

**MULTIPLE SPECIES CONSERVATION PROGRAM CONFORMANCE STATEMENT  
For SVBF Temple Major Use Permit, PDS2015-MUP-15-011, PDS2015-ER-15-08-012  
APN 241-080-47**

**September 7, 2017**

**I. Introduction**

The project is a Major Use Permit for a Hindu Temple. The project includes a 17,475 square foot one story main building (8,928 square foot temple, a 2,413 square foot kitchen/dining area and a 6,134 square foot multipurpose hall), a 7,764 square foot one story five-unit priest housing building and a 400 square foot barn to house two bovines. The project is located at 14218 Old San Pasqual Road within the North County Metropolitan Subregional Planning Area within the unincorporated area of San Diego County (APN 241-080-47).

The site is subject to the Semi-Rural General Plan Regional Category and Semi-Rural Residential (SR-2) Land Use. Zoning for the site is A70, Limited Agricultural Use. The site is currently vacant. Primary access would be provided by Old Pasqual Road. The project would be served by a supplemental treatment system and imported water from the Rincon Del Diablo Water District.

The project site contains seven habitat types as detailed in Table 1 below. The onsite southern willow scrub would be conserved within a proposed biological open space easement. No sensitive plant or wildlife species were identified onsite.

Table 1. Impacts to Habitat and Required Mitigation

<b>Habitat Type</b>	<b>Tier Level</b>	<b>Existing On-site (ac.)</b>	<b>Proposed Impacts (ac.)</b>	<b>Preserved Onsite</b>	<b>Mitigation Ratio</b>	<b>Required Mitigation</b>
Non-Native Grassland	III	12.62	8.60	0	0.5:1	4.30
Diegan Coastal Sage Scrub	II	3.73	0	0	--	--
Southern Willow Scrub	I	0.10	0	0.10	--	--
Southern Mixed Chaparral	III	0.11	0.09	0	0.5:1	0.05
Urban/Developed	IV	0.52	--	0	--	--
Eucalyptus Woodland	IV	0.87	0.44	0	--	--
Disturbed Lands	IV	1.57	0.85	0	--	--
<b>Total:</b>	--	19.52	9.98	0.10	--	4.35

The findings contained within this document are based on County records, staff field site visits and the Biological Resources Letter Report (Everett and Associates, March 10, 2017). 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 land is not shown as a Pre-Approved Mitigation Area.

#### **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 site does not contain habitat that contains biological resources that support or contribute to the long-term survival of sensitive species and is not adjacent to preserved habitat that is within the Pre-Approved Mitigation Area.

#### **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 and lands surrounding the site contain existing residential development.

- 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 “high”, “developed” and “agriculture” with small portions of the site shown as “very high” on the Habitat Evaluation Model. Although portions of the site are shown as “high” and “very high”, the habitat onsite is not part of a significant block of habitat and has been affected by edge effects of existing development.

- 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 site is not within a block of habitat greater than 500 acres 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**

No sensitive plant or wildlife species were identified onsite.

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

The open space proposed on-site for this project is solely for purposes of avoiding a sensitive resource. This open space is not considered a Biological Resource Core Area and therefore, is not considered part of the regional MSCP preserve system. The requirements relating to the “Preserve” outlined in the County’s Subarea Plan, the Implementation Agreement and the Final MSCP Plan will not apply to this open space.

### 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 will not impact any of these types of resources. Project Design Criteria, including Attachments G and H, are 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.**

The property contains a natural drainage that is a wetland in accordance with the Resource Protection Ordinance (RPO). The drainage and wetland buffer will be preserved in a biological open space easement. Therefore, there will be no net loss of wetlands due to this project.

**2. The project includes measures to maximize the habitat structural diversity of conserved habitat areas including conservation of unique habitats and habitat features.**

The site contains non-native grassland, Diegan coastal sage scrub and southern mixed chaparral as well as a drainage containing southern willow scrub. The entire area of southern willow scrub will be conserved within a biological open space easement and portions of the non-native grassland and southern mixed chaparral, as well as all of the Diegan coastal sage scrub will be avoided by project design. Additional measures to maximize the habitat structural diversity of conserved habitat areas is 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 site contains 3.73 acres of isolated coastal sage scrub habitat that does not constitute an extensive patch of coastal sage scrub. The proposed project will not impact any of the coastal sage scrub habitat onsite.

- 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.**

Since the project site is surrounded by residential development, it is not possible or desirable to create a significant block of habitat through onsite preservation. The open space proposed onsite for this project is solely for purpose of avoiding a sensitive resource.

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

The site contains non-native grassland, Diegan coastal sage scrub and southern mixed chaparral as well as a drainage containing southern willow scrub. Since the entire area of southern willow scrub is conserved within a proposed biological open space easement and all of the Diegan coastal sage scrub habitat is avoided by project design, the project provides for the development of the least sensitive habitat areas.

- 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 sensitive plant or wildlife species were identified onsite and therefore onsite conservation of habitat is not required.

- 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 not located adjacent to any known golden eagle nest sites or within known eagle foraging areas. Lands surrounding the property are developed with residential uses. Although wide-ranging species may occasionally use the property, the site does not connect to other habitat blocks.

- 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 project site has no critical populations, narrow endemic species, or rare and/or endangered plants.

- 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 a Pre-Approved Mitigation Area, nor is it considered a Biological Resources Core Area for the reasons stated in section II.A. The site has low biological diversity and relatively small size, limiting its potential to support significant habitat blocks or populations of any species. In addition, existing development adjacent to the site precludes the land from being a biologically-viable preserve. Therefore, development of the site will not hinder possible preserve systems within the Subarea Plan.

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

The onsite preservation is required to comply with the Resource Protection Ordinance, and will not be counted toward mitigation. The onsite drainage and wetland buffer will be preserved within a dedicated biological open space easement. The wetland buffer width is 50 feet wide, and will protect the preserved wetlands from future edge effects from the proposed project. The open space easements will be surrounded by a 100-foot limited building zone easement, which will prevent construction that would require fire-clearing or fire fuel modification within the open space.

**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 is not within a Biological Resource Core Area. The project site contains non-native grassland, Diegan coastal sage scrub, southern mixed chaparral and southern willow scrub which are considered sensitive under the BMO. All of the onsite southern willow scrub is conserved within a proposed biological open space easement and all of the Diegan coastal sage scrub is avoided by project design. There were no threatened, endangered or narrow endemic species detected on the site. Due to the site's adjacency to existing residential development and the resulting edge effects, no regionally significant populations of sensitive species are anticipated. Avoidance is not necessary and project related impacts are not considered significant once mitigation pursuant to BMO requirements is incorporated.

Ashley Smith, Planning & Development Services  
September 7, 2017

# MSCP Designation For SVBF Temple Major Use Permit PDS2015-MUP-15-011, PDS2015-ER-15-08-012

