

MULTIPLE SPECIES CONSERVATION PROGRAM CONFORMANCE STATEMENT
For Fuerte TPM
PDS2018-TPM-21261
APN(s) 498-151-23-00

March 10, 2020

I. Introduction

The proposed project is a tentative parcel map to subdivide an existing 2.6-acre parcel into three separate parcels. An existing single-family home will be retained on one parcel and two single family homes will be constructed on the remaining parcels. The project site is located adjacent to Fuerte Drive in the Valle De Oro Community Planning Area, within unincorporated San Diego County. The project site is located within the Unincorporated Metro-Lakeside-Jamul Segment of the County’s Multiple Species Conservation Program (MSCP). The site occurs within a developed landscape, with residential development on all sides. The project site does not qualify as a Biological Resources Core Area (BRCA).

Biological resources onsite were evaluated in a Biological Resources Letter Report (Blue Consulting Group, February 2020). The project site contains 0.01 acres of jurisdictional unvegetated non-wetland waters, 1.48 acres of non-native grassland, 0.48 acres of disturbed habitat, and 0.63 acres of developed habitat. No sensitive plant or wildlife species were observed onsite. The project will impact to 1.48 acres of non-native grassland, 0.48 acres of disturbed habitat, and 0.63 acres of developed habitat.

Impacts to disturbed and developed habitats do not require mitigation and impacts to non-native grassland do require mitigation. Mitigation will include the complete avoidance of the 0.01 acres of jurisdictional unvegetated non-wetland waters and the offsite preservation of 0.74 acres of non-native grassland within a BRCA in the MSCP. Breeding season avoidance will also be implemented to ensure project consistency with the Migratory Bird Treaty Act (MBTA).

Table 1. Impacts to Habitat and Required Mitigation

Habitat Type	Tier Level	Existing On-site (ac.)	Proposed Impacts (ac.)	Mitigation Ratio	Required Mitigation
Jurisdictional Unvegetated					
Non-Wetland Waters	--	0.01	0.00	--	--
Non-Native Grassland	III	1.48	1.48	0.5:1	0.74
Disturbed	IV	0.48	0.48	--	--
Developed	--	0.63	0.63	--	--
Total:	--	2.6	2.59	--	0.74

The findings contained within this document are based on County records and the Biological Resources Letter report dated February 2020, prepared by Blue Consulting Group. 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 site is not within a Pre-Approved Mitigation Area (PAMA). Therefore, it 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.

The project site does not support sensitive species and is not adjacent or contiguous to preserved habitat that is within the Pre-Approved Mitigation Area (PAMA). Therefore, it 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 project site is not part of a regional linkage/corridor as identified on MSCP maps nor is it an area considered regionally important for wildlife dispersal. Therefore, it 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 project site is shown as developed on the Habitat Evaluation Map. Therefore, it 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 project site is surrounded by development and not contiguous to any large blocks of habitat. Therefore, it 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 project site does not contain a high number or sensitive species or is adjacent to undisturbed habitat. Available data indicated that the project site contains Placentia sandy loam and Visalia sandy loam. These soils are not known to contain a high number of sensitive species. Therefore, it does not meet this criterion.

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

The project will mitigate for impacts through 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.

The project would not impact 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 within a Biological Resource Core Area. Therefore, the project design criteria does 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 site is not designated as a Pre-Approved Mitigation Area (PAMA) or Preserve area. 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 site is surrounded by development and does not occur within any know corridors or linkages. Therefore, the preserve design criteria 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.**

The project site contains 0.01 acres of jurisdictional unvegetated non-wetland waters. No impacts will occur to the resource as the project proposes complete avoidance. 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 1.48 acres of non-native grassland will be mitigated through the offsite preservation of 0.74 acres of non-native grassland within a BRCA in the MSCP.

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 does not include extensive patches of Coastal sage scrub or habitat types that are considered as having high or very high biological by the habitat evaluation model. Therefore, this criterion does not apply.

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 site is surrounded by residential development. Therefore, the project will not increase edge effects associated with existing or future conserved habitats.

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

The project will develop within 1.48 acres of non-native grassland, which is considered sensitive. However, the habitat is fragmented and has minimal value for long-term conservation of sensitive plants or wildlife. Therefore, 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.

The project site does not contain threatened, endangered, or narrow endemic species. 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 site is surrounded by development in all directions and, therefore, has eliminated connection to larger, undisturbed areas. The project site is too small for larger mammals and raptors to reside permanently.

- 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 site. Sensitive species have a low potential to be present due to the existence of surrounding development.

- 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 surrounding development does not aid in conservation or wildlife dispersal. Therefore, developing the site will not jeopardize the assembly of a preserve system.

- 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. Therefore, this criterion does not apply.

- 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. Developing the site is not considered a significant impact to sensitive habitat because the small amount of habitat on site is surrounded by development in all directions. There were no threatened, endangered, narrow endemic species detected on the project site. Project related impacts will be considered less than significant with the incorporation of mitigation. Every effort has been made to avoid impacts to BRCAs, to sensitive resources, and to specific sensitive species as defined in the BMO.

Kendalyn White, Planning & Development Services
March 10, 2020

MSCP Designation

