITIGATION MONITORING AND REPORTING PROGRAM:

The following shall be the Mitigation Monitoring or Reporting Program for this Habitat Loss Permit:

Public Resources Code Section 21081.6 requires the County to adopt a mitigation reporting or monitoring program for any project that is approved on the basis of a mitigated Negative Declaration or an Environmental Impact Report for which findings are required under Section 21081(a)(1). The program must be adopted for the changes to a project which the County has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment. The program must be designed to ensure compliance during project implementation.

The mitigation monitoring program is comprised of all the environmental mitigation measures adopted for the project. The full requirements of the program (such as what is being monitored, method and frequency, who is responsible, and required time frames) are found within the individual project conditions. These conditions are referenced below by category under the mechanism which will be used to ensure compliance during project implementation.

- Subsequent Project Permits

Compliance with the following conditions is assured because specified subsequent permits or approvals required for this project will not be approved until the conditions have been satisfied:

A.1, A.2, A.3, B.1, B.2, B.3

- Ongoing Mitigation

Compliance with the following conditions is assured because County staff will monitor the on-going requirements and, if necessary, pursue the remedies specified in the project permit, the security agreement, or the mitigation monitoring agreement:

B.4

NOTICE: The issuance of this permit by the County of San Diego does not authorize the applicant for said permit to violate any federal, state, or county laws, ordinances, regulations, or policies, including but not limited to, the federal Endangered Species Act and any amendments thereto.

NOTIFICATION TO APPLICANT: Because your project has an effect on native biological resources, State law requires the payment (or proof of prior payment) of a \$2,406.75 (2020 fees)

fee to the California Department of Fish and Wildlife for their review of the Mitigated Negative Declaration (Fish and Wildlife Code §711.4) and a \$50 administrative fee to the County (\$2,456.75 total). To comply with State law, the applicant must file the NOD and remit applicable fees within five (5) working days of the date of the project approval. Payment or sufficient proof of prior payment to the County Clerk is required at the time of filing. Payment may be made with cash or by check/money order made payable to the "San Diego Recorder/Clerk". American Express, Discover, MasterCard, and Visa Debit card payments are also accepted at County Administration Center with a \$2.50 surcharge per transaction, and must be submitted to the Clerk at the time of filing the NOD.

JUDICIAL REVIEW TIME LIMITATIONS: The time within which judicial review of this decision must be sought is governed by Code of Civil Procedure Section 1094.6, which has been made applicable in the County of San Diego by San Diego County Code Section 11.120. Any petition or other paper seeking judicial review must be filed in the appropriate court not later than the 90th day following the date on which this decision becomes final; however, if within 10 days after the decision becomes final a request for the record of the proceedings is filed and the required deposit in an amount sufficient to cover the estimated cost of preparation of such record is timely deposited, the time within which such petition may be filed in court is extended to not later than the 30th day following the date on which the record is either personally delivered or mailed to the party, or the party's attorney of record. A written request for the preparation of the record of the proceedings shall be filed with the Director, Planning & Development Services, 5510 Overland Avenue, Suite 110, San Diego, California 92123.

The foregoing decision was approved by the Director of Planning & Development Services on date of decision. A copy of this decision, and the documentation supporting the decision, is on file in the Planning & Development Services office at 5510 Overland Avenue, Suite 110, San Diego, California.

PLANNING & DEVELOPMENT SERVICES
MARK WARDLAW, DIRECTOR

BY:

DARIN NEUFELD, Chief
Project Planning Division

MW:DN:kw

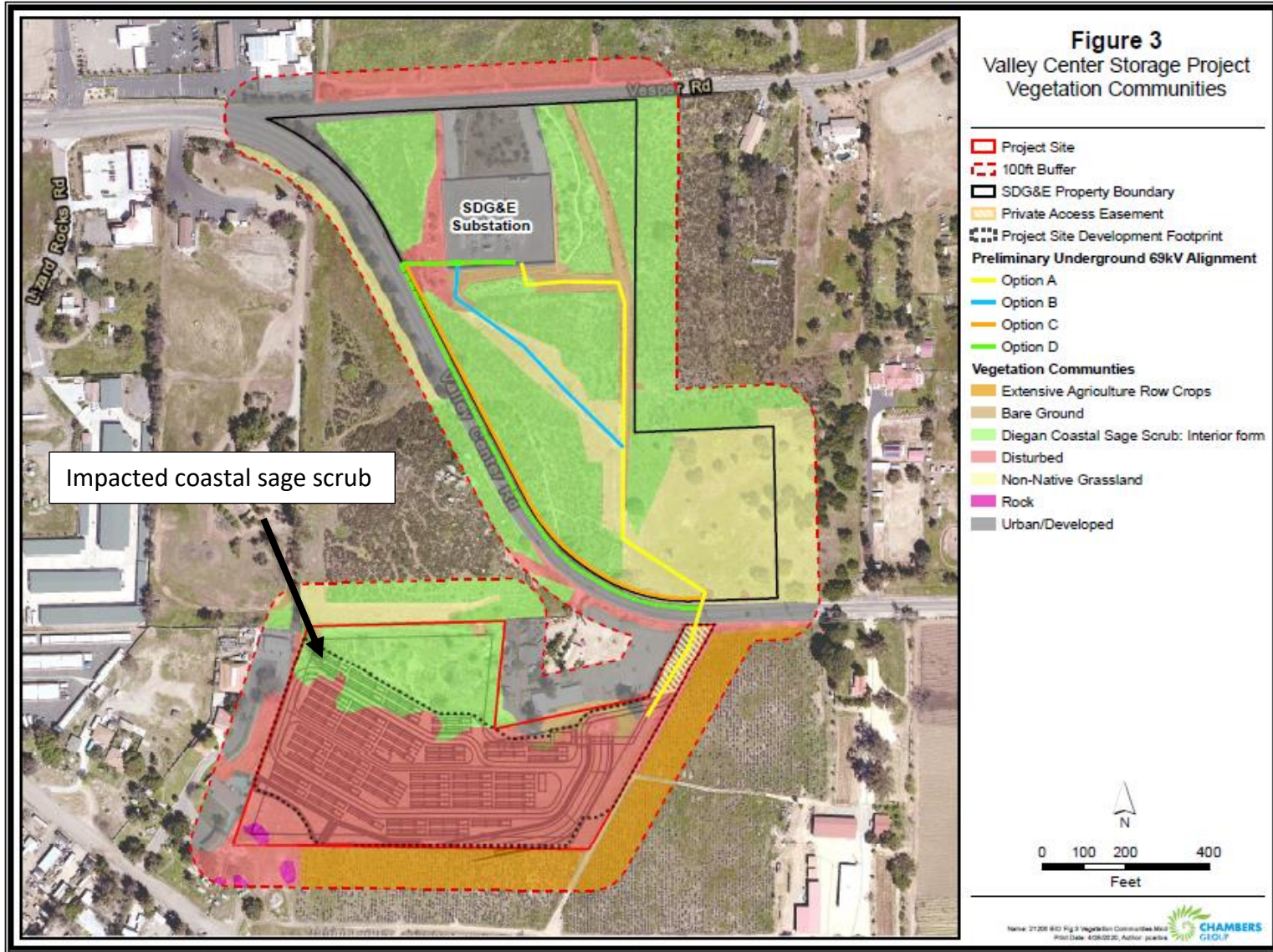
Attachments

Habitat Loss Exhibit dated June 17, 2020
USGS Map
Biological Resources Letter Report (Chambers Group, Inc; June 2020)
Conceptual Revegetation Plan (Chambers Group, Inc; June 12, 2020)

email cc:

Regina Ochoa, Project Manager, Project Planning, Planning & Development Services
Ashley Smith, Planning Manager, Project Planning, Planning & Development Services
Kendalyn White, Project Biologist, Project Planning, Planning & Development Services

Habitat Loss Exhibit
June 17, 2020



USGS Map

