HELIX Environmental Planning

Balboa Avenue Station Area Specific Plan

BIOLOGICAL TECHNICAL REPORT

February 2018 | RDG-01.10

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Prepared for:

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1.0 INTRODUCTION

This Biological Technical Report addresses the existing biological resources present within the boundaries of the Balboa Avenue Station Area Specific Plan (herein referred to as BASASP; Specific Plan, or project). This report provides analyses of impacts to the biological resources located within the boundaries of the Specific Plan area and identifies a mitigation framework with the types of mitigation that would be expected to reduce the severity of impacts. This report is being prepared for RRM Design Group and is a City of San Diego (City) project.

The Specific Plan area is located along the Interstate 5 (I-5) corridor within the Pacific Beach and Clairemont Mesa communities of the City of San Diego (City). The Specific Plan area is generally bounded by Morena Boulevard on the east, Rose Creek to the west, Grand Avenue and Mission Bay Drive to the south, and approximately Avati Drive to the north (Figure 1). It is in the U.S. Geological Survey, 7.5-minute La Jolla Quadrangle (Figure 2). Figure 3 illustrates the location of the Specific Plan area on an aerial photograph.

This project and any other development proposed under the project would be subject to a project-level review. The project would provide the policy framework to establish transit-oriented development and multi-modal improvements within the Specific Plan area. One of the main objectives of the project is to improve access to existing and future transit facilities, particularly the planned Balboa Avenue Trolley Station that would be constructed as part of the Mid-Coast Corridor Light Rail Transit Project, which would extend the Blue Line from Old Town to Westfield University Town Center in the University community. This future trolley station would be constructed within the Specific Plan area on the east side of I-5, south of Balboa Avenue.

2.0 METHODS

2.1 LITERATURE REVIEW

HELIX Environmental Planning, Inc. (HELIX) conducted reviews of existing biological resources literature for the Specific Plan area. Sources for the literature review included, but were not limited to:

- California Natural Diversity Data Base (CNDDB; California Department of Fish and Wildlife [CDFW 2016a])
- Multiple Species Conservation Program (MSCP) mapping
- U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soil Survey Geographic Database
- U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory
- Rare Plants of San Diego County (Reiser 2001)
- San Diego County Bird Atlas (Unitt 2004)

- Rose Creek Bikeway Project Natural Environment Study (HELIX 2015)
- Vegetation Mapping for the Control Point (CP) Elvira to CP Morena Double Track Project (HELIX 2011)
- USFWS Information, Planning, and Conservation System (IPAC)

2.2 BOTANICAL RESOURCES

2.2.1 Vegetation Communities

The vegetation community mapping for this report was completed by HELIX on November 10, 2015 and included verifying existing vegetation communities or habitat types as mapped by HELIX for the Rose Creek Bikeway project (HELIX 2015) and Elvira to Morena Double Track project (HELIX 2011). The Specific Plan area is located to the east and west of I-5, from approximately Mission Bay Drive and Grand Avenue to the south, and approximately Avati Drive to the north.

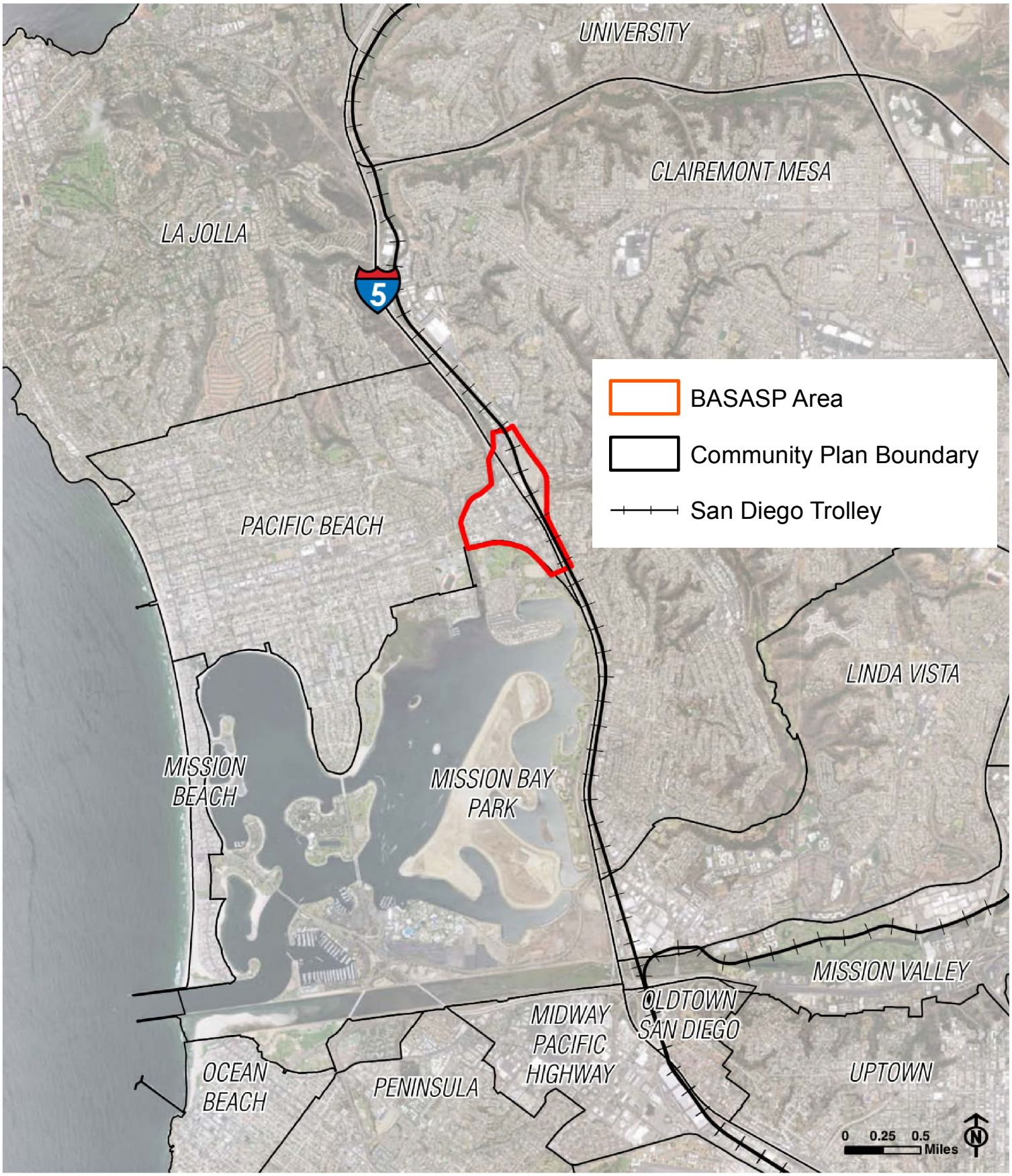
Vegetation community classifications in this report follow Oberbauer et al. (2008). Assessments of the sensitivity of communities are based on the City's Biology Guidelines (2012). No plant list was prepared for the Specific Plan area because an in-depth field survey was not conducted for this report, nor would a programmatic level assessment typically require that level of detail. Subsequent environmental review would likely be required for future projects within the Specific Plan area, which would include greater detail regarding sensitive biological resources present on the future project site. Description of vegetation and land cover types are based on existing reports and aerial images of the Specific Plan area. Vegetation and land cover types within the Specific Plan area mapped as developed, such as elevated portions of the I-5 over Rose Creek, may include additional or different vegetation communities and land cover types.

2.2.2 Sensitive Plants

Locations of sensitive plant species are from the CNDDB and mapping performed by HELIX in 2011 and 2015 (HELIX 2011, 2015). Nomenclature for plant species generally follows Baldwin (2012) and Jepson Flora Project (2016). Assessments of the sensitivity of species are based on the California Native Plant Society (CNPS; 2016) and City (2012).

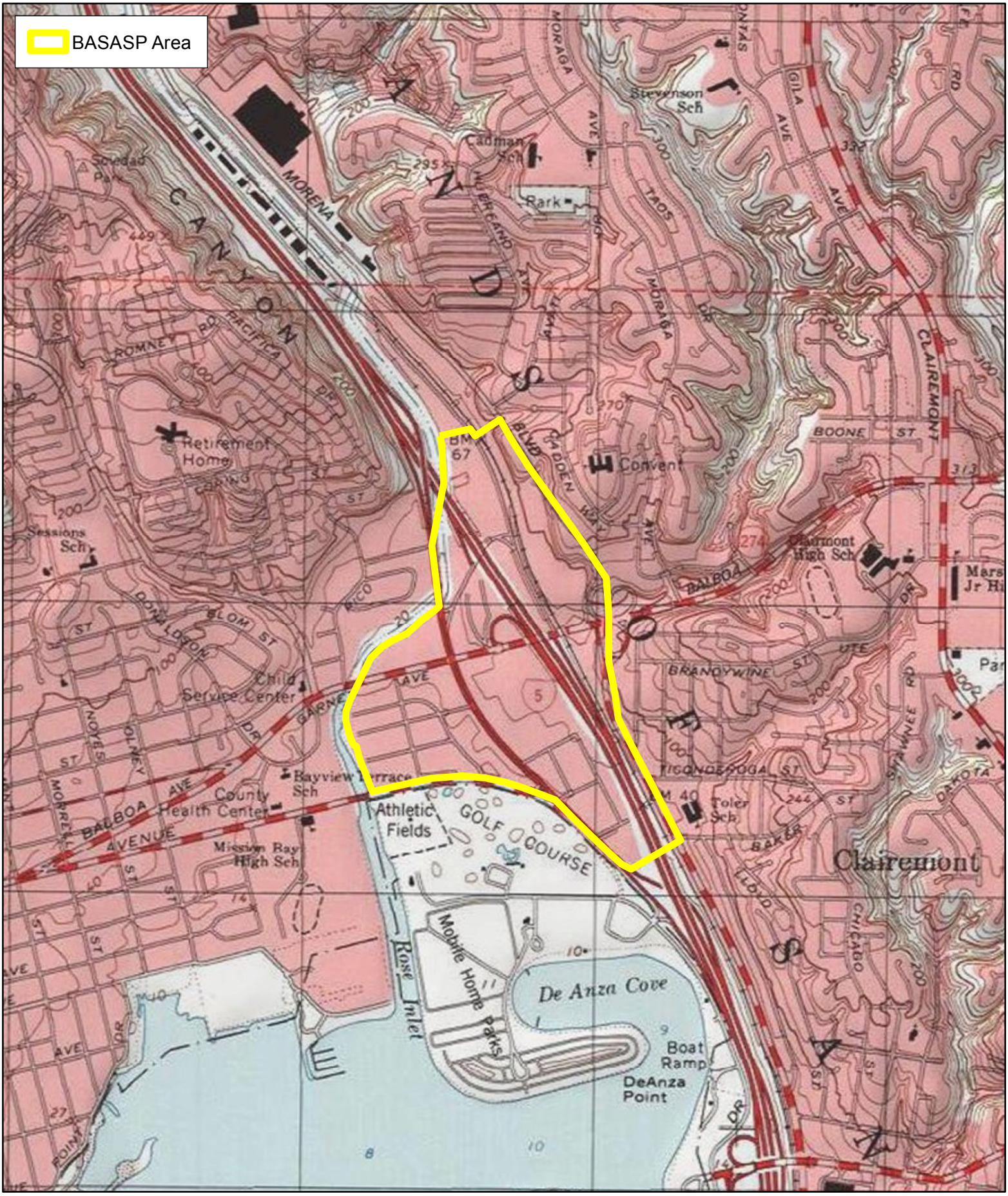
2.3 ZOOLOGICAL RESOURCES

Zoological nomenclature for birds is in accordance with the American Ornithologists' Union (2015) and Unitt (2004); for mammals, Baker et al. (2003); and for amphibians and reptiles, Crother (2008). Similar to plants, a general wildlife list was not prepared for the Specific Plan area because an in-depth field survey was not conducted, and this programmatic level assessment does not require that level of detail. Subsequent review would likely be required that would include greater detail regarding general wildlife occurring or expected to occur on the site.



Balboa Avenue Station Area Specific Plan **Regional Location Map**

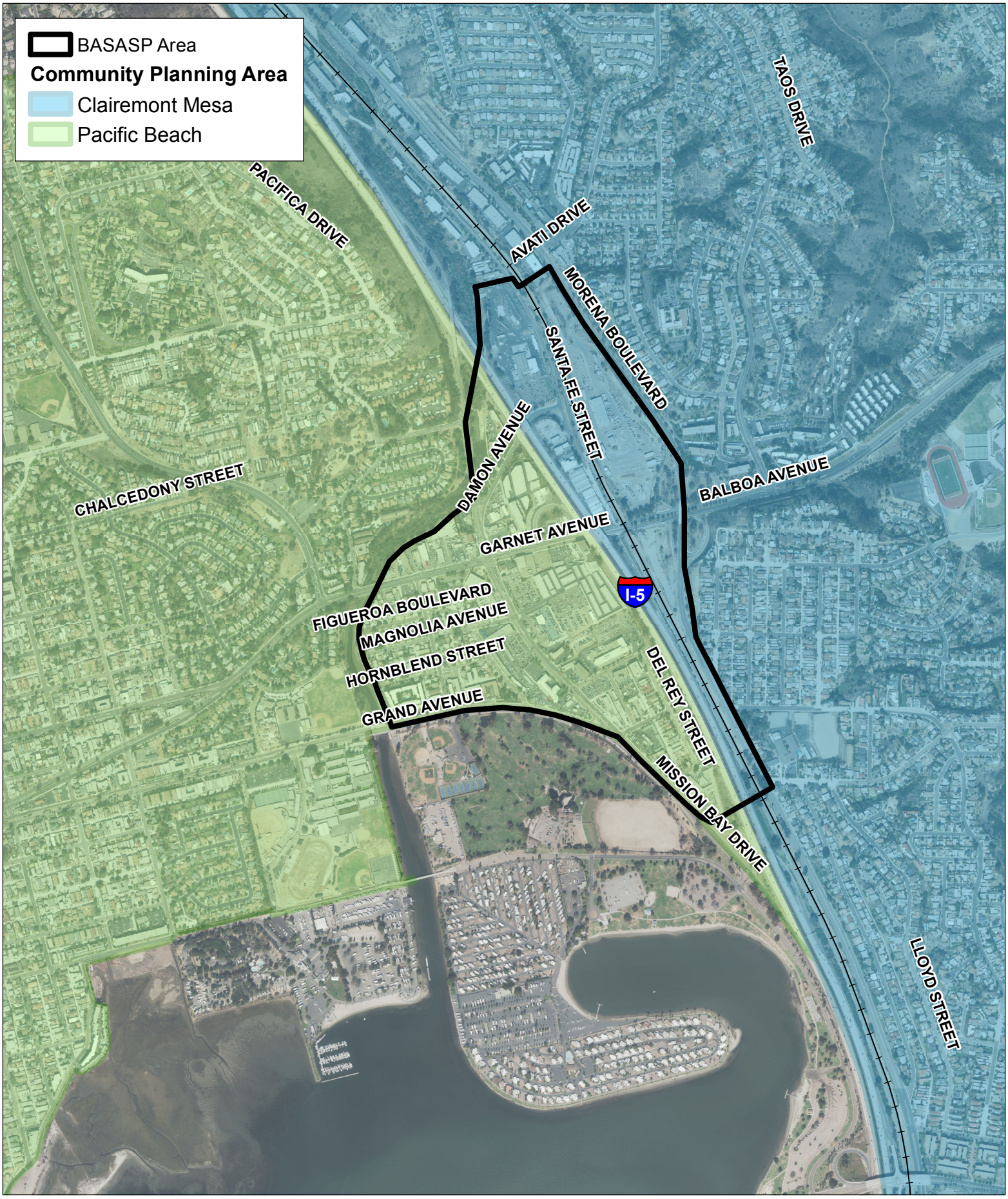
Figure 1



Balboa Avenue Station Area Specific Plan

Project Location (USGS Topography)

Figure 2



Balboa Avenue Station Area Specific Plan

0 0.25 0.5
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Project Location Map (Aerial Photograph)

Figure 3

2.3.1 Sensitive Wildlife

The locations of sensitive wildlife species are from the CNDDB, USFWS species database, MSCP mapping, and mapping performed by HELIX (HELIX 2011, 2015). Nomenclature follows those sources listed above. Assessments of the sensitivity of species are based on the CDFW (2016b) and City (2012).

3.0 EXISTING CONDITIONS

3.1 PLAN AREA DESCRIPTION

3.1.1 Topography

The Specific Plan area has varying elevations from a low of approximately 10 feet above mean sea level (AMSL) in the west to a high of approximately 160 feet AMSL in the east (Figure 2). The majority of the Specific Plan area is relatively level; the eastern portion consists of hills that generally ascend toward Clairemont Mesa to the east.

3.1.2 Land Use

Current land uses in the Specific Plan area include a mixture of residential development of various densities, industrial and commercial uses, open space, and transportation facilities.

3.1.3 Soils

The USDA Web Soil Survey (2016) shows nine soil types mapped in the Specific Plan area including:

- Carlsbad-Urban land complex, two to nine percent slopes,
- Corralitos loamy sand, zero to five percent slopes,
- Gaviota fine sandy loam, nine to 30 percent slopes,
- Gaviota fine sandy loam, 30 to 50 percent slopes,
- Huerhuero loam, 15 to 30 percent slopes, eroded,
- Huerhuero-Urban land complex, two to nine percent slopes,
- Huerhuero-Urban land complex, nine to 30 percent slopes,
- Olivenhain-Urban land complex, nine to 30 percent slopes, and
- Terrace escarpments.

3.2 BOTANICAL RESOURCES

There are 10 vegetation communities/land cover types present in the Specific Plan area:

- Freshwater marsh
- Southern willow scrub
- Southern riparian forest
- Non-native riparian
- Streambed
- Diegan coastal sage scrub
- Non-native grassland

- Eucalyptus woodland
- Disturbed habitat
- Developed

The approximate acreages of these vegetation communities/land cover types are presented in Table 1 and their locations within the Specific Plan area are shown on Figure 4. Each is described following Table 1.

Table 1
VEGETATION COMMUNITIES/LAND COVER TYPES
IN THE SPECIFIC PLAN AREA

Vegetation Community/ Land Cover Type	Acreage*
Wetland Communities	
Freshwater marsh	0.33
Southern willow scrub	0.22
Southern riparian forest	0.49
Non-native riparian	0.24
Streambed	1.06
Subtotal Wetland Communities	**2.34**
Upland Communities	
Diegan coastal sage scrub	1.77
Non-native grassland	1.41
Subtotal Upland Communities	**3.18**
Other Uplands	
Eucalyptus woodland	0.71
Disturbed habitat	15.54
Developed	189.73
Subtotal Other Uplands	**205.98**
TOTAL	**211.50**

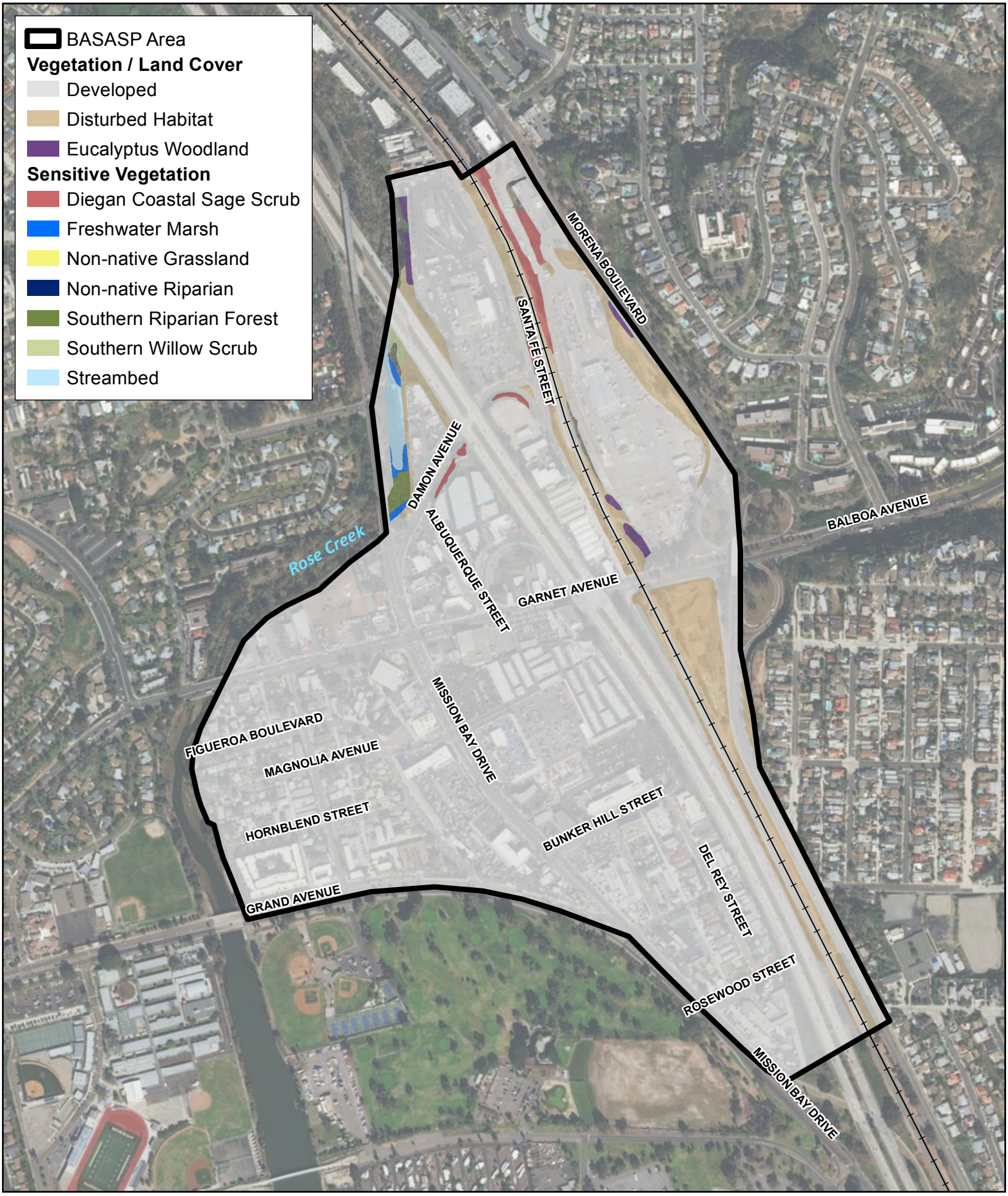
*Rounded to the nearest 0.01 acre

3.2.1 Wetland Vegetation Communities

Wetlands, including riparian areas, are lands where saturation with water is the dominant factor determining the nature of soil development and the types of plant and animal communities living in the soil and on its surface. Wetlands vary widely because of regional and local differences in soils, topography, climate, hydrology, water chemistry, vegetation, and other factors (Environmental Protection Agency 2013).

3.2.1.1 Freshwater Marsh (0.33 acre)

Freshwater marsh is dominated by perennial, emergent monocots, which can reach heights of 12 to 15 feet. This vegetation type occurs along the coast and in coastal valleys near river mouths and around the margins of lakes and springs. These areas are permanently flooded by fresh water yet lack a significant current. This community consists of species such as cattails (*Typha* spp.) and bulrush (*Scirpus* spp.; Oberbauer et al. 2008). Freshwater marsh has been mapped in three locations north of Damon Avenue to I-5 within Rose Creek.



Balboa Avenue Station Area Specific Plan

0 750 1,500
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Existing Vegetation Communities and Land Cover Types

Figure 4

3.2.1.2 Southern Willow Scrub (0.22 acre)

Southern willow scrub is a dense broad leaf, winter-deciduous community dominated by willow trees (*Salix* spp.). Often there is a component of Freemont cottonwood (*Populus fremontii*) and western sycamore (*Platanus racemosa*) and the community is generally dense enough to preclude any herbaceous understory (Oberbauer et al. 2008). This community has been mapped in two locations along Rose Creek: one south of I-5, and a second north of Garnet Avenue.

3.2.1.3 Southern Riparian Forest (0.49 acre)

Southern riparian forest is a dense riparian forest found along streams and rivers. It is usually dominated by western sycamore and cottonwood (*Populus* spp.), as well as other wetland species (Oberbauer et al. 2008). Southern riparian forest has been mapped in four locations along Rose Creek: north of Damon Avenue, two locations north of the I-5, and east of the Mission Bay Drive on-ramp in the northwest portion of the Specific Plan area.

3.2.1.4 Non-Native Riparian (0.24 acre)

Non-native riparian areas are densely vegetated and support greater than 50 percent non-native and/or invasive species. It is often found in areas that have experienced disturbance and characteristic species include fan palm (*Washingtonia* spp.), castor-bean (*Ricinus communis*), date palm (*Phoenix* spp.), and/or giant reed (*Arundo donax*). Native species present may include Freemont cottonwood and/or willows (Oberbauer 2008). Non-native riparian habitat was mapped in two locations: one north and one south of I-5, within Rose Creek.

3.2.1.5 Streambed (1.06 acres)

Streambed is the channel through which water flows and is mapped as such when there is no vegetation present. Streambed was mapped west of I-5 within Rose Creek.

3.2.2 Upland Communities

Upland vegetation communities do not occur in wetland situations (e.g., inundated or containing saturated soils) and, in the Specific Plan area, consist of shrub, grassland, and woodland communities. These communities occur primarily on the eastern portion of the Specific Plan area, east of I-5, and in four locations west of 1-5, east of Rose Creek.

3.2.2.1 Diegan Coastal Sage Scrub (1.77 acres)

Diegan coastal sage scrub is the southern form of coastal sage scrub comprised of low-growing, aromatic, drought-deciduous, soft-woody shrubs. Diegan coastal sage scrub is typically dominated by facultatively drought-deciduous species such as California sagebrush (*Artemisia californica*), California buckwheat (*Eriogonum fasciculatum*), laurel sumac (*Malosma laurina*), and black sage (*Salvia mellifera*; Oberbauer et al. 2008). This community is typically found on dry sites with steep slopes or clay-rich soils that are slow to release stored water. These sites often include south- and west-facing slopes and occasionally north-facing slopes, where the community can act as a successional phase to chaparral (Oberbauer et al. 2008). In the Specific Plan area, Diegan coastal sage scrub has been mapped along the east side of the railroad right-of-way (ROW) and along the south side of Damon Avenue.

3.2.2.2 Non-native Grassland (1.41 acres)

Non-native grassland occurs as a dense to sparse cover of non-native grasses, sometimes associated with species of showy-flowered, native, annual forbs. This community characteristically occurs on gradual slopes with deep, fine-textured, usually clay soils. Characteristic species in non-native grassland include oats (*Avena* spp.), red brome (*Bromus madritensis* ssp. *rubens*), ripgut grass (*Bromus diandrus*), ryegrass (*Lolium* sp.), and mustard (*Brassica* sp.). Most of the annual, introduced species that make up the majority of the species biomass within non-native grassland originated from the Mediterranean region, an area with a long history of agriculture and a climate similar to California's. These two factors, in addition to severe droughts, contributed to the successful invasion and establishment of these species and the replacement of native grasses with an annual-dominated, non-native grassland (Jackson 1985). These grasslands occur throughout San Diego County and serve as valuable raptor foraging habitat. Non-native grassland has been mapped within and to the east of the railroad ROW and north of I-5 and east of Rose Creek within the Specific Plan area.

3.2.3 Other Uplands

Four other land cover types are present within the Specific Plan area. All result from development, encroachment, or other human disturbance.

3.2.3.1 Eucalyptus Woodland (0.71 acre)

Eucalyptus woodland is dominated by eucalyptus (*Eucalyptus* sp.), an introduced genus that has often been planted purposely for wind blocking, ornamental, and hardwood production purposes. Most groves are monotypic with the most common species being either the blue gum (*Eucalyptus gunnii*) or red gum (*E. camaldulensis* ssp. *obtusa*). The understory within well-established groves is usually very sparse due to the closed canopy and allelopathic nature of the abundant leaf and bark litter. If sufficient moisture is available, this species becomes naturalized and can reproduce and expand its range. The sparse understory offers only limited wildlife habitat; however, as a wildlife habitat, these woodlands can provide excellent nesting sites for a variety of raptors if the woodlands are not located in highly urbanized environments. During winter migrations, a large variety of warblers may be found feeding on the insects that are attracted to eucalyptus flowers. Eucalyptus woodland has been mapped east of I-5 on the east side of the Specific Plan area and is generally found adjacent to residential and commercial developments.

3.2.3.2 Disturbed Habitat (15.54 acres)

Disturbed Habitat is a community that consists predominantly of non-native forbs, shrubs, and/or trees. Species such as mustard (Brassica sp.), tocalote (Centaurea melitensis), and pepper trees (Schinus spp.) are examples of species that can occur in non-native assemblages. Additionally, Disturbed habitat includes undeveloped areas modified by activities such as grading, scraping, or off-road vehicle use. Disturbed habitat occurs throughout the undeveloped land in the BASASP area and are found predominantly within the railroad ROW, adjacent to Morena Boulevard and the railroad ROW south of Balboa Avenue, as well as along the east side of Rose Creek and the east side of I-5, as well as, in three areas within the BASASP area: adjacent to the freeway west of the I-5, west of Morena Boulevard, and in a small area west of the railroad ROW.

3.2.3.3 Developed (189.73 acres)

Developed land, which covers most of the Specific Plan area, includes residential, commercial, industrial, and transportation land uses. Developed land also includes areas of actively maintained landscaping.

3.3 SENSITIVE BIOLOGICAL RESOURCES

According to City Municipal Code (Chapter 11, Article 3, Division 1) and the City's Biology Guidelines (City 2012), sensitive biological resources refers to upland and/or wetland areas that meet any one of the following criteria:

(a) Lands that have been included in the City's MSCP Preserve (i.e., the Multi-habitat Planning Area [MHPA]);

(b) Wetlands;[1]

(c) Lands outside the MHPA that contain Tier I, Tier II, Tier IIIA, or Tier IIIB habitats;

(d) Lands supporting species or subspecies listed as rare, endangered, or threatened under Section 670.2 or 670.5, Title 14, California Code of Regulations, or the federal Endangered Species Act, Title 50, Code of Federal Regulations, Section 17.11 or 17.12, or candidate species under the California Code of Regulations;

(e) Lands containing habitats with MSCP Narrow Endemic species as listed in the Biology Guidelines (City 2012); or

(f) Lands containing habitats of MSCP Covered Species as listed in the Biology Guidelines (City 2012).

3.3.1 Sensitive Vegetation Communities

Additionally, sensitive vegetation communities are those considered rare within the region or sensitive by CDFW (Holland 1986) and/or the City. These communities, in any form (e.g., including disturbed), are considered sensitive because they have been historically depleted, are naturally uncommon, or support sensitive species.

Upland vegetation communities are divided into five tiers of sensitivity (the first includes the most sensitive, the fifth the least sensitive) based on rarity and ecological importance (City 2012). Tier I includes rare uplands. Tier II includes uncommon uplands. Tiers IIIA and IIIB include common uplands. Tier IV includes other uplands. Wetland communities are not assigned a tier.

[1] City Wetlands, specifically, are defined by the City Municipal Code (Chapter 11, Article 3, Division 1) as areas that are characterized by any of the following summarized conditions.

(a) All areas persistently or periodically containing naturally occurring wetland vegetation communities;
(b) Areas that have hydric soils or wetland hydrology and lack naturally occurring wetland vegetation communities; and/or
(c) Areas lacking wetland vegetation communities, hydric soils, and wetland hydrology due to non-permitted filling of previously existing wetlands.

Based on the definitions of "sensitive" above, the Specific Plan area supports seven sensitive vegetation communities, which includes all five of the existing wetland communities and two of the existing upland communities (Table 2; Figure 4).

Table 2
SENSITIVE VEGETATION COMMUNITIES
IN THE SPECIFIC PLAN AREA

Vegetation community	Tier
Wetland Communities	
Freshwater marsh	--
Southern willow scrub	--
Southern riparian forest	--
Non-native riparian	--
Streambed	--
Upland Communities	
Diegan coastal sage scrub	Tier II
Non-native grassland	Tier IIIB

3.3.2 Sensitive Plant Species

Sensitive plant species are those that are considered federally, state, or CNPS rare, threatened, or endangered; MSCP Covered Species; or MSCP Narrow Endemic (NE) species (Appendix A). More specifically, if a species is designated with any of the following statuses (a-c below), it is considered sensitive per City Municipal Code (Chapter 11, Article 3, Division 1):

(a) A species or subspecies is listed as rare, endangered, or threatened under Section 670.2 or 670.5, Title 14, California Code of Regulations, or the federal Endangered Species Act, Title 50, Code of Federal Regulations, Section 17.11 or 17.12, or candidate species under the California Code of Regulations;

(b) A species is a Narrow Endemic as listed in the Biology Guidelines in the Land Development Manual (City 2012); and/or

(c) A species is an MSCP Covered Species as listed in the Biology Guidelines in the Land Development Manual (City 2012).

A plant species may also be considered sensitive if it is included in the CNPS Inventory of Rare and Endangered Plants (CNPS 2016).

Sensitive plant status is often based on one or more of three distributional attributes: geographic range, habitat specificity, and/or population size. A species that exhibits a small or restricted geographic range (such as those endemic to the region) is geographically rare. A species may be more or less abundant but occur only in very specific habitats. Lastly, a species may be widespread but exists naturally in small populations.

The sensitive plant species addressed in this section are known from the Specific Plan area based on information obtained from the literature review (see Section 2.1). The potential to occur determinations are conservative given the programmatic level of this evaluation. Project-level evaluations would further

refine the potential to occur determinations. Potential additional species and precise locations and numbers of sensitive plant species would be identified through project-level surveys for proposed future development. Table 3 provides a comprehensive list of the sensitive plant species, including Narrow Endemics, observed, or conservatively determined to have a potential to occur in the Specific Plan area.

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Table 3
SENSITIVE OR MSCP NARROW ENDEMIC PLANT SPECIES OBSERVED OR WITH POTENTIAL TO OCCUR

SPECIES	SENSITIVITY[1] Federal State CNPS City	POTENTIAL TO OCCUR / PREFERRED HABITAT / RANGE / RECORDS NEAR THE SPECIFIC PLAN AREA	LIFEFORM[2] AND BLOOM PERIOD
San Diego thorn-mint (*Acanthomintha ilicifolia*)	FT SE CNPS 1B.1 MSCP Covered, NE	**No Potential.** Occurs on clay soils in chaparral, coastal sage scrub, valley and foothill grassland, and vernal pools (CNPS 2016). No clay soils are present in the Specific Plan area.	Annual herb April to June
Nuttall's acmispon (*Acmispon prostratus*)	-- -- CNPS 1B.1 --	**No Potential.** Occurs on coastal dunes and on sandy soils in coastal scrub. Found at elevations of zero to 30 feet (CNPS 2016). Suitable sandy soils do not occur in the Specific Plan area.	Annual herb March to July
San Diego ambrosia (*Ambrosia pumila*)	FE -- CNPS 1B.1 MSCP Covered, NE	**Potential.** Found in disturbed areas within chaparral, coastal sage scrub, grasslands, and vernal pools. Its range includes coastal San Diego County and western Riverside County south into Baja California, Mexico at elevations from approximately 65 to 1,360 feet (CNPS 2016; Reiser 2001).	Perennial, rhizomatous herb April to October
Aphanisma (*Aphanisma blitoides*)	-- -- CNPS 1B.2 MSCP Covered, NE	**No Potential.** Occurs in coastal bluff scrub, coastal dunes, and sandy coastal scrub along the coast (CNPS 2016). Suitable coastal habitat does not occur in the Specific Plan area.	Annual herb February to June
San Diego sagewort (*Artemisia palmeri*)	-- -- CNPS 4.2 --	**Observed.** Grows on sandy, mesic soils, in chaparral, coastal scrub, riparian scrub, riparian forest, and riparian woodland. Found from 50 to 3,000 feet in elevation (CNPS 2016). Species was observed in Rose Creek (HELIX 2015).	Perennial, deciduous shrub February to September
Orcutt's pincushion (*Chaenactis glabriuscula* var. *orcuttiana*)	-- -- CNPS 1B.1 --	**No potential.** Occurs in sandy, coastal bluff scrub, and coastal dunes. Found at elevations of zero to 100 feet (CNPS 2016). Suitable sandy coastal habitat does not occur in the Specific Plan area.	Annual herb January to August

Table 3 (cont.)
SENSITIVE OR MSCP NARROW ENDEMIC PLANT SPECIES OBSERVED OR WITH POTENTIAL TO OCCUR

SPECIES	SENSITIVITY[1] Federal State CNPS City	POTENTIAL TO OCCUR / PREFERRED HABITAT / RANGE / RECORDS NEAR THE SPECIFIC PLAN AREA	LIFEFORM[2] AND BLOOM PERIOD
Salt marsh bird's-beak (*Cordylanthus maritimus* ssp. *maritimus*)	FE SE CNPS 1B.2 MSCP Covered	**Potential.** Occurs in coastal dunes, marshes, and swamps. Found at elevations of zero to 100 feet (CNPS 2016). Coastal salt marsh was mapped adjacent to the Specific Plan area.	Annual herb May to October
San Diego sand aster (*Corethrogyne filaginifolia* var. *incana*)	-- -- CNPS 1B.1 --	**Potential.** Occurs in coastal bluff scrub, chaparral, and coastal scrub. Found at elevations from 10 to 375 feet (CNPS 2016). Diegan coastal sage scrub has been mapped in the Specific Plan area.	Perennial herb June to September
San Diego button-celery (*Eryngium aristulatum* var. *parishii*)	FE SE CNPS 1B.1 MSCP Covered, NE	**Potential.** Found in mesic coastal scrub, valley and foothill grassland, and vernal pools at elevations of approximately 65 feet to 2,035 feet. Its range in California includes Los Angeles, Orange, Riverside, and San Diego counties (CNPS 2016). Diegan coastal sage scrub has been mapped in the Specific Plan area.	Annual/perennial herb April to June
San Diego barrel cactus (*Ferocactus viridescens*)	-- -- CNPS 2B.1 MSCP Covered	**Potential**. Found in chaparral, coastal scrub, valley and foothill grassland, and vernal pool areas at elevations of approximately 10 to 1,475 feet in coastal San Diego County (CNPS 2016; Reiser 2001). The optimal habitat for this species appears to be Diegan coastal sage scrub hillsides, often at the crest of slopes and growing among cobbles (Reiser 2001). Diegan coastal sage scrub has been mapped in the Specific Plan area.	Perennial stem succulent May to June
Beach goldenaster (*Heterotheca sessiliflora* ssp. *sessiliflora*)	-- -- CNPS 1B.1 --	**Potential**. Found in coastal chaparral, dunes, and scrub at elevations from sea level to approximately 4,020 feet. Its range in California is within Santa Barbara and San Diego counties (CNPS 2016). Diegan coastal sage scrub has been mapped in the Specific Plan area.	Perennial herb March to December
Southwestern spiny rush (*Juncus acutus* ssp. *leopoldii*)	-- -- CNPS 4.2 --	**Observed.** Found in mesic coastal dunes, meadows, alkaline seeps, coastal salt marshes, and swamps. Found at elevations of 10 to 2,950 feet (CNPS 2016). Species was observed in Rose Creek (HELIX 2015).	Perennial, rhizomatous herb March to June

Table 3 (cont.)
SENSITIVE OR MSCP NARROW ENDEMIC PLANT SPECIES OBSERVED OR WITH POTENTIAL TO OCCUR

SPECIES	SENSITIVITY[1] Federal State CNPS City	POTENTIAL TO OCCUR / PREFERRED HABITAT / RANGE / RECORDS NEAR THE SPECIFIC PLAN AREA	LIFEFORM[2] AND BLOOM PERIOD
Sea dahlia (*Leptosyne maritima*)	-- -- CNPS 2B.2 --	**Potential.** Found in coastal bluff scrub and coastal scrub. Found at elevations between 15 and 495 feet in elevation (CNPS 2016). Diegan coastal sage scrub was mapped in the Specific Plan area.	Perennial herb March to May
Coulter's goldfields (*Lasthenia glabrata* ssp. *coulteri*)	-- -- CNPS 1B.1 --	**Potential.** Found in coastal salt marshes and swaps, playas, and vernal pools. Grows at three to 4,000 feet in elevation (CNPS 2016). Coastal salt marsh was mapped adjacent to the Specific Plan area.	Annual herb February to June
Willowy monardella (*Monardella viminea*)	FE SE CNPS 1B.1 MSCP Covered	**No Potential.** Prefers alluvial ephemeral washes in chaparral, coastal scrub, riparian forest, riparian scrub, and riparian woodland. Found at elevations of 165 to 740 feet (CNPS 2016). Specific Plan area is outside of the elevation range for this species.	Perennial herb June to August
Spreading navarretia (*Navarretia fossalis*)	FT -- CNPS 1B.1 MSCP Covered, NE	**Potential**. Found in chenopod scrub, shallow freshwater marshes and swamps, playas, and vernal pools at elevations of approximately 100 to 2,150 feet. Vernal pools and vernal swales are the preferred habitats of this species, and it is rarely found in shallow pools (Reiser 2001). Its range in California is Los Angeles, Riverside, San Luis Obispo, and San Diego counties (CNPS 2016). Freshwater marsh was mapped in the Specific Plan area.	Annual herb April to June
California orcutt grass (*Orcuttia californica*)	FE SE CNPB 1B.1 MSCP Covered, NE	**No Potential**. Found in vernal pools at elevations of 50 to 2,165 feet in Los Angeles, Riverside, Ventura, and San Diego counties (CNPS 2016). California orcutt grass tends to grow in wetter portions of vernal pool basins but does not show much growth until the basins become somewhat dry (Reiser 2001). No vernal pools are present in the Specific Plan area.	Annual herb April to August
San Diego mesa mint (*Pogogyne abramsii*)	FE SE CNPS 1B.1 MSCP Covered, NE	**No Potential**. Occurs within vernal pools (CNPS 2016). No vernal pools are present in the Specific Plan area.	Annual herb March to July

Table 3 (cont.)
SENSITIVE OR MSCP NARROW ENDEMIC PLANT SPECIES OBSERVED OR WITH POTENTIAL TO OCCUR

SPECIES	SENSITIVITY[1] Federal State CNPS City	POTENTIAL TO OCCUR / PREFERRED HABITAT / RANGE / RECORDS NEAR THE SPECIFIC PLAN AREA	LIFEFORM[2] AND BLOOM PERIOD
Nuttall's scrub oak (*Quercus dumosa*)	-- -- CNPS 1B.1 --	**No Potential.** Grows on sandy, clay loams in closed-cone coniferous forest, chaparral, and coastal scrub. Grows at 50 to 1,310 feet in elevation (CNPS 2016). This perennial, evergreen shrub would have been observed if present.	Perennial evergreen shrub March to August
Chaparral ragwort (*Senecio aphanactis*)	-- -- CNPS 2B.2 --	**Potential.** Sometimes found on alkaline soils in chaparral, cismontane woodland, and coastal scrub. Grows at elevations from 50 to 2,625 feet (CNPS 2016). Diegan coastal sage scrub was mapped in the Specific Plan area.	Annual herb January to May
Estuary seablite (*Suaeda esteroa*)	-- -- CNPS 1B2 --	**Potential.** Found in coastal salt marshes and swamps at zero to 15 feet in elevation (CNPS 2016). Coastal salt marsh was mapped adjacent to the Specific Plan area.	Perennial herb May to January

[1] See Appendix A for an explanation of sensitivity codes.
[2] Lifeform and bloom period are from CNPS (2016).

3.3.3 Sensitive Wildlife Species

Sensitive animal species are those that are considered federal or state threatened or endangered; MSCP Covered Species; or MSCP Narrow Endemic species (Appendix A). More specifically, if a species is designated with any of the following statuses (a-c below), it is considered sensitive per City Municipal Code (Chapter 11, Article 3, Division 1):

(a) A species or subspecies is listed as endangered or threatened under Section 670.2 or 670.5, Title 14, California Code of Regulations, or the federal Endangered Species Act, Title 50, Code of Federal Regulations, Section 17.11 or 17.12, or candidate species under the California Code of Regulations;

(b) A species is a Narrow Endemic as listed in the Biology Guidelines in the Land Development Manual (City 2012); and/or

(c) A species is a MSCP Covered Species as listed in the Biology Guidelines in the Land Development Manual (City 2012).

A species may also be considered sensitive if it is included on the CDFW's Special Animals List (CDFW 2016b) as a candidate for federal or state listing, state Species of Special Concern, state Watch List species, state Fully Protected species, or federal Bird of Conservation Concern (Appendix A). Generally, the principal reason an individual taxon (species or subspecies) is considered sensitive is the documented or perceived decline or limitations of its population size or geographical extent and/or distribution, resulting in most cases from habitat loss. Additionally, avian nesting is protected by the federal Migratory Bird Treaty Act (MBTA) and California Fish and Game Code 3503.

The sensitive wildlife species addressed in this section are known from the Specific Plan area based on information obtained from the literature review (see Section 2.1) or are considered to have potential to occur based on the habitats present in the Specific Plan area and the area's geographic location. The potential to occur determinations are conservative given the programmatic level of this evaluation. Project-level evaluations would further refine the potential to occur determinations. Potential additional species and precise locations and numbers of sensitive wildlife species would be identified through project-level surveys for proposed future development. Table 4 provides a comprehensive list of the sensitive wildlife species observed or conservatively determined to have a potential to occur in the Specific Plan area.

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Table 4
SENSITIVE WILDLIFE SPECIES OBSERVED OR WITH POTENTIAL TO OCCUR

SPECIES	SENSITIVITY[1] Federal State City	POTENTIAL TO OCCUR / PREFERRED HABITAT / RANGE / RECORDS NEAR THE SPECIFIC PLAN AREA
Invertebrates		
San Diego fairy shrimp (*Branchinecta sandiegonensis*)	FE -- --	**No Potential.** San Diego fairy shrimp is a vernal pool habitat species found in small, shallow vernal pools. It can also be found in ditches and road ruts (USFWS 1994c *in* USFWS 1998). The vernal pools often occur in patches of grassland and agriculture interspersed in coastal sage scrub and chaparral. The largest number of vernal pools inhabited by this species occurs in San Diego County. It also has been reported in Orange and Santa Barbara counties, California, and in Baja California, Mexico (USFWS 1998). No vernal pools are mapped in the Specific Plan area.
Mesa shoulderband (*Helminthoglypta coelata*)	-- S1 --	**No Potential.** Found in rock slides, beneath bark and rotten logs, and among coastal vegetation. Known only from a few locations in coastal San Diego County (CDFW 2016a). Appropriate rocky habitat is not present in the Specific Plan area.
Riverside fairy shrimp (*Streptocephalus woottoni*)	FE -- MSCP Covered	**No Potential.** Found in moderate to deep (generally ranging from 10 inches to 5 to 10 feet in depth), longer-lived vernal pools and ephemeral wetlands in southern coastal California and northern Baja California, Mexico. Currently, presumed to occupy 60 or fewer pool complexes throughout southern California (USFWS 2011). No vernal pools are mapped in the Specific Plan area.

Table 4 (cont.)
SENSITIVE WILDLIFE SPECIES OBSERVED OR WITH POTENTIAL TO OCCUR

SPECIES	SENSITIVITY[1] Federal State City	POTENTIAL TO OCCUR / PREFERRED HABITAT / RANGE / RECORDS NEAR THE SPECIFIC PLAN AREA
Amphibians		
Belding's orange-throated whiptail (*Aspidoscelis* [*Cnemidophorus*] *hyperythrus beldingi*)	-- SSC MSCP Covered	**Potential.** This lizard inhabits low-elevation coastal scrub, chamise-redshank chaparral, mixed chaparral, and valley-foothill hardwood habitats. It prefers washes and other sandy areas with patches of brush and rocks (Stebbins 1972) and does not require permanent water (Zeiner et al. 1988). It actively forages on the surface and scratches through surface debris taking a variety of small arthropods (Stebbins 1972). During periods of inactivity, individuals seek cover under objects such as rocks, logs, decaying vegetation, and boards, or in rock crevices (Zeiner et al. 1988). The Belding's orange-throated whiptail occurs at elevations from sea level up to approximately 3,410 feet (Jenning and Hayes 1994 *in* California Department of Fish and Game 2000) from the Santa Ana River in Orange County, California and near Colton in San Bernardino County, California, west of the Peninsular Ranges and south throughout Baja California, Mexico. In the MSCP area, the species has been documented in Jamul, Santee, Alpine, Otay Mesa, Rancho San Diego, Marine Corps Air Station Miramar, and Escondido (USFWS and CDFW 1996). Diegan coastal sage scrub was mapped in the Specific Plan area.
Birds		
Cooper's hawk (*Accipiter cooperii*)	-- WL MSCP Covered	**No Potential.** The Cooper's hawk nests in deciduous, conifer, and mixed woodlands. In southern California, it generally favors extensive riparian bottomlands (Garrett and Dunn 1981 *in* Grindrod 2005). Winter habitat requirements are poorly quantified, but Christmas bird count data suggest that Cooper's hawks use essentially the same habitats during winter and summer (Grindrod 2005). Although the Specific Plan area contains riparian woodland habitat, it is not extensive enough to support this species.
Western grebe (*Aechmophorus occidentalis*)	BCC -- --	**Potential.** Western grebes breed on freshwater lakes and marshes with extensive open water bordered by emergent vegetation. During winter, they move to saltwater or brackish bays, estuaries, or sheltered sea coasts and are less frequently found on freshwater lakes or rivers (USFWS 2016). Open water is present in Rose Creek that has the potential to support this species.

Table 4 (cont.)
SENSITIVE WILDLIFE SPECIES OBSERVED OR WITH POTENTIAL TO OCCUR

SPECIES	SENSITIVITY[1] Federal State City	POTENTIAL TO OCCUR / PREFERRED HABITAT / RANGE / RECORDS NEAR THE SPECIFIC PLAN AREA
Birds (cont.)		
Tricolored blackbird (*Agelaius tricolor*)	BCC SSC MSCP Covered	**No Potential.** Breeding colonies require a source of water, suitable nesting substrate, and natural grassland, woodland, or agricultural cropland biomes in which to forage. Historically, breeding colonies had been strongly associated with emergent marshes, but more recently there has been a shift to non-natively vegetated and active agricultural areas (USFWS 2016). Although marsh habitat is present in the Specific Plan area, no suitable foraging habitat is present nearby.
California rufous-crowned sparrow (*Aimophila ruficeps canescens*)	BCC WL MSCP Covered	**Potential.** This sparrow prefers coastal sage scrub (Unitt 2004) but can also be found breeding in coastal bluff scrub, low-growing serpentine chaparral, and along the edges of tall chaparral habitats (Thorngate and Parsons 2005), as well as in open chaparral or coastal sage scrub and grasslands with scattered shrubs (Unitt 2004). Following a chaparral fire, suitable habitat may develop in the early stages of chaparral re-growth (Gallagher 1997), and rufous-crowned sparrows may stay in such open, disturbed habitats for years (Rising 1996, Collins 1999). The *canescens* subspecies of *Aimophila ruficeps* is a resident of southwest California on the slopes of the Transverse and Coastal Ranges from Los Angeles County south to Baja California Norte, Mexico. Diegan coastal sage scrub was mapped in the Specific Plan area.
Red-crowned parrot (*Amazona viridigenalis*)	BCC -- --	**Potential.** The red-crowned parrot is native to Mexico and is currently found in northeastern Mexico, inhabiting lush areas in arid lowlands and foothills, particularly gallery forests, deciduous woodlands, and dry, open, pine-oak woodlands on ridges up to 3,281 feet (USFWS 2016). These birds are known to inhabit urbanized areas that are present in the Specific Plan area.
Grasshopper sparrow (*Ammodramus savannarum*)	-- SSC MSCP Covered	**Potential.** The grasshopper sparrow is restricted to grasslands and is localized and generally uncommon in San Diego County (Unitt 2004). Non-native grassland is present within the Specific Plan area.
Bell's sage sparrow (*Artemisiospiza belli belli*)	BCC WL --	**Potential.** The Bell's sage sparrow can be found in chaparral and sage scrub. The habitat must not be too dense or have too much leaf litter. Its distribution throughout San Diego County is patchy, which often shifts to include partially recovered burned areas (Unitt 2004). Diegan coastal sage scrub is mapped in the Specific Plan area.

Table 4 (cont.)
SENSITIVE WILDLIFE SPECIES OBSERVED OR WITH POTENTIAL TO OCCUR

SPECIES	SENSITIVITY[1] Federal State City	POTENTIAL TO OCCUR / PREFERRED HABITAT / RANGE / RECORDS NEAR THE SPECIFIC PLAN AREA
Birds (cont.)		
Short-eared owl (*Asio flammeus*)	BCC -- --	**Potential.** The breeding range of the short-eared owl in North American includes areas of northern California to central Missouri and north to the Great Lakes area, and all areas to the north. All areas in the United States that lie south of the year-round range are within the wintering (non-breeding) range. Short-eared owls are known to move to follow fluctuations in prey base (USFWS 2016). May be present in the Specific Plan area if a large prey base is present.
Burrowing owl (*Athene cunicularia*)	BCC SSC MSCP Covered	**No Potential.** In general, burrowing owl habitat is composed of drier, open areas that can include prairies, grasslands, and savannas. The burrowing owl can be found living in deserts, farmlands, pastures, cemeteries, airports, vacant lots, university campuses, golf courses, and other urban areas. Burrowing owls are dependent on the presence of fossorial mammals (primarily prairie dogs and ground squirrels), whose burrows are used for nesting and roosting (USFWS 2016). Non-native grassland, disturbed habitat, and urban areas have been mapped within the Specific Plan area, however, the nearest observation of this species is approximately 2.5 miles to the south.
Oak titmouse (*Baeolophus inornatus*)	BCC -- --	**No Potential.** Oak titmice live in warm, open, dry oak or oak-pine woodlands. Many use scrub oaks or other brush as long as woodlands are nearby. Occasionally, oak titmice nest in stumps, fence posts, pipes, eaves, holes in riverbanks, or nest boxes (CDFW 2016a). No oak woodlands are mapped in the Specific Plan area.
Red knot (*Calidris canutus* ssp. *roselaari*)	BCC -- --	**No Potential.** Red knots breed in dry tundra and sparsely vegetated hillsides. Outside of breeding season, they are found in intertidal marine habitats, especially near coastal inlets, estuaries, and bays. The *roselaari* subspecies winters in coastal western Mexico (USFWS 2016). Although the species is found where Rose Creek enters the Pacific Ocean, it is unlikely to be seen in the Specific Plan area as the species does not often travel inland outside of breeding season.
Costa's hummingbird (*Calypte costae*)	BCC -- --	**Potential.** Costa's hummingbird frequents desert, semi-desert, arid brushy foothills, and chaparral in migration and winters in adjacent mountains, open meadows, and gardens. It breeds in the southwestern United States, covering the southeastern border of California, southwestern border of Arizona, as well as northwestern Mexico, while wintering on the north half of Mexico's west coast (CDFW 2016a). Arid foothills and gardens are present in the Specific Plan area.

Table 4 (cont.)
SENSITIVE WILDLIFE SPECIES OBSERVED OR WITH POTENTIAL TO OCCUR

SPECIES	SENSITIVITY[1] Federal State City	POTENTIAL TO OCCUR / PREFERRED HABITAT / RANGE / RECORDS NEAR THE SPECIFIC PLAN AREA
Birds (cont.)		
San Diego cactus wren (*Camphylorhynchus brunneicapillus sandiegensis*)	BCC SSC MSCP Covered	**No Potential.** The key element of San Diego cactus wren habitat is thickets of cholla (*Opuntia prolifera*) or prickly-pear cacti (*O. littoralis*, *O. oricola*) tall enough to support and protect the birds' nests (Shuford et al. 2008b). The San Diego cactus wren has a very limited range, extending from extreme northwestern Baja California, Mexico north through the coastal lowlands of San Diego County and into southern Orange County (Rea and Weaver 1990 *in* Shuford et al. 2008b). No large thickets of cactus were mapped in the Specific Plan area.
Lawrence's goldfinch (*Carduelis lawrencei*)	BCC -- --	**Potential.** This species inhabits arid and open woodlands near three features: chaparral or other brushy areas; tall annual weed fields; and a water source such as a stream, small lake, or farm pond. It breeds in California and is a permanent resident of the southern part of the state while also wintering in southern Arizona, southwestern New Mexico, northwestern Mexico, and the northern border of the Baja Peninsula. Most arrive in southern California by early March, and depart in fall by late September (USFWS 2016). Water, non-native vegetation, and riparian woodland are present in the Specific Plan area.
Western snowy plover (*Charadrius alexandrinus nivosus*)	FE SSC MSCP Covered	**No Potential**. Inhabits sandy beaches, salt pond levees, and shores of large alkali lakes. This species needs sandy, gravelly, or friable soils for nesting (CDFW 2016a). No beaches with gravelly soils are present in the Specific Plan area.
Mountain plover (*Charadrius montanus*)	BCC -- MSCP Covered	**No Potential.** Mountain plovers are generally found in open, flat, dry tablelands with low, sparse vegetation. Most birds winter from north-central California to the Mexico border, with some birds west of the Coast Range in southern countries. They depart California wintering grounds in March and head to breeding areas in Colorado, Montana, and Wyoming (USFWS 2016). No open, flat habitat is present in the Specific Plan area.

Table 4 (cont.)
SENSITIVE WILDLIFE SPECIES OBSERVED OR WITH POTENTIAL TO OCCUR

SPECIES	SENSITIVITY[1] Federal State City	POTENTIAL TO OCCUR / PREFERRED HABITAT / RANGE / RECORDS NEAR THE SPECIFIC PLAN AREA
Birds (cont.)		
Olive-sided flycatcher (*Contopus cooperi*)	BCC -- --	**No Potential.** Breeds in montane and northern coniferous forests, at forest edges and openings, such as meadows and ponds. Winters at forest edges and clearings where tall trees or snags are present. The olive-sided flycatcher breeds in the western United States as well as throughout Canada and Alaska, while wintering in southern Mexico and Central America (USFWS 2016). There are no coniferous forests mapped in the Specific Plan area.
Southern willow flycatcher (*Empidonax traillii extimus)*	FE SE MSCP Covered	**No Potential.** The southwestern willow flycatcher uses well-developed willow riparian forest (CDFW 2016a). Although southern willow scrub is mapped in the Specific Plan area, the small stand of habitat present is unlikely to support this species.
Peregrine falcon (*Falco peregrines anatum*)	BCC -- MSCP Covered	**Potential.** Inhabits areas near wetlands, lakes, rivers, or other water; on cliffs, banks, dunes, mounds; also, human-made structures (CDFW 2016a). Rose Creek and human-made structures are present in the Specific Plan area.
Gull-billed tern (*Gelochelidon nilotica*)	BCC -- --	**Potential.** Breeds on gravelly or sandy beaches while wintering in salt marshes, estuaries, lagoons, and plowed fields. On the pacific coast of the United States, gull-billed terns occur only in southern California where they breed in small numbers along the south coast of San Diego County and on the shores of the Salton Sea, east of San Diego (USFWS 2016). Salt marsh is mapped adjacent to the Specific Plan area.
Black oystercatcher (*Haematopus bachmani*)	BCC -- --	**No Potential.** The black oystercatcher's habitat includes rocky seacoasts and islands, and less commonly sandy beaches. It breeds along the Pacific coast of North America, from Alaska to Baja California, and winters along the coast of southern California. Most individuals only undergo post-breeding, short-distance migration, and generally remain near nesting areas (CDFW 2016a). The Specific Plan area does not encompass any beaches or sea coast.

Table 4 (cont.)
SENSITIVE WILDLIFE SPECIES OBSERVED OR WITH POTENTIAL TO OCCUR

SPECIES	SENSITIVITY[1] Federal State City	POTENTIAL TO OCCUR / PREFERRED HABITAT / RANGE / RECORDS NEAR THE SPECIFIC PLAN AREA
Birds (cont.)		
Bald eagle (*Haliaeetus leucocephalus*)	BCC -- MSCP Covered	**No Potential.** Bald eagles breed and winter in forested areas adjacent to large bodies of water. Throughout their range, they select large, super-canopy roost trees that are open and accessible. Bald eagles breed throughout much of Canada and Alaska, in addition to scattered sites across the lower 48 states, from California to the southeastern U.S. coast and Florida. Wintering covers most of the contiguous United States, with some year-round distribution in the northwest (USFWS 2016). Although water is present in the Specific Plan area (Rose Creek) and trees are present, the forested area and body of water are not large enough to support bald eagles.
Least bittern (*Ixobrychus exilis*)	-- SSC --	**Potential.** The Least bittern is a colonial nester in marshlands and borders of ponds and reservoirs that provide ample cover. Nests are usually placed low in vegetation, over water (CDFW 2016a). Marsh habitat was mapped in the Specific Plan area.
Short-billed dowitcher (*Limnodromus griseus*)	BCC -- --	**Potential.** Breeds in muskegs of taiga to timberline, and barely onto subarctic tundra. Winters on coastal mud flats and brackish lagoons. In migration prefers saltwater tidal flats, beaches, and salt marshes. They winter along the east and west coasts of the United States (CDFW 2016a). Salt marsh was mapped adjacent to the Specific Plan area.
Marbled godwit (*Limosa fedoa*)	BCC -- --	**Potential.** Breeds in marshes and flooded plains. In migration and winter, it is also found on mudflats and beaches. The marbled godwit breeds in Montana, North and South Dakota, to Alberta, Saskatchewan and Manitoba in Canada. Marbled godwits winter along the east and west coasts of the United States and the Gulf of Mexico and are transient elsewhere (CDFW 2016a). Marsh habitat has been mapped in the Specific Plan area.

Table 4 (cont.)
SENSITIVE WILDLIFE SPECIES OBSERVED OR WITH POTENTIAL TO OCCUR

SPECIES	SENSITIVITY[1] Federal State City	POTENTIAL TO OCCUR / PREFERRED HABITAT / RANGE / RECORDS NEAR THE SPECIFIC PLAN AREA
Birds (cont.)		
Lewis's woodpecker (*Melanerpes lewis*)	BCC -- --	**No Potential.** Important habitats for Lewis's woodpeckers include open ponderosa pine forest, open riparian woodland dominated by cottonwood, and logged or burned pine forest. They reuse existing nest holes or natural cavities in trees and do not use newly excavated ones. Lewis's woodpeckers breed from southern British Columbia to Arizona and New Mexico; this range also covers California east to Colorado. They winter from southern British Columbia throughout the southwestern United States. They are migratory within the northern portion of their breeding range, and remain present throughout the year in many portions of their breeding range (USFWS 2016). The small stands of southern willow scrub and southern riparian forest in the Specific Plan area are likely not large enough to support this species.
Long-billed curlew (*Numenius americanus*)	BCC -- MSCP Covered	**Potential.** Short-grass or mixed prairie habitat with flat to rolling topography is preferred while breeding; tidal estuaries, wet pasture habitats and sandy beaches are preferred while wintering; and a wide range of habitats used during migration. Wintering range includes costal and central portions of California, costal Baja California, Texas' Gulf coast, and much of Mexico (USFWS 2016). The Specific Plan area may be used during migration or wintering.
Whimbrel (*Numenius phaeopus*)	BCC -- --	**Potential.** Breeds in tundra habitat, from wet lowlands to dry heath. In migration, frequents various coastal and inland habitats, including fields and beaches. Winters in tidal flats and shorelines, occasionally visiting inland habitats (CDFW 2016a). Wintering habitat is present in the Specific Plan area.
Ashy storm-petrel **(***Oceanodroma homochroa*)	BCC -- --	**No Potential.** Breeding habitat requires rocky islands among talus slopes. Ashy storm-petrels spend most of their time at sea, and only visit land to court and tend to chicks (USFWS 2016). No suitable habitat is present in the Specific Plan area.

Table 4 (cont.)
SENSITIVE WILDLIFE SPECIES OBSERVED OR WITH POTENTIAL TO OCCUR

SPECIES	SENSITIVITY[1] Federal State City	POTENTIAL TO OCCUR / PREFERRED HABITAT / RANGE / RECORDS NEAR THE SPECIFIC PLAN AREA
Birds (cont.)		
Sage thrasher **(***Oreoscoptes montanus*)	BCC -- --	**No Potential.** The sage thrasher breeds exclusively in shrubsteppe habitats. Expanses of dense sagebrush provide concealment, and bare ground provides foraging opportunities. During migration and winter, they move to grasslands with scattered shrubs and open pinyon-juniper woodlands. It breeds from south central British Columbia, through Washington, Oregon, and California. This range extends east to Nevada, Idaho, Montana, Utah, Colorado, and New Mexico (USFWS 2016). No shrubsteppe habitat is present in the Specific Plan area.
Belding's savannah sparrow (*Passerculus sandwichensis beldingi*)	-- SE MSCP Covered	**Potential.** Inhabits coastal salt marshes, from Santa Barbara south through San Diego County. Nests in *Salicornia* sp. on and within the margins of tidal flats (CDFW 2016a). Salt marsh has been mapped adjacent to the Specific Plan area.
Fox sparrow (*Passerella iliaca*)	BCC -- --	**Potential.** Breeding occurs primarily in remote areas, and in winter they move into backyard thickets. Fox sparrows breed in coniferous forest and dense mountain scrub. They spend winters in scrubby habitat, forests, and in backyards (CDFW 2016a). Scrubby and urban areas within the Specific Plan area may be used in winter.
Nuttall's woodpecker (*Picoides nuttallii*)	BCC -- --	**Potential.** Found primarily in oak woodlands, but also found in riparian woodlands. Tree nest cavity excavated by males with little assistance from females; male may roost in cavity as it nears completion. Year-round distribution occurs from northern California and southward to northwestern Baja California (USFWS 2016). This species is likely to be found in the Specific Plan area within the riparian forest or southern willow scrub.

Table 4 (cont.)
SENSITIVE WILDLIFE SPECIES OBSERVED OR WITH POTENTIAL TO OCCUR

SPECIES	SENSITIVITY[1] Federal State City	POTENTIAL TO OCCUR / PREFERRED HABITAT / RANGE / RECORDS NEAR THE SPECIFIC PLAN AREA
Birds (cont.)		
Green-tailed towhee (*Pipilo chlorurus*)	BCC -- --	**No Potential.** Green-tailed towhees live in dense, shrubby habitat, sometimes with scattered trees or cacti, as well as sagebrush shrubsteppe. The shrubby regrowth that appears after certain logging practices, or 8 to 15 years after forest fires, provides good towhee habitat. During winter, they move to dry washes, arroyos, mesquite thickets, oak-juniper woodland, creosote bush, and desert grasslands. Green-tailed towhees breed in the Western United States from California to Colorado, with their range extending north to Montana and south to New Mexico. They winter in Mexico, as well as several southwestern states including California, Nevada, Arizona, New Mexico, and Texas (CDFW 2016a). Appropriate shrubby habitat is not present in the Specific Plan area.
Coastal California gnatcatcher (*Polioptila californica californica*)	FT SSC MSCP Covered	**No Potential.** The coastal California gnatcatcher is closely associated with coastal sage scrub vegetation, and it utilizes this community for foraging and nesting. The birds remain on their territory throughout the year and expand their home range during non-breeding season (Preston et al. 1998, Grishaver et al. 1998 *in* Mock 2004). Diegan coastal sage scrub was mapped within the Specific Plan area however, it is small, low quality, and unlikely to support the species.
Cassin's auklet (*Ptychoramphus aleuticus*)	BCC -- --	**No Potential.** Cassin's auklet can be found feeding in flocks and nesting in colonies from Alaska to Mexico. This species is primarily a sea bird (CDFW 2016a). The Specific Plan area is too far inland to provide habitat for this species.
Ridgway's rail (*Rallus obsoletus*)	FE SE MSCP Covered	**Potential.** This species is found in salt marshes traversed by tidal sloughs, where cordgrass and pickleweed are the dominant vegetation. This species requires dense growth of either pickleweed or cordgrass for nesting or escape cover, where it feeds on mollusks and crustaceans (CDFW 2016a). Salt marsh has been mapped adjacent to the Specific Plan area.

Table 4 (cont.)
SENSITIVE WILDLIFE SPECIES OBSERVED OR WITH POTENTIAL TO OCCUR

SPECIES	SENSITIVITY[1] Federal State City	POTENTIAL TO OCCUR / PREFERRED HABITAT / RANGE / RECORDS NEAR THE SPECIFIC PLAN AREA
Birds (cont.)		
Black skimmer (*Rynchops niger*)	BCC -- --	**No Potential.** Black skimmers can be found at open sandy beaches, gravel or shell bars with sparse vegetation, and occasionally at inland lakes. Particularly in the southeastern United States, artificial islands made from dredge spoils are an important nesting habitat for black skimmers. It is almost exclusively a coastal species, with the western population breeding in southern California and Mexico (USFWS 2016). No beach habitat or inland lakes are present within the Specific Plan area.
Allen's hummingbird **(***Selasphorus sasin*)	BCC -- --	**Potential.** Breeds in moist coastal areas, scrub, chaparral, and forests. Winters in forest edge and scrub clearings with flowers. Allen's hummingbirds winter along the pacific coast of central Mexico. Most are short to medium distance migrants, going between breeding areas along the pacific coast of California and Oregon (USFWS 2016). Coastal scrub is present in the Specific Plan area.
Yellow warbler (*Setophaga petechia*)	BCC SSC --	**Observed.** The yellow warbler can be found in riparian woodland, Mojave riparian forest, mule fat scrub, or southern willow scrub in California during its breeding season. It winters in Central America and South America (CDFW 2016a). Riparian woodland and southern willow scrub is mapped in the Specific Plan area. This species was observed in the Rose Creek corridor in 2014 during surveys for the Rose Creek Bike Path (HELIX 2015).
Black-chinned sparrow (*Spizella atrogularis*)	BCC -- --	**No Potential.** During breeding season, black-chinned sparrows can be found in arid brush lands on rugged mountain slopes. While wintering, resident populations occupy habitat similar to, but downslope from, breeding areas, with other populations inhabiting desert grasslands. Breeding mostly occurs in California, Baja California, Arizona, and New Mexico, but this range covers small portions of southern Nevada and southwestern Utah. Wintering range covers Baja California Sur and northern Mexico. Populations in central California and Baja California migrate south to Baja California Sur (USFWS 2016). No rugged mountain slopes are present in the Specific Plan area.

Table 4 (cont.)
SENSITIVE WILDLIFE SPECIES OBSERVED OR WITH POTENTIAL TO OCCUR

SPECIES	SENSITIVITY[1] Federal State City	POTENTIAL TO OCCUR / PREFERRED HABITAT / RANGE / RECORDS NEAR THE SPECIFIC PLAN AREA
Birds (cont.)		
Brewer's sparrow (*Spizella breweri*)	BCC -- --	**No Potential.** Breeding habitat for Brewer's sparrow includes shrublands, sagebrush-dominated landscapes, pinon-juniper woodlands, or coniferous forest. Their winter range includes sagebrush shrublands, and desert dominated by saltbrush and creosote (USFWS 2016). No suitable habitat has been mapped in the Specific Plan area.
California least tern (*Sternula antillarum browni*)	FE SE MSCP Covered	**No Potential.** The California least tern nests along the coast from San Francisco bay south to northern Baja California. It is a colonial breeder found on bare or sparsely vegetated, flat substrates: sand beaches, alkali flats, landfills, or paved areas (CDFW 2016a). This species is known from Mission Bay but is unlikely to travel inland to the Specific Plan area.
Lesser yellowlegs (*Tringa flavipes*)	BCC -- --	**Potential.** Lesser yellowlegs are common breeders in boreal forest and forest/tundra transition habitats. Wintering habitat includes tidal flats, shallow lagoons, and marshes. Wintering occurs along the coasts of California, Baja California, southeastern United States, and along the Gulf of Mexico, in addition to southeastern Texas and throughout Central America (USFWS 2016). Wintering habitat is present in the Specific Plan area.
Least Bell's vireo (*Vireo bellii pusillus*)	FE SE MSCP Covered	**Observed.** The least Bell's vireo is found in mature riparian woodland, Mojave riparian forest, mule fat scrub, or southern willow scrub in California and northern Baja California, Mexico during its breeding season (CDFW 2016a). It winters in southern Baja California, Mexico. This species was observed in the Rose Creek corridor in 2014 during surveys for the Rose Creek Bike Path (HELIX 2015).

Table 4 (cont.)
SENSITIVE WILDLIFE SPECIES OBSERVED OR WITH POTENTIAL TO OCCUR

SPECIES	SENSITIVITY[1] Federal State City	POTENTIAL TO OCCUR / PREFERRED HABITAT / RANGE / RECORDS NEAR THE SPECIFIC PLAN AREA
Mammals		
Pocketed free-tailed bat (*Nyctinomops femorosaccus*)	-- SSC --	**No Potential.** This species is found in a variety of arid areas in southern California: pine-juniper woodlands, desert scrub, palm oasis, desert wash, and desert riparian habitats. They prefer rocky areas with high cliffs (CDFW 2016a). No suitable rocky habitat is present in the Specific Plan area.
Big free-tailed bat (*Nyctinomops macrotis*)	-- SSC --	**No Potential.** This bat is found in low-lying arid areas in southern California. This species requires high cliffs or rocky outcrops for roosting sites. It feeds principally on large moths (CDFW 2016a). No rocky outcrops are mapped in the Specific Plan area.
Pacific pocket mouse (*Perognathus longimembris pacificus*)	FE SSC --	**No Potential.** This mouse inhabits the narrow coastal plains from the Mexican border north to El Segundo, Los Angeles County. They prefer soils of fine alluvial sands generally within one mile of the ocean. Only three populations of these species are known. The southernmost population is located on Camp Pendleton (CDFW 2016a). The Specific Plan area is outside of the known range of the species.

[1] See Appendix A for an explanation of sensitivity codes.

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3.4 JURISDICTIONAL WATERS/WETLANDS

Agencies with jurisdictional authority over wetlands and other jurisdictional water resources within the Specific Plan area include the U.S. Army Corps of Engineers (USACE), USFWS (if listed species are present), CDFW, Regional Water Quality Control Board (RWQCB), and the City. There are five vegetation communities in the Specific Plan area that are considered potential jurisdictional waters or wetlands (freshwater marsh, southern willow scrub, southern riparian forest, non-native riparian, and streambed). Additionally, the National Wetlands Inventory (USFWS 2014) shows areas mapped as "riverine" and "freshwater forested/shrub wetland." Both wetland types occur within Rose Creek in the western portion of the Specific Plan area. The USGS topographic map of the Specific Plan area was also reviewed, and does not show any additional waters not shown in the National Wetlands Inventory. An assessment of wetland and waters resources would need to be made at the project level for all subsequent development proposals. If warranted, a formal jurisdictional delineation would need to be conducted to identify the precise boundaries of these resources to determine the extent of the existing waters/wetlands and to accurately determine if any impacts would occur from any proposed future project.

3.4.1 U.S. Army Corps of Engineers

Wetlands—As stated in the federal regulations for the Clean Water Act, wetlands are defined as:

> "…those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances, do support a prevalence of vegetation typically adapted for life in saturated soil…" (EPA, 40 CFR 230.3 and CE, 33 CFR 328.3)

Wetlands are delineated using three parameters: hydrophytic vegetation, wetland hydrology, and hydric soils. According to the USACE, indicators for all three parameters must be present to qualify an area as a wetland.

Waters of the U.S.—In accordance with Section 404 of the Clean Water Act, the USACE regulates the discharge of dredged or fill material into waters of the U.S. The term "waters of the U.S." is defined as:

- All waters currently used, or used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters subject to the ebb and flow of the tide;
- All interstate waters including interstate wetlands;
- All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds; the use, degradation, or destruction of which could affect foreign commerce including any such waters: (1) which could be used by interstate or foreign travelers for recreational or other purposes; or (2) from which fish or shellfish are, or could be taken and sold in interstate or foreign commerce; or (3) which are used or could be used for industries in interstate commerce;
- All other impoundments of waters otherwise as defined as waters of the U.S. under the definition;
- Tributaries of waters identified above;

- The territorial seas; and wetlands adjacent to waters (other than waters that are themselves wetlands) identified in the paragraphs above [33 CFR Part 328.3(a)].

The USACE also requires the delineation of non-wetland jurisdictional waters. These waters must have strong hydrology indicators such as the presence of seasonal flows and an ordinary high water mark. An ordinary high water mark is defined as:

> …that line on the shore established by the fluctuations of water and indicated by physical characteristics such as [a] clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas (33 CFR Part 328.3).

Areas delineated as non-wetland jurisdictional waters may lack wetland vegetation or hydric soil characteristics. Hydric soil indicators may be missing because topographic position precludes ponding and subsequent development of hydric soils. Absence of wetland vegetation can result from frequent scouring due to rapid water flow. These types of jurisdictional waters are delineated by the lateral and upstream/downstream extent of the ordinary high water mark of the particular drainage or depression.

3.4.2 California Department of Fish and Wildlife

Under sections 1600–1607 of California Fish and Game Code, the CDFW regulates activities that would divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake that supports fish or wildlife and requires a Streambed Alteration Agreement for such activities. The CDFW issues a Streambed Alteration Agreement with any necessary mitigation to ensure protection of the state of California's fish and wildlife resources. The CDFW has jurisdiction over riparian habitats associated with watercourses. Jurisdictional waters are delineated by the outer edge of riparian vegetation or at the top of the bank of streams or lakes, whichever is wider.

3.4.3 Regional Water Quality Control Board

The RWQCB is the regional agency responsible for protecting water quality in California. The jurisdiction of this agency includes all waters of the state and all waters of the U.S. as mandated by both the federal Clean Water Act and the California Porter-Cologne Water Quality Control Act. State waters generally include, but are not limited to, all waters under the jurisdiction of the USACE, in addition to isolated waters.

3.4.4 City of San Diego

According to City Municipal Code (Chapter 11, Article 3, Division 1), areas that are characterized by any of the following conditions are considered wetlands:

(a) All areas persistently or periodically containing naturally occurring wetland vegetation communities characteristically dominated by hydrophytic vegetation, including but not limited to salt marsh, brackish marsh, freshwater marsh, riparian forest, oak riparian forest, riparian woodlands, riparian scrub, and vernal pools;

(b) Areas that have hydric soils or wetland hydrology and lack naturally occurring wetland vegetation communities because human activities have removed the historic wetland

vegetation, or catastrophic or recurring natural events or processes have acted to preclude the establishment of wetland vegetation as in the case of salt pannes and mudflats;

(c) Areas lacking wetland vegetation communities, hydric soils, and wetland hydrology due to non-permitted filling of previously existing wetlands; and/or

(d) Areas mapped as wetlands on Map No. C-713 as shown in Chapter 13, Article 2, Division 6 (Sensitive Coastal Overlay Zone).

The California Coastal Commission (CCC) is the agency responsible for overseeing land use and public access within the California Coastal Zone. The City, through its certified Local Coastal Program (LCP), regulates activities affecting coastal resources within the Coastal Zone and has the local authority to issue a Coastal Development Permit (CDP) for projects.

Projects requiring a CDP within the Specific Plan area must obtain a CDP from the City (in those areas covered by the City's LCP). Mission Bay, located to the southwest of the Specific Plan area, is considered a deferred certification area. Any project requiring a CDP in a deferred certification area must apply for the permit through the CCC.

As defined in the Coastal Act, Section 30121, the City's LCP also defines the term "wetland" as:

Lands within the coastal zone that may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

Regulations (California Code of regulation Title 14 (14 CCR) establish a "one parameter definition" that only requires evidence of a single parameter to establish wetland conditions and is as follows:

Wetland shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking, and soil is poorly developed or absent because of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity, or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats (14 CCR Section 13577).

3.5 WILDLIFE MOVEMENT CORRIDORS

Regional wildlife corridors connect otherwise isolated blocks of habitat allowing movement or dispersal of plants and wildlife over a large scale and the consequent mixing of genes between populations. Local wildlife corridors allow access to resources such as food, water, and shelter within the framework of its daily routine. Wildlife movement corridors are considered sensitive by the City and resource and conservation agencies.

Most of the Specific Plan area is developed. Rose Creek, located in the western portion of the Specific Plan area, is surrounded by development to the east and west (Figure 4). Rose Creek enters Mission Bay approximately half a mile south of the Specific Plan area and enters San Clemente Canyon approximately two miles north of the Specific Plan area. Although the Rose Canyon Creek corridor does not connect two large bodies of undeveloped area, it provides local access to resources for resident or

migratory species. The Kendall-Frost Mission Bay Marsh Preserve is located approximately 0.3 mile west of where Rose Creek enters Mission Bay. A beach, approximately 60 to 100 feet wide, 200 feet of which is paved, lies between Rose Creek and the preserve. This network of habitat between the preserve to the southwest, and San Clemente Canyon to the northeast, makes Rose Creek part of a potential movement corridor for migrating birds.

The railroad ROW that runs through the eastern portion of the Specific Plan area may act as a corridor for wildlife (Figure 4). The railroad ROW is surrounded by low-quality habitat such as disturbed habitat and non-native grassland, with some sections of fragmented Diegan coastal sage scrub. It is highly disturbed, with frequent trains passing through the area, and is adjacent to roads and commercial buildings. Despite being low quality, it is a linear arrangement of undeveloped habitat in a highly developed area, which could be used on occasion by some common wildlife species to move between larger patches of habitat, such as Stevenson Canyon or Tecalote Canyon to the east.

4.0 REGULATORY FRAMEWORK

The project is governed by the following local, state, and federal policies and regulations.

4.1 MULTIPLE SPECIES CONSERVATION PROGRAM

The City, USFWS, CDFW, and other local jurisdictions joined together in the late 1990s to develop the MSCP, a comprehensive program to preserve a network of habitat and open space in the region and ensure the viability of (generally) upland habitat and species, while still permitting some level of continued development. The City's MSCP Subarea Plan (1997a) was prepared pursuant to the outline developed by USFWS and CDFW to meet the requirements of the State Natural Communities Conservation Planning (NCCP) Act of 1992. Adopted by the City in March 1997, the Subarea Plan forms the basis for the MSCP Implementing Agreement, which is the contract between the City, USFWS, and CDFW (City 1997b). The Implementing Agreement ensures implementation of the Subarea Plan and thereby allows the City to issue "take" permits under the federal and state Endangered Species Acts to address impacts at the local level. Under the federal Endangered Species Act, an ITP is required when non-federal activities would result in "take" of a threatened or endangered species. A habitat conservation plan, such as the City's MSCP Subarea Plan, must accompany an application for a federal ITP. In July 1997, USFWS, CDFW, and City entered into the 50-year MSCP Implementing Agreement, wherein the City received its federal Endangered Species Act Section 10(a) ITP (City 1997b).

Pursuant to its MSCP permit issued pursuant to Section 10(a), the City has incidental "take" authority over 85 rare, threatened, and endangered species including regionally sensitive species that it aims to conserve (i.e., "MSCP Covered Species"). "MSCP Covered" refers to species that are covered by the City's federal ITP and considered to be adequately protected within the City's Preserve, the MHPA. Special "Conditions of Coverage" apply to MSCP Covered Species that would be potentially impacted by projects including modifying project design to avoid impacts to Covered Species in the MHPA where feasible. Additionally, all projects must adhere to MSCP Subarea Plan requirements including those for boundary line adjustments (Section 1.1.1); Compatible Land Uses, General Planning Policies/Design Guidelines, and MHPA Land Use Adjacency Guidelines (Sections 1.4.1-1.4.3), as well as general and specific management policies where applicable. Additional state and federal policy, regulations, and permits may also be required for wetlands and species not covered or fully covered under the MSCP.

The presence of undeveloped land in the Specific Plan area that may support sensitive plant and wildlife species both within and outside the MHPA means the City's MSCP Subarea Plan and Implementing Agreement are applicable to development of the Specific Plan area. Further discussion of the MSCP related to the project is provided in the following subsections.

4.1.1 Multi-Habitat Planning Area

The MHPA is the area within which the permanent MSCP preserve will be assembled and managed for its biological resources. Input from responsible agencies and other interested participants resulted in adoption of the City's MHPA in 1997. The City's MHPA areas are defined by "hard-line" limits "with limited development permitted based on the development area allowance of the OR-1-2 zone [open space residential zone]" (City 1997a) and MSCP Subarea Plan requirements.

The MHPA consists of public and private lands, much of which has been conserved. Conserved lands shown on the SanGIS database include lands that have been set aside for mitigation or purchased for conservation (Figure 5). These lands may be owned by the City (i.e., dedicated lands) or other agencies, may have conservation easements, or may have other restrictions (i.e., per the City's Municipal Code Environmentally Sensitive Lands [ESL] Regulations, etc.) that protect the overall quality of the resources and prohibit development.

In general, 25 percent of a property wholly in the MHPA can be developed. If 25 percent of the site is outside the MHPA, development could be restricted to this area. In addition, development is required to be in the least sensitive area feasible. Should more than 25 percent development area of a premise containing MHPA Land be desired, an MHPA boundary line adjustment may be proposed. The City's MSCP Subarea Plan states that adjustments to the MHPA boundary line are permitted without the need to amend the City's Subarea Plan, provided the boundary adjustment results in an area of equivalent or higher biological value. To meet this standard, the area(s) proposed for addition to the MHPA must meet the six functional equivalency criteria set forth in Section 5.4.2 of the Final MSCP Plan (City 1998). All MHPA boundary line adjustments require approval by the Wildlife Agencies and approval from a City discretionary hearing body.

For parcels located outside the MHPA, "there is no limit on the encroachment into sensitive biological resources, with the exception of wetlands, and listed non-covered species' habitat (which are regulated by state and federal agencies) and narrow endemic species." However, "impacts to sensitive biological resources must be assessed and mitigation, where necessary, must be provided in conformance" with the City's ESL Ordinance as implemented through compliance with the City's Biology Guidelines (City 2012).

The MSCP includes management priorities to be undertaken by the City as part of its MSCP implementation requirements. Those actions, identified as Priority 1, are required to be implemented by the City as a condition of the MSCP ITP to ensure that MSCP Covered Species are adequately protected. The actions identified as Priority 2 may be undertaken by the City as resources permit. The Specific Plan area is within the MHPA in the southwest corner (Figure 5).

4.1.2 MHPA Land Use Adjacency Guidelines

To address the integrity of the MHPA and mitigate for indirect impacts to the MHPA, guidelines were developed to manage land uses adjacent to the MHPA. The MHPA Land Use Adjacency Guidelines are

intended to be incorporated into the Mitigation Monitoring and Reporting Program and applicable permits during the development review phase of a proposed project. These guidelines address the issues of drainage, toxics, lighting, noise, barriers, invasive species, brush management, and grading/ land development.

4.1.3 MSCP Subarea Plan: General and Specific Uses, Policies, Guidelines, Directives, and Objectives

General – According to Section 1.4.1 of the City's Subarea Plan (1997a), the following land uses are considered conditionally compatible with the biological objectives of the MSCP and, thus, will be allowed within the City's MHPA: passive recreation, utility lines and roads in compliance with policies in Section 1.4.2, limited water facilities and other essential public facilities, limited low-density residential uses, brush management (zone 2), and limited agriculture.

Section 1.4.2 lists general planning policies and design guidelines that should be applied in the review and approval of development projects within or adjacent to the MHPA. The following guidelines may be applicable to the Specific Plan area:

Roads and Utilities - Construction and Maintenance Policies:

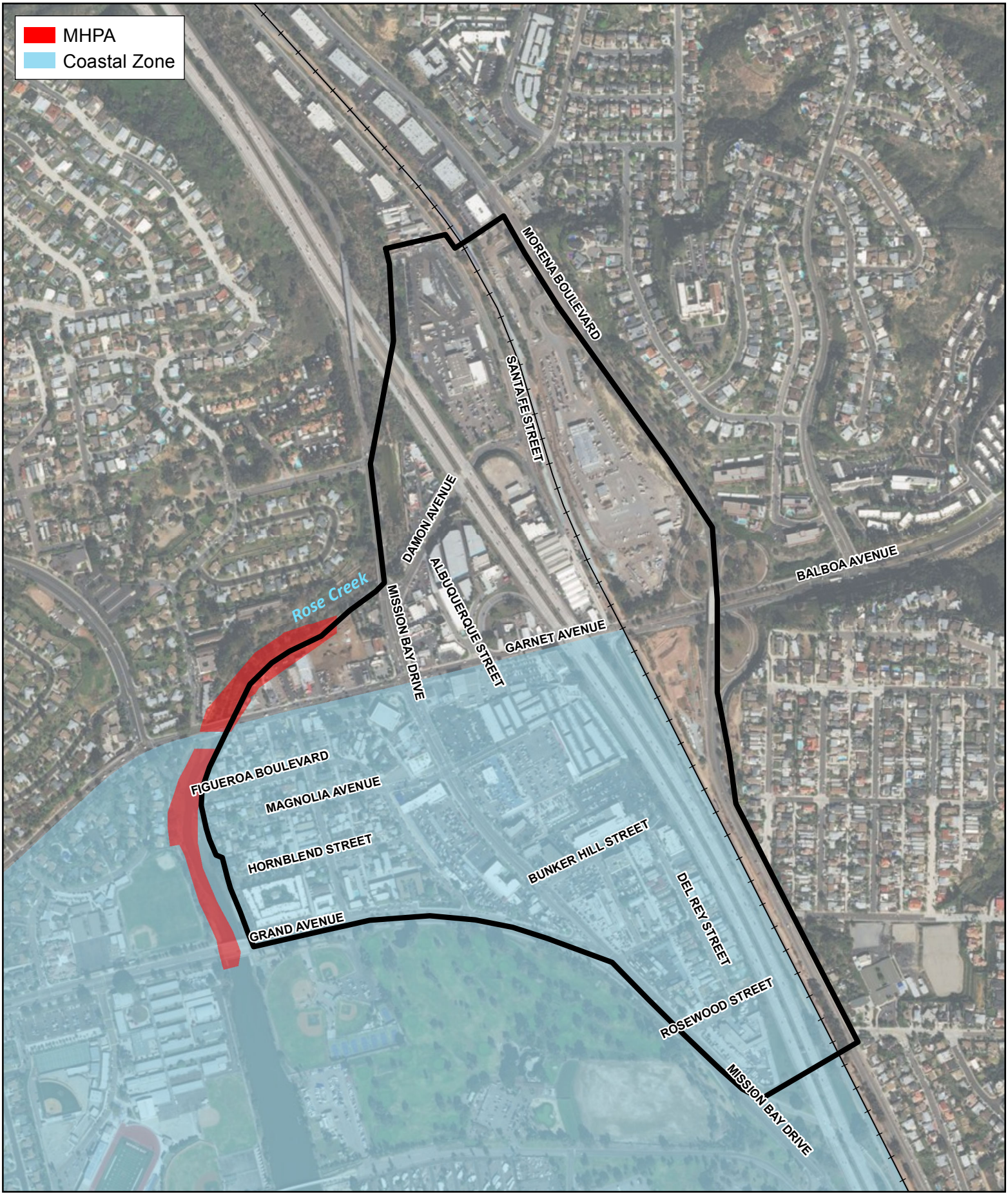
1. All proposed utility lines (e.g., sewer, water, etc.) should be designed to avoid or minimize intrusion into the MHPA. These facilities should be routed through developed or developing areas rather than the MHPA, where possible. If no other routing is feasible, then the lines should follow previously existing roads, easements, rights-of-way, and disturbed areas, minimizing habitat fragmentation.

2. All new development for utilities and facilities within or crossing the MHPA shall be planned, designed, located, and constructed to minimize environmental impacts. All such activities must avoid disturbing the habitat of MSCP Covered species, and wetlands. If avoidance is infeasible, mitigation will be required.

3. Temporary construction areas and roads, staging areas, or permanent access roads must not disturb existing habitat unless determined to be unavoidable. All such activities must occur on existing agricultural lands or in other disturbed areas rather than in habitat. If temporary habitat disturbance is unavoidable, then restoration of, and/or mitigation for, the disturbed area after project completion will be required.

4. Construction and maintenance activities in wildlife corridors must avoid significant disruption of corridor usage. Environmental documents and mitigation monitoring and reporting programs covering such development must clearly specify how this will be achieved, and construction plans must contain all the pertinent information and be readily available to crews in the field. Training of construction crews and field workers must be conducted to ensure that all conditions are met. A responsible party must be specified.

5. Roads in the MHPA will be limited to those identified in Community Plan Circulation Elements, collector streets essential for area circulation, and necessary maintenance/emergency access roads. Local streets should not cross the MHPA except where needed to access isolated development areas.



Balboa Avenue Station Area Specific Plan

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MHPA Lands and Coastal Zone

Figure 5

6. Development of roads in canyon bottoms should be avoided whenever feasible. If an alternative location outside the MHPA is not feasible, then the road must be designed to cross the shortest length possible of the MHPA to minimize impacts and fragmentation of sensitive species and habitat. If roads cross the MHPA, they should provide for fully-functional wildlife movement capability. Bridges are the preferred method of providing for movement, although culverts in selected locations may be acceptable. Fencing, grading, and plant cover should be provided where needed to protect and shield animals, and guide them away from roads to appropriate crossings.

7. Where possible, roads within the MHPA should be narrowed from existing design standards to minimize habitat fragmentation and disruption of wildlife movement and breeding areas. Roads must be in lower quality habitat or disturbed areas to the extent possible.

8. For the most part, existing roads and utility lines are considered a compatible use within the MHPA and, therefore, will be maintained. Exceptions may occur where underutilized or duplicative road systems are determined not to be necessary as identified in the Framework Management Section 1.5.

Fencing, Lighting, and Signage

1. Fencing or other barriers will be used where it is determined to be the best method to achieve conservation goals and adjacent to land uses incompatible with the MHPA. For example, use chain link or cattle wire to direct wildlife to appropriate corridor crossings, natural rocks/boulders or split rail fencing to direct public access to appropriate locations, and chain link to provide added protection of certain sensitive species or habitats (e.g., vernal pools).

2. Lighting shall be designed to avoid intrusion into the MHPA and effects on wildlife. Lighting in areas of wildlife crossings should be of low sodium or similar lighting. Signage will be limited to access and litter control and educational purposes.

Materials Storage

1. Prohibit storage of materials (e.g., hazardous or toxic, chemicals, equipment, etc.) within the MHPA and ensure appropriate storage per applicable regulations in any areas that may impact the MHPA, especially due to potential leakage.

Flood Control

1. Flood control should generally be limited to existing agreements with resource agencies unless demonstrated to be needed based on a cost benefit analysis and pursuant to a restoration plan. Floodplains within the MHPA, and upstream from the MHPA if feasible, should remain in a natural condition and configuration to allow for the ecological, geological, hydrological, and other natural processes to remain or be restored.

2. No berming, channelization, or manufactured constraints or barriers to creek, tributary, or river flows should be allowed in any floodplain within the MHPA unless reviewed by all appropriate agencies, and adequately mitigated. Review must include impacts to upstream and downstream habitats, flood flow volumes, velocities and configurations, water availability, and changes to the water table level.

3. No riprap, concrete, or other unnatural material shall be used to stabilize river, creek, tributary, and channel banks within the MHPA. River, stream, and channel banks shall be natural, and stabilized where necessary with willows and other appropriate native plantings. Rock gabions may be used where necessary to dissipate flows and should incorporate design features to ensure wildlife movement.

Section 1.5.1 sets management goals and objectives that apply throughout the Subarea Plan Area. According to Section 1.5.1, the overarching MSCP goal is to maintain and enhance biological diversity in the region and conserve viable populations of endangered, threatened, and key sensitive species and their habitats, thereby preventing local extirpation and ultimate extinction, and minimizing the need for future listings, while enabling economic growth in the region.

In order to assure that the goal of the MHPA is attained and fulfilled, management objectives for the City of San Diego MHPA are as follows:

1. To ensure the long-term viability and sustainability of native ecosystem function and natural processes throughout the MHPA.

2. To protect the existing and restored biological resources from intense or disturbing activities within and adjacent to the MHPA while accommodating compatible public recreational uses.

3. To enhance and restore, where feasible, the full range of native plant associations in strategic locations and functional wildlife connections to adjoining habitat to provide viable wildlife and sensitive species habitat.

4. To facilitate monitoring of selected target species, habitats, and linkages to ensure long-term persistence of viable populations of priority plant and animal species and to ensure functional habitats and linkages.

5. To provide for flexible management of the preserve that can adapt to changing circumstances to achieve the above objectives.

In support of those objectives, Section 1.5.2 of the Subarea Plan provides general management directives that apply throughout the Subarea Plan area. The following directives from Section 1.5.2 may be applicable to the Specific Plan area:

Public Access, Trails, and Recreation

Priority 1:

1. Provide sufficient signage to clearly identify public access to the MHPA. Barriers such as vegetation, rocks/boulders or fencing may be necessary to protect highly sensitive areas. Use appropriate type of barrier based on location, setting and use. For example, use chain link or cattle wire to direct wildlife movement, and natural rocks/boulders or split rail fencing to direct public access away from sensitive areas. Lands acquired through mitigation may preclude public access to satisfy mitigation requirements.

2. Locate trails, view overlooks, and staging areas in the least sensitive areas of the MHPA. Locate trails along the edges of urban land uses adjacent to the MHPA, or the seam between land uses

(e.g., agriculture/habitat), and follow existing dirt roads as much as possible rather than entering habitat or wildlife movement areas. Avoid locating trails between two different habitat types (ecotones) for longer than necessary due to the typically heightened resource sensitivity in those locations.

3. In general, avoid paving trails unless management and monitoring evidence shows otherwise. Clearly demarcate and monitor trails for degradation and off-trail access and use. Provide trail repair/maintenance, as needed. Undertake measures to counter the effects of trail erosion including the use of stone or wood cross joints, edge plantings of native grasses, and mulching of the trail.

4. Minimize trail widths to reduce impacts to critical resources. For the most part, do not locate trails wider than four feet in core areas or wildlife corridors. Exceptions are in the San Pasqual Valley where other agreements have been made, in Mission Trails Regional Park, where appropriate, and in other areas where necessary to safely accommodate multiple uses or disabled access. Provide trail fences or other barriers at strategic locations when protection of sensitive resources is required.

5. Limit the extent and location of equestrian trails to the less sensitive areas of the MHPA. Locate staging areas for equestrian uses at a sufficient distance (e.g., 300-500 feet) from areas with riparian and coastal sage scrub habitats to ensure that the biological values are not impaired.

6. Off-road or cross-country vehicle activity is an incompatible use in the MHPA, except for law enforcement, preserve management, or emergency purposes. Restore disturbed areas to native habitat where possible or critical, or allow to regenerate.

7. Limit recreational uses to passive uses such as birdwatching, photography, and trail use. Locate developed picnic areas near MHPA edges or specific areas within the MHPA, in order to minimize littering, feeding of wildlife, and attracting or increasing populations of exotic or nuisance wildlife (opossums, raccoons, skunks). Where permitted, restrain pets on leashes.

8. Remove homeless and itinerant worker camps in habitat areas as soon as found pursuant to existing enforcement procedures.

9. Maintain equestrian trails on a regular basis to remove manure (and other pet feces) from the trails and preserve system in order to control cowbird invasion and predation. Design and maintain trails where possible to drain into a gravel bottom or vegetated (e.g., grass-lined) swale or basin to detain runoff and remove pollutants.

Litter/Trash and Materials Storage

Priority 1:

1. Remove litter and trash on a regular basis. Post signage to prevent and report littering in trail and road access areas. Provide and maintain trash cans and bins at trail access points.

2. Impose penalties for littering and dumping. Fines should be sufficient to prevent recurrence and also cover reimbursement of costs to remove and dispose of debris, restore the area if needed, and to pay for enforcement staff time.

3. Prohibit permanent storage of materials (e.g., hazardous and toxic chemicals, equipment, etc.) within the MHPA and ensure appropriate storage per applicable regulations in any areas that may impact the MHPA due to potential leakage.

4. Keep wildlife corridor undercrossings free of debris, trash, homeless encampments, and all other obstructions to wildlife movement.

Priority 2:

1. Evaluate areas where dumping recurs for the need for barriers. Provide additional monitoring as needed (possibly by local and recreational groups on a "Neighborhood Watch" type program), and/or enforcement.

The Subarea Plan also contains several directives for Adjacency Management Issues, such as removal of illegal structures and educating residents about the MHPA, and several directives related to invasive species removal and flood control maintenance.

4.2 CITY OF SAN DIEGO ENVIRONMENTALLY SENSITIVE LANDS REGULATIONS

Environmentally Sensitive Lands (ESL) include sensitive biological resources, steep hillsides, coastal beaches, sensitive coastal bluffs, and 100-year floodplains. Mitigation requirements for sensitive biological resources follow the requirements of the City's Biology Guidelines (2012) as outlined in the City's Municipal Code ESL Regulations (Chapter 14, Article 3, Division 1). Impacts to biological resources within and outside the MHPA must comply with the ESL Regulations, which also serve as standards for the determination of biological impacts and mitigation under the California Environmental Quality Act (CEQA) in the City.

The purpose of the ESL Regulations is to, "protect, preserve and, where damaged, restore the ESL of San Diego and the viability of the species supported by those lands." The regulations require that development avoid impacts to certain sensitive biological resources as much as possible including but not limited to MHPA lands; wetlands and vernal pools in naturally occurring complexes; federal and state listed, non-MSCP Covered Species; and MSCP Narrow Endemic species. Furthermore, the ESL Regulations state that wetlands impacts should be avoided, and unavoidable impacts should be minimized to the maximum extent practicable. In addition to protecting wetlands, the ESL Regulations require that a buffer be maintained around wetlands, as appropriate, to protect wetland-associated functions and values. While a 100-foot buffer width is generally recommended, this width may be increased or decreased on a case-by-case basis in consultation with the CDFW, USACE, and USFWS (City 2012). Future development/redevelopment in accordance with the project will be required to comply with applicable City ESL Regulations.

The ESL present in the Specific Plan area include:

- Sensitive biological resources;
- Steep hillsides;
- Special Flood Hazard Areas.

The ESL pertaining to sensitive biological resources are assessed in this document.

4.3 CITY OF SAN DIEGO GENERAL PLAN POLICIES

The City's General Plan presents goals and policies for biological resources in the Conservation Element (City 2008). Relevant excerpts from this element are included in Table 5.

Table 5
CITY OF SAN DIEGO GENERAL PLAN POLICIES
RELATING TO BIOLOGICAL RESOURCES

Policy	Description
CE-B.1	Protect and conserve the landforms, canyon lands, and open spaces that: define the City's urban form; provide public views/vistas; serve as core biological areas and wildlife linkages; are wetlands habitats; provide buffers within and between communities; or provide outdoor recreational opportunities. a. Utilize Environmental Growth Funds and pursue additional funding for the acquisition and management of MHPA and other important community open space lands. b. Support the preservation of rural lands and open spaces throughout the region. c. Protect urban canyons and other important community open spaces including those that have been designated in community plans for the many benefits they offer locally, and regionally as part of a collective citywide open space system (see also Recreation Element, Sections C and F; Urban Design Element, Section A). d. Minimize or avoid impacts to canyons and other environmentally sensitive land by relocating sewer infrastructure out of these areas where possible, minimizing construction of new sewer access roads into these areas, and redirecting of sewage discharge away from canyons and other environmentally sensitive lands. e. Encourage the removal of invasive plant species and the planting of native plants near open space preserves. f. Pursue formal dedication of existing and future open space areas throughout the City, especially in core biological resource areas of the City's adopted MSCP Subarea Plan. g. Require sensitive design, construction, relocation, and maintenance of trails to optimize public access and resource conservation.
CE-B.2	Apply the appropriate zoning and ESL regulations to limit development of floodplains and sensitive biological areas including wetlands, steep hillsides, canyons, and coastal lands. a. Manage watersheds and regulate floodplains to reduce disruption of natural systems, including the flow of sand to the beaches. Where possible and practical, restore water filtration, flood and erosion control, biodiversity and sand replenishment benefits. b. Limit grading and alterations of steep hillsides, cliffs, and shoreline to prevent increased erosion and landform impacts.
CE-B.4	Limit and control runoff, sedimentation, and erosion both during and after construction activity.
CE-C.1	Protect, preserve, restore, and enhance important coastal wetlands and habitat (tide pools, lagoons, and marine canyons) for conservation, research, and limited recreational purposes.
CE-C.2	Control sedimentation entering coastal lagoons and waters from upstream urbanization using a watershed management approach that is integrated into local community and land use plans (see also Land Use Element, Policy LU-E-1).

Table 5 (cont.)
CITY OF SAN DIEGO GENERAL PLAN POLICIES
RELATING TO BIOLOGICAL RESOURCES

Policy	Description
CE-C.3	Minimize alterations of cliffs and shorelines to limit downstream erosion and to ensure that sand flow naturally replenishes beaches.
CE-C.4	Manage wetland areas as described in Section H, Wetlands, for natural flood control and preservation of landforms.
CE-C.6	Implement watershed management practices designed to reduce runoff and improve the quality of runoff discharged into coastal waters.
CE-D.3	Continue to participate in the development and implementation of watershed management plans. a. Control water discharge in a manner that does not reduce reasonable use by others, damage important native habitats and historic resources, or create hazardous conditions (e.g., erosion, sedimentation, flooding, and subsidence). b. Improve and maintain drinking water quality and urban runoff water quality through implementation of Source Water Protection Guidelines for New Development. c. Improve and maintain urban runoff water quality through implementation of storm water protection measures (see also Urban Runoff Management, Section E).
CE-D.4	Continue to develop and implement public education programs. a. Involve the public in addressing runoff problems associated with development and raising awareness of how an individual's activities contribute to runoff pollution. b. Work with local businesses and developers to provide information and incentives for the implementation of Best Management Practices for pollution prevention and control. c. Implement watershed awareness and water quality educational programs for City staff, community planning groups, the general public, and other appropriate groups.
CE-E.2	Apply water quality protection measures to land development projects early in the process- during project design, permitting, construction, and operations- in order to minimize the quantity of runoff generated on-site, the disruption of natural water flows and the contamination of storm water runoff. a. Increase on-site infiltration, and preserve, restore, or incorporate natural drainage systems into site design. b. Direct concentrated drainage flows away from the MHPA and open space areas. If not possible, drainage should be directed into sedimentation basins, grassy swales, or mechanical trapping devices prior to draining into the MHPA or open space areas. c. Reduce the number of impervious surfaces through selection of materials, site planning, and street design where possible. d. Increase the use of vegetation in drainage design. e. Maintain landscape design standards that minimize the use of pesticides and herbicides.

Table 5 (cont.)
CITY OF SAN DIEGO GENERAL PLAN POLICIES
RELATING TO BIOLOGICAL RESOURCES

Policy	Description
	f. Avoid development of areas particularly susceptible to erosion and sediment loss (e.g., steep slopes) and, where impacts are unavoidable, enforce regulations that minimize their impacts. g. Apply land use, site development, and zoning regulations that limit impacts on, and protect the natural integrity of topography, drainage systems, and water bodies. h. Enforce maintenance requirements in development permit condition.
CE-E.3	Require contractors to comply with accepted storm water pollution prevention planning practices for all projects. a. Minimize the amount of graded land surface exposed to erosion and enforce erosion control ordinances. b. Continue routine inspection practices to check for proper erosion control methods and housekeeping practices during construction.
CE-E.4	Continue to participate in the development and implementation of Watershed Management Plans for water quality and habitat protection.
CE-E.5	Assure that City departments continue to use "Best Practice" procedures so that water quality objectives are routinely implemented. a. Incorporate water quality objectives into existing regular safety inspections. b. Follow Best Management Practices and hold training sessions to ensure that employees are familiar with those practices. c. Educate City employees on sources and impacts of pollutants on urban runoff and actions that can be taken to reduce these sources. d. Ensure that contractors used by the City are aware of and implement urban runoff control programs. e. Serve as an example to the community-at-large.
CE-E.6	Continue to encourage "Pollution Control" measures to promote the proper collection and disposal of pollutants at the source, rather than allowing them to enter the storm drain system. a. Promote the provision of used oil recycling and/or hazardous waste recycling facilities and drop-off locations. b. Review plans for new development and redevelopment for connections to the storm drain system. c. Follow up on complaints of illegal discharges and accidental spills to storm drains, waterways, and canyons.
CE-E.7	Manage floodplains to address their multi-purpose use, including natural drainage, habitat preservation, and open space and passive recreation, while also protecting public health and safety.

Table 5 (cont.)
CITY OF SAN DIEGO GENERAL PLAN POLICIES
RELATING TO BIOLOGICAL RESOURCES

Policy	Description
CE-G.1	Preserve natural habitats pursuant to the MSCP, preserve rare plants and animals to the maximum extent practicable, and manage all City-owned native habitats to ensure their long-term biological viability. a. Educate the public about the impacts invasive plant species have on open space. b. Remove, avoid, or discourage the planting of invasive plant species. c. Pursue funding for removal of established populations of invasive species within open space.
CE-G.2	Prioritize, fund, acquire, and manage open spaces that preserve important ecological resources and provide habitat connectivity.
CE-G.3	Implement the conservation goals/policies of the City's MSCP Subarea Plan, such as providing connectivity between habitats and limiting recreational access and use to appropriate areas.
CE-G.4	Protect important ecological resources when applying floodplain regulations and development guidelines.
CE-G.5	Promote aquatic biodiversity and habitat recovery by reducing hydrological alterations, such as grading a stream channel.
CE-H.1	Use a watershed planning approach to preserve and enhance wetlands.
CE-H.2	Facilitate public-private partnerships that improve private, federal, state, and local coordination through removal of jurisdictional barriers that limit effective wetland management.
CE-H.3	Seek state and federal legislation and funding that support efforts to research, classify, and map wetlands including vernal pools and their functions, and improve restoration and mitigation procedures.
CE-H.4	Support the long-term monitoring of restoration and mitigation efforts to track and evaluate changes in wetland acreage, functions, and values.
CE-H.5	Support research and demonstration projects that use created wetlands to help cleanse urban and storm water runoff, where not detrimental to natural upland and wetland habitats.
CE-H.6	Support educational and technical assistance programs, for both planning and development professionals, and the general public, on wetlands protection in the land use planning and development process.
CE-H.7	Encourage site planning that maximizes the potential biological, historic, hydrological and land use benefits of wetlands.
CE-H.8	Implement a "no net loss" approach to wetlands conservation in accordance with all city, state, and federal regulations.
CE-J.1	Develop, nurture, and protect a sustainable urban/community forest.

4.3.1 Pacific Beach Community Plan

The Pacific Beach Community Plan applies within the Specific Plan area, west of the I-5 freeway (City 2005).

The community plan requires the preservation of water, marine, and biological resources. The Parks and Open Space Element contains recommendations for new development of properties abutting the North Marsh preserve, for rezoning Kate Sessions Park to Open Space Preserve, and for enhancement of the Rose Creek Flood Control Channel. In addition, beach and coastal bluff preservation is required. The

Commercial and Residential Elements in the community plan include standards for coastal bluff development.

Proposals for open space preservation and resource protection included in the Pacific Beach Community Plan are as follows:

- Designate the Rose Creek inlet and flood control channel as open space, and further develop the area adjacent to the floodway as a linear parkway with native riparian landscaping, pedestrian, and bicycle paths. Pursue funding sources, such as grants or landscape maintenance districts, to facilitate development and maintenance of this area. Develop and use maintenance standards for the flood control channel that will reconcile the conflicting goals of maintaining the channel to control floods and minimizing disturbance of the natural riparian habitat.

- Any public improvement projects adjacent to or within designated open space areas shall be reviewed by the Planning Department through the City Projects Review Task Force for potential environmental impacts and conformance with the policies and proposals of the Pacific Beach Community Plan.

- Placement of new utility infrastructure shall avoid open space areas serving as habitat preserves or conservation. Facilities shall avoid all sensitive habitats, plants, and animals when being located in any open space area and be absolutely excluded from open-space sites serving as mitigation and/or serving habitat preservation and conservation purposes. Other open space areas allowing public access and activity would be available for infrastructure with appropriate mitigation. The City shall work with public utilities to ensure their sensitivity to environmental considerations before granting permits for new facilities.

4.3.2 Clairemont Mesa Community Plan

The Clairemont Mesa Community Plan applies within the Specific Plan area east of I-5 (City 2011).

Objectives for open space and environmental resources listed in the Clairemont Mesa Community Plan include:

Preserve and enhance Marian Bear Memorial Park, Tecolote Canyon Natural Park, Stevenson Canyon, and the finger canyons to provide visual open space and community identity.

1. Reduce runoff and the alterations of the natural drainage system.

2. Minimize the contamination of Rose Creek and Tecolote Creek from urban pollutants and erosion.
3. Protect the resource value of canyon areas and plant and animal wildlife within the community.

4. Establish residential development guidelines in areas adjacent to the open space system to prevent the intrusion of incompatible development.

5. Prevent residential landscaping from modifying the biological resources of canyon areas by using plant species that are non-invasive and compatible with the native vegetation.

6. Protect the resource value of artifacts and paleontological remains and the community's heritage for future generations.

4.4 COASTAL ZONE

The southwestern portion of the Specific Plan area lies within the coastal overlay zone (Figure 5). The coastal overlay zone includes all areas south of Garnet Avenue and west of the railroad ROW. The southern half of the Specific Plan area is within the Coastal Zone, which overlaps with the Specific Plan area south of Garnet Avenue from Rose Creek to just east of I-5. No native vegetation community within the Specific Plan area occurs within the Coastal Zone.

Several limitations are put on development in the Coastal Zone including (City 2012):

- Any development in the coastal zone requires a CDP in addition to a Site Development Permit. Mission Bay, located to the southwest of the Specific Plan area, is considered a deferred certification area. Any project requiring a CDP in a deferred certification area must apply for the permit through the CCC. Projects requiring a CDP within the Specific Area Plan must obtain a CDP from the City (in those areas covered by the City's Local Coastal Program) or from the CCC dependent upon the projects specific location within the Plan Area.

- Wetland buffers should be provided at a minimum 100 feet wide adjacent to all identified wetlands within the Coastal Overlay Zone. The width of the buffer may be either increased or decreased as determined on a case-by-case basis, in consultation with the CDFW, USFWS, and USACE, taking into consideration the type and size of development, the sensitivity of the wetland resources to detrimental edge effects, natural features such as topography, the functions and values of the wetland, and the need for upland transitional habitat. Examples of functional buffers include areas of native or non-invasive landscaping, rock/boulder barriers, berms, walls, fencing, and similar features that reduce indirect impacts on the wetland. Measures to reduce adverse lighting and noise should also be addressed where appropriate. A 100-foot minimum buffer area shall not be reduced when it serves the functions and values of slowing and absorbing flood waters for flood and erosion control, sediment filtration, water purification, and ground water recharge.

- Impacts to wetlands shall be avoided and only those uses identified in the ESL (Chapter 14, Article 3, Division 1) shall be permitted, which are limited to aquaculture, nature study projects or similar resource dependent uses, wetland restoration projects, and incidental public service projects. Such impacts to wetlands shall occur only if they are unavoidable and the least environmentally-damaging feasible alternative, and if adequate mitigation is provided.

Before any application for a CDP and Economic Viability Determination[2] is accepted for processing, the project proponent must provide the following information in relation to the biological resources on the project site:

- Topographic, vegetative, hydrologic, and soils information prepared by a qualified professional, which identifies the extent of the wetlands on the property.

- An analysis of alternatives to the proposed project and an assessment of how the proposed project is the least environmentally damaging alternative. The analysis of alternatives shall include an assessment of how the proposed project will impact all adjacent wetlands and environmentally sensitive habitat areas including those within the overall development plan area.

Projects in the coastal overlay zone should be the minimum necessary as far as design, location, and size to provide the applicant with an economically viable use of the premises. The project must be the least environmentally damaging alternative and be consistent with all provisions of the certified Local Coastal Program except for the provision for which the deviation is requested. The findings adopted by the decision-making authority shall identify the evidence supporting the findings.

4.5 ENDANGERED SPECIES ACT

Administered by the USFWS, the federal Endangered Species Act provides the legal framework for the listing and protection of species (and their habitats) that are identified as being endangered or threatened with extinction. Actions that jeopardize endangered or threatened species and the habitats upon which they rely are considered a "take" under the Endangered Species Act. Section 9(a) of the Endangered Species Act defines take as to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct." "Harm" and "harass" are further defined in federal regulations and case law to include actions that adversely impair or disrupt a listed species' behavioral patterns.

Sections 10(a) and 7 of the federal Endangered Species Act regulate actions that could jeopardize endangered or threatened species. Section 10(a) allows issuance of permits for incidental take of endangered or threatened species. The term "incidental" applies if the taking of a listed species is incidental to and not the purpose of an otherwise lawful activity. A habitat conservation plan demonstrating how the taking would be minimized and what steps taken would ensure the species' survival must be submitted for issuance of Section 10(a) permits. Section 7 describes a process of federal interagency consultation for use when federal actions may adversely affect listed species. A Biological Assessment is required for any major construction activity if it may affect listed species. Take can be authorized via a letter of biological opinion, issued by the USFWS for non-marine related listed species

[2] The CCC requires that the decision-making authority shall hold a public hearing on any application for an economically viable use determination. Prior to approving a CDP for a use other than one provided for in the coastal conservation district, the decision-making authority shall make the following findings:

(1) Based on the economic information provided by the applicant, as well as any other relevant evidence, each use provided for in the coastal conservation district would not provide an economically viable use of the applicant's property.
(2) Restricting the use of the applicant's property to the uses provided for in the coastal conservation district would interfere with the applicant's reasonable investment-backed expectations.

issues. In addition, pursuant to Section 10(a), the City was issued a take permit for their adopted MSCP Subarea Plan.

The USFWS identifies endangered and threatened species critical habitat, which are areas of land considered necessary for endangered or threatened species to recover. The goal is to restore healthy populations of listed species within their native habitat, so they can be removed from the threatened/ endangered species list. Once an area is designated as critical habitat pursuant to the federal Endangered Species Act, all federal agencies must consult with the USFWS to ensure that any project they authorize, fund, or carry out is not likely to result in destruction or adverse modification of the critical habitat.

4.6 MIGRATORY BIRD TREATY ACT

All migratory bird species native to the United States or its territories are protected under the federal MBTA, as amended under the Migratory Bird Treaty Reform Act (MBTRA) of 2004 (FR Doc. 05-5127; USFWS 2004). The MBTA is generally protective of migratory birds but does not actually stipulate the type of protection required. In common practice, the MBTA is used to place restrictions on disturbance of active bird nests during the nesting season (generally February 15 to August 31). In addition, the USFWS commonly places restrictions on disturbances allowed near active raptor nests.

4.7 CLEAN WATER ACT

The USACE regulates impacts to waters of the U.S. under Section 404 of the Clean Water Act (CWA; 33 U.S.C. 401 et seq.; 33 U.S.C. 1344; U.S.C. 1413; and Department of Defense, Department of the Army, Corps of Engineers 33 CFR Part 323). The purpose of the CWA is to restore and maintain the chemical, physical, and biological integrity of all waters of the U.S. A federal CWA Section 404 Permit would be required for a project to place fill in waters of the U.S. Projects impacting waters of the U.S. could be permitted on an individual basis or be covered under one of several approved nationwide permits. Individual permits are assessed individually based on the type of action, amount of fill, etc. Individual permits typically require substantial time (often longer than one year) to review and approve, while nationwide permits are pre-approved if a project meets appropriate conditions. A CWA Section 401 Water Quality Certification administered by the RWQCB must be issued prior to issuance of a Section 404 Permit.

4.8 CALIFORNIA FISH AND GAME CODE

The California Fish and Game Code (Sections 1600 through 1603) requires a CDFW agreement for projects affecting riparian and wetland habitats through issuance of a Streambed Alteration Agreement. Given that the proposed project would not impact CDFW jurisdictional areas, a Section 1602 Streambed Alteration Agreement would not be required.

Raptors (birds of prey) and owls and their active nests are protected by California Fish and Game Code Section 3503.5, which states that it is unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird unless authorized by the CDFW.

In addition, Section 3513 of the California Fish and Game Code states that it is unlawful to take or possess any migratory non-game bird as designated in the MBTA or any part of such migratory non-

game bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

The classification of Fully Protected was California's initial effort in the 1960s to identify and provide protection to animals that were rare or faced extinction. Most fully protected species have been listed as threatened or endangered species under more recent endangered species laws and regulations. Fully Protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock.

4.9 CALIFORNIA ENDANGERED SPECIES ACT

The California Endangered Species Act states that all native species of fishes, amphibians, reptiles, birds, mammals, invertebrates, and plants, and their habitats threatened with extinction as well as those experiencing a significant decline, which, if not halted, would lead to a threatened or endangered designation, will be protected or preserved. The purpose of CEQA includes disclosing to the public the significant environmental effects of a proposed discretionary project, preventing or minimizing damage to the environment through development of project alternatives, mitigation measures, and mitigation monitoring, enhancing public participation in the environmental review process, and improving interagency coordination. The CDFW is the agency that oversees the California Endangered Species Act. The City was issued a take permit for their adopted MSCP Subarea Plan pursuant to Section 2081 of the California Endangered Species Act.

5.0 IMPACTS

Impacts associated with implementation of the project are analyzed below. The biological impacts are assessed according to guidelines set forth in the City's Biology Guidelines (City 2012), CEQA Significance Thresholds (City 2016), and the City's MSCP Subarea Plan (City 1997a). Mitigation would be required for impacts associated with the project and is considered significant under these guidelines. While the policies identified in Table 6 above are intended to help guide development to reduce impacts on sensitive biological resources within the Specific Plan area, they are not specific enough to guarantee that future development would not significantly impact sensitive biological resources. Project-specific biology studies will be required, as needed, to determine the degree of impact associated with future specific development projects.

5.1 VEGETATION COMMUNITY AND LAND COVER TYPE IMPACTS

The impact footprint for the project includes everything within the Specific Plan area boundary except for the Rose Creek corridor and the railroad ROW. Under the proposed project, approximately 1.50 acres of sensitive biological resources may be impacted (i.e., sensitive upland communities; Figure 6). Table 6 summarizes all the acreages of vegetation communities and land cover types that could be impacted by implementation of the project. The determination of exact impacts cannot be made at the specific plan level, but will be made as future development/redevelopment in accordance with the project are proposed.

Impacts to wetland communities would be avoided. Impacts to sensitive upland communities would be significant because they are considered sensitive, as discussed in Section 5.3.1. Impacts to other uplands would be less than significant because they are not considered sensitive.

Table 6
POTENTIAL IMPACTS TO VEGETATION COMMUNITIES
AND LAND COVER TYPES WITHIN THE SPECIFIC PLAN AREA

Vegetation Community/ Land Cover Type	Existing Acreage in The Plan Area*	Impacted Acreage*		
		Inside MHPA	Outside MHPA	Total
Wetland Communities				
Freshwater marsh	0.33	0	0	0
Southern willow scrub	0.22	0	0	0
Southern riparian forest	0.49	0	0	0
Non-native riparian	0.24	0	0	0
Streambed	1.06	0	0	0
Subtotal Wetland	**2.34**	**0**	**0**	**0**
Sensitive Upland Communities				
Diegan coastal sage scrub	1.77	0	0.82	0.82
Non-native grassland	1.41	0	0.68	0.68
Subtotal Upland	**3.18**	**0**	**1.50**	**1.50**
Other Uplands				
Eucalyptus woodland	0.71	0	0.22	0.22
Disturbed habitat	15.54	0	9.15	9.15
Developed	189.73	2.00	182.44	184.44
Subtotal Other Uplands	**205.98**	**2.00**	**191.81**	**193.81**
TOTAL	**211.50**	**2.00**	**193.31**	**195.31**

*Rounded to the nearest 0.01 acre.

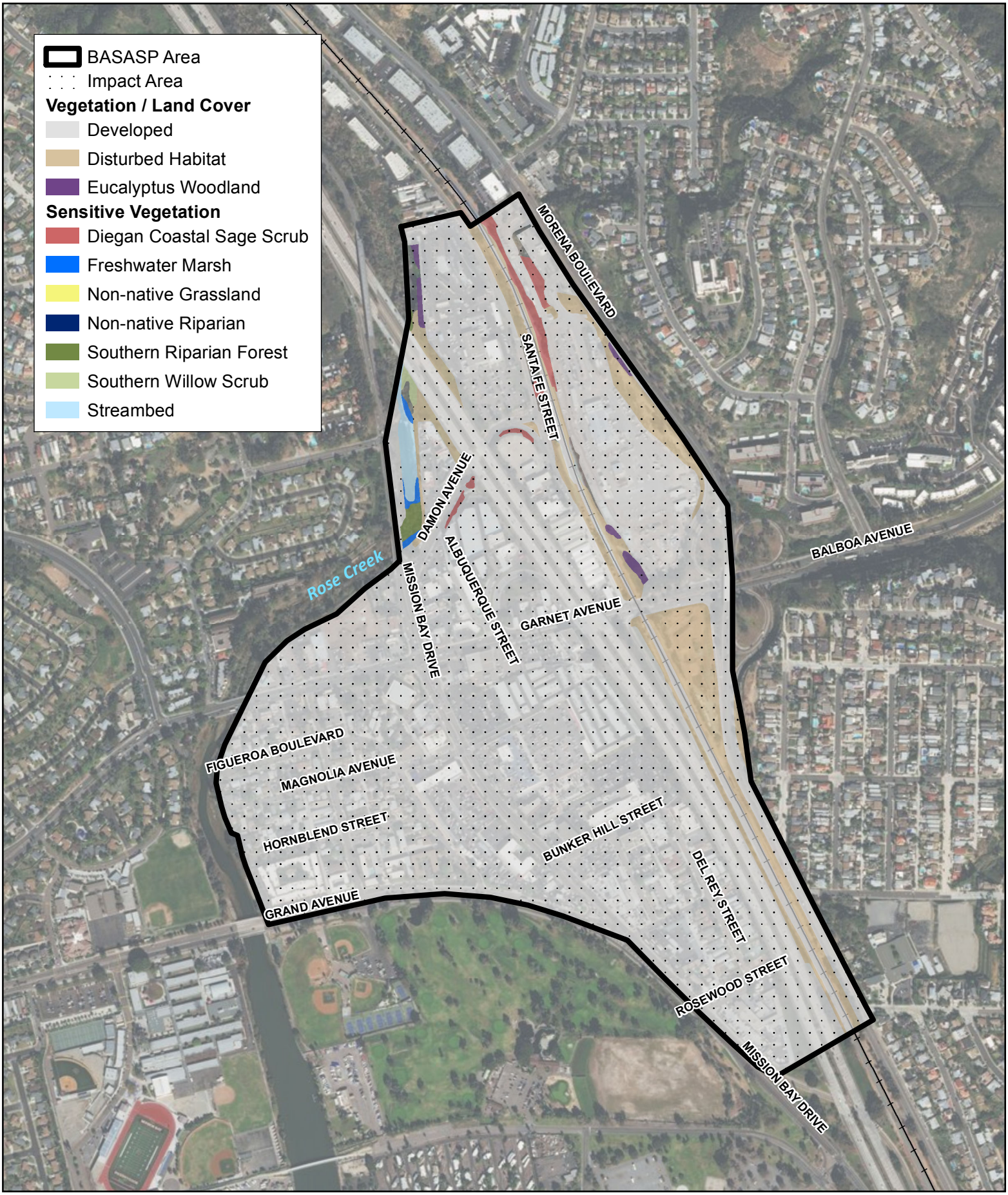
5.2 IMPACTS TO COMMON WILDLIFE SPECIES

Impacts to common wildlife species could result from the loss of a maximum of up to 17.15 acres of potential habitat in the Specific Plan area (excluding developed; Table 6). As discussed earlier, the actual impacts will likely be less than this because City regulations set a 25 percent encroachment limit total into the MHPA per parcel, or even less if only a small portion of the parcel is MHPA. Wildlife using the habitat would be displaced, and some small mammals, amphibians, and reptiles with low mobility may be inadvertently harmed during grading in these areas. Impacts to common wildlife species are considered less than significant, however, as the species are not considered sensitive (see Section 3.3 for definitions of "sensitive"). The impacts would be less than significant.

5.3 SENSITIVE BIOLOGICAL RESOURCES IMPACTS

Impacts to sensitive vegetation communities, plants, and wildlife would occur with implementation of the project. Impacts to these sensitive biological resources (as defined in Section 3.3) would be significant, but could be mitigated at the project level through compliance with ESL Regulations and the City's Biology Guidelines.

Because portions of the biological resource assessment are based on secondary source information rather than site-specific field surveys, the impacts would be refined as future development/redevelopment is proposed. This program-level analysis, on the other hand, identifies areas of potential impacts associated with implementation of the overall project. Site-specific surveys



Balboa Avenue Station Area Specific Plan

Impacts to Vegetation Communities and Land Cover Types

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Feet

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Figure 6

would be conducted for future project-level review to identify, map, and/or verify the presence of sensitive vegetation, plant species, and wildlife species occurring on individual properties and to determine the extent of the impacts.

5.3.1 Sensitive Vegetation Communities

Implementation of the project would result in the loss of sensitive vegetation communities. Impacts to wetland communities would be avoided during implementation (refer to Section 5.4). Impacted areas include sensitive upland communities in Tiers II-IIIB, as shown on Figure 6. Tier IV other uplands are not considered sensitive.

Potential impacts to sensitive upland vegetation communities could include the loss of low-quality Diegan coastal sage scrub and non-native grassland. Table 6 provides the acreages of potential impacts to each of these sensitive communities from implementation of the project. Specific impacts would be calculated based on project level analysis for proposed future development/redevelopment in accordance with the project.

5.3.2 Sensitive Plants

Implementation of the project has the potential to impact 13 sensitive plant species known to occur, or programmatically determined to have a potential to occur, in the undeveloped portions of the Specific Plan area (Table 3). Precise numbers and locations of sensitive plant species (including any species not listed in Table 3) would be identified through project-level evaluations and surveys for proposed future development/redevelopment in accordance with the project.

Five plant species that have the potential to be impacted are federal-listed, state-listed, and/or MSCP Covered Species (Table 3). These plant species include: San Diego barrel cactus, salt marsh bird's beak, San Diego ambrosia, San Diego button-celery, and spreading navarretia. Three of these species are narrow endemics: San Diego button-celery, San Diego ambrosia, and spreading navarretia. See Table 3 for information on each of these species.

5.3.3 Sensitive Wildlife

Implementation of the project has the potential to impact 24 sensitive wildlife species known to occur, or programmatically determined to have a potential to occur, in the undeveloped portions of the Specific Plan area (Table 4). Precise numbers and locations of sensitive wildlife species would be identified through project-level evaluations and surveys for proposed future development/redevelopment in accordance with the project.

5.3.3.1 Federal Listed Endangered Species

The federally endangered Ridgway's rail and least Bell's vireo could be impacted by proposed future development implemented as part of the project.

The Ridgway's rail is federally endangered, state endangered, and MSCP covered. It has the potential to occur in areas adjacent to the Specific Plan area where salt marsh has been mapped. No critical habitat for the species is located within the Specific Plan area. No direct impacts are proposed to salt marsh habitat; however, indirect impacts may occur if development occurs adjacent to potentially occupied Ridgway's rail habitat.

The least Bell's vireo is federally endangered, state endangered, and MSCP covered. It has been observed within the Specific Plan area. Nesting habitat includes southern willow scrub and southern riparian forest. No critical habitat for the species has been designated within or adjacent to the Specific Plan area. The project design will avoid least Bell's vireo habitat; however, there is potential for indirect impacts should project activities occur adjacent to occupied habitat.

5.3.3.2 Federal Listed Threatened Species

No federally listed threatened species have the potential to occur within the Specific Plan area.

5.3.3.3 Federally Listed Birds of Conservation Concern

The 1988 amendment to the Fish and Wildlife Conservation Act mandates the USFWS identify species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act of 1973. Birds of Conservation Concern are those species that represent the highest conservation priority. Bird species considered for inclusion on lists in this report include nongame birds, game birds without hunting seasons, subsistence-hunted nongame birds in Alaska, and Endangered Species Act candidate, proposed endangered, or threatened, and recently delisted species. This list names species that without protective action may become candidate species for threatened or endangered species; however, no specific protection is offered by the listing.

Federally listed Birds of Conservation Concern with the potential to occur in the Specific Plan area include: western grebe, California-rufous crowned sparrow, red-crowned parrot, Bell's sage sparrow, short-eared owl, Costa's hummingbird, Lawrence's goldfinch, yellow warbler, gull-billed tern, short-billed dowitcher, peregrine falcon, marbled godwit, long-billed curlew, whimbrel, fox sparrow, Nuttall's woodpecker, Allen's hummingbird, and lesser yellowlegs.

5.3.3.4 State Listed Endangered Species

Belding's savannah sparrow, Ridgway's rail, least Bell's vireo, and California least tern are listed as state endangered species and have the potential to use the Specific Plan area. Ridgway's rail and least Bell's vireo are discussed in section 5.3.3.1.

Belding's savannah sparrow is listed as state endangered and is MSCP covered. It is known to inhabit salt marshes that have been mapped adjacent to the Specific Plan area. No development is proposed for Rose Creek, which is where all salt marsh is located. Therefore, no direct impacts to this species are expected. However, indirect impacts may occur due to development adjacent to the salt marsh.

5.3.3.5 State Species of Special Concern

This section addresses state species of special concern that are not also federal, or state listed (those species addressed previously in Sections 5.3.3.1 through 5.3.3.3).

Reptiles

The Belding's orange-throated whiptail (Table 4) is a state species of special concern and could be impacted by implementation of the project. The Belding's orange-throated whiptail occupies coastal scrub located in washes, with sandy areas, brush, and rocks. Diegan coastal sage scrub has been mapped

in northeastern portion of the site, which is the most likely habitat to support this species. If present, this species could be impacted directly (e.g., by being crushed by grading equipment) and through the loss of approximately 0.82 acre of potential habitat (Table 6).

Birds

The following three bird species are state species of special concern and could be impacted by implementation of the project: yellow warbler, least bittern, and grasshopper sparrow (*Ammodramus savannarum*; Table 4).

Potential habitat for the yellow warbler occurs in the riparian habitat within Rose Creek in the undeveloped, northwestern portion of the Specific Plan area. No impacts are expected to occur within Rose Creek, however, indirect impacts caused by development adjacent to the creek may have the potential to impact this species (Table 6).

Potential habitat for the least bittern includes marsh habitat, which was mapped within Rose Creek on the west side of the Specific Plan area. Least bittern prefers the borders of ponds and marshes for nesting. Within the Specific Plan area, streambed was mapped adjacent to marshland. While no impacts are proposed for the Rose Creek, indirect impacts to the species caused by development adjacent to the creek are possible.

The grasshopper sparrow is restricted to grasslands and is localized and generally uncommon in San Diego County. Non-native grassland is present within the Specific Plan area, east of the I-5 freeway adjacent to the railroad tracks. These small patches of habitat are not expected to support the species during breeding, but may be used as a stopover during migration.

5.3.3.6 State Fully Protected Species

There are no state fully protected species (Appendix A) known to occur, or with potential to occur, in the Specific Plan area.

5.3.3.7 Other MSCP Covered Species

MSCP covered species that have the potential to occur within the Specific Plan area include: Belding's orange-throated whiptail, California least tern, California rufous-crowned sparrow, Belding's savannah sparrow, long-billed curlew, Ridgway's rail, least Bell's vireo, and peregrine falcon.

Potential habitat for coastal California rufous-crowned sparrow includes Diegan coastal sage scrub. This was mapped along the railroad ROW in the east of the site, south of Damon Avenue. This is also habitat for Belding's orange-throated whiptail. There are 0.82 acre of potential habitat within the Specific Plan area which could potentially be impacted (Table 6).

Potential habitat for the Ridgway's rail and Belding's savannah sparrow includes salt marsh. Salt marsh was mapped adjacent to the Specific Plan area on the eastern bank of Rose Creek in the southwest portion of the Specific Plan area. No impacts are proposed to coastal salt marsh, so no direct impacts are planned; however, development adjacent to the salt marsh has the potential to cause indirect effects to the species.

The long-billed curlew uses a wide variety of habitat during migration including short-grass or mixed prairie with flat to rolling topography while breeding. Tidal estuaries, wet pasture habitats, and sandy beaches are used in winter. A wide range of habitats are used during migration. Winter range includes costal and central portions of California, costal Baja California, Texas' Gulf coast, and much of Mexico (USFWS 2016). The Specific plan area may be used during migration or wintering. No impacts are anticipated to tidal habitat; however, indirect impacts may occur due to development adjacent to occupied habitat.

Developed habitat is the most common habitat present in the Specific Plan area. The peregrine falcon has been known to nest on manufactured structures. This species has been observed in Mission Bay 0.3 mile to the southwest. For this reason, impacts to developed areas may cause impacts to these species, and project level assessment should be performed prior to any redevelopment development. Approximately 197.61 acres of developed habitat have been mapped in the Specific Plan area.

5.3.3.8 Other Sensitive Species

There are two other sensitive species with potential to occur in the Specific Plan area, both of which are on the state watch list (Table 4; Appendix A). These species are the California rufous-crowned sparrow (discussed in Section 5.3.3.6) and Bell's sage sparrow. Potential impacts to Bell's sage sparrow could occur directly through impacts to active nests and through habitat loss. Potential habitat for Bell's sage sparrow includes Diegan coastal sage scrub, which occurs predominantly in the northeastern portion of the Specific Plan area and along the railway ROW. Approximately 0.82 acre of potential (sensitive upland) habitat for these species could be impacted through implementation of the project (Table 6).

5.4 JURISDICTIONAL WATERS/WETLANDS

5.4.1 City Wetlands

City wetlands in the Specific Plan area include freshwater marsh, southern willow scrub, southern riparian forest, non-native riparian, and streambed (see Section 5.4.2). There are no anticipated impacts to City wetlands because City wetlands would be avoided.

The City's Biology Guidelines, ESL Regulations, and MSCP Subarea Plan require, in general, that impacts to wetlands be avoided and that a sufficient buffer be maintained around all wetlands to protect wetland functions and values. Buffer distances are typically 100 feet, but in some cases, a lesser buffer may be approved provided it can be demonstrated that the functions and values of the wetland would not be compromised.

5.4.2 Other Jurisdictional Waters/Wetlands

Implementation of the project is not anticipated to result in impacts to wetlands regulated by the USACE, CDFW, RWQCB, and City because areas containing potential jurisdictional waters would be avoided. If impacts would occur, they would be regulated by the USACE according to Section 404 of the Clean Water Act, RWQCB in accordance with Section 401 of the Clean Water Act, CDFW under Section 1600 of California Fish and Game Code, and City in accordance with the Biology Guidelines, MSCP Subarea Plan, and certified LCP.

5.5 WILDLIFE MOVEMENT CORRIDORS

Rose Creek serves as a potential wildlife movement corridor. No impacts are proposed for Rose Creek; therefore, no impacts to wildlife movement are anticipated.

5.6 MULTI-HABITAT PLANNING AREA

The MHPA occurs along the southwestern edge of the Specific Plan area, primarily within the Rose Creek channel (Figure 6). The MHPA in the southwestern portion of the Specific Plan area includes developed land north of Garnet Avenue. While MHPA lands are considered by the City to be a sensitive biological resource, limited development is allowed in the MHPA subject to the requirements of the City's MSCP Subarea Plan (i.e., typically up to 25 percent of a property wholly in the MHPA can be developed and some uses are considered compatible, to be developed or remain so, within the MHPA). In cases where previously developed land has been included within the MHPA, the MHPA Boundary Line Correction process can be used to remove developed land. A MHPA Boundary Line Correction in close coordination with the City as well as state and federal wildlife agencies would allow project activities to occur within areas of the MHPA that are developed or disturbed.

5.6.1 MHPA Consistency

The project would generally be consistent with the currently designated MHPA preserve areas. By avoiding impacts to Rose Creek, the project will also avoid impacts to the MHPA, unless impacts occur to those previously developed areas within the MHPA.

The MHPA boundary can be adjusted to accommodate projects subject to approval by the City and Wildlife Agencies by meeting the six MHPA boundary line adjustment equivalency criteria (Section 5.4.2 of the MSCP Plan [City 1998]). These criteria include: (1) effects on significantly and sufficiently conserved habitats; (2) effects to MSCP Covered species; (3) effects on habitat linkages and function of preserve areas; (4) effects on preserve configuration and management; (5) effects on ecotones or other conditions affecting species diversity; and (6) effects to species of concern not on the MSCP Covered Species list.

5.6.2 MHPA Land Use Adjacency Guidelines

The MHPA has been designed to maximize conservation of sensitive biological resources, including sensitive species. When land is developed adjacent to the MHPA, there is potential for indirect impacts that may degrade habitat or alter animal behavior within the preserve. These indirect effects may include impacts related to drainage, toxics, lighting, noise, human intrusion, and invasive species. These impacts could be short-term resulting from construction activities or long-term resulting from adjacent, occupied residential development. Short-term construction impacts from noise, for example, could result in disruption of nesting and breeding, and adversely affect a population of sensitive species. Long-term impacts from occupied residences could result from trampling and removal of plant cover due to hiking, biking, and other human activities. To address these concerns, the MSCP includes a set of MHPA Land Use Adjacency Guidelines that are to be evaluated and implemented at the project level.

Implementation of the project may introduce new land uses adjacent to MHPA. Future development proposals could result in indirect impacts on adjacent MHPA lands and would be required to address indirect impacts pursuant to the MHPA Land Use Adjacency Guidelines.

6.0 MITIGATION FRAMEWORK

As indicated earlier, policies established by both the City's General Plan and the project, as well as the Pacific Beach Community Plan and Clairemont Mesa Community Plan, would help encourage future development to minimize impacts on sensitive biological resources. However, more specific mitigation measures are expected to be required to ensure that impacts to sensitive biological resources are either avoided or minimized. Mitigation would be required for remaining impacts that are considered significant under the City's Biology Guidelines (City 2012) and the City's Development Services Department CEQA Significance Determination Thresholds (City 2016). Mitigation measures typically include on- or off-site enhancement, restoration, or creation of habitat; on- or off-site dedication or acquisition of habitat; payment into the City's Habitat Acquisition Fund; or purchase of credits in an approved mitigation bank. Mitigation measures would be determined and implemented at the project level and this section provides mitigation framework to be considered in subsequent project-level analysis.

As required by CEQA, future development/redevelopment of the project that could directly or indirectly impact sensitive biological resources would be required to conduct biological surveys and prepare a report in accordance with the City's Biological Guidelines. Preparation of project-specific reports would include comprehensive field surveys to map vegetation, identify wildlife, and define wetlands. The locations of any sensitive plant species including listed, rare, and/or MSCP Narrow Endemic species, as well as the potential for occurrence of any sensitive species would be determined. As appropriate, focused presence/absence surveys would be conducted in accordance with the City's Biology Guidelines and applicable resource agency survey protocols to determine the potential for impacts to federal and/or state-listed plant or animal species. A preliminary or final jurisdictional wetland delineation would be completed when necessary following the methods outlined in the USACE 1987 Wetlands Delineation Manual and the Regional Supplement to the Corps of Engineers Delineation Manual for the Arid West Region (USACE 2008).

The project-specific biology reports would determine the potential impacts associated with each proposed development in accordance with the CEQA Significance Thresholds. The reports would also specify mitigation measures required to reduce or avoid significant impacts to sensitive biological resources. Mitigation involving enhancement, restoration, and/or creation of habitat would be described in a conceptual mitigation plan following the outline provided in the City's Biology Guidelines. The conceptual mitigation plan would include success criteria that must be met, as well as maintenance and monitoring requirements for typically up to five years following completion of the initial planting program.

As discussed in Section 5, future development/redevelopment of the project could result in significant impacts to the following biological resources:

- Sensitive Upland Vegetation Communities,
- Sensitive Plant Species,
- Sensitive Wildlife Species, and/or
- MHPA Land.

While implemented mitigation measures would be expected to reduce the severity of impacts, the ability of the measures to reduce the impacts to less-than-significant levels cannot be determined at a

programmatic level. Site-specific analysis of subsequent development/redevelopment projects within the Specific Plan area would be required to determine if mitigation is available to reduce impacts to less-than-significant levels.

6.1 SENSITIVE VEGETATION COMMUNITIES

6.1.1 Wetland Vegetation Communities

The following mitigation is required by the City (2012) for impacts to wetland vegetation communities.

Implementation of the project would avoid impacts to wetlands. If avoidance were to become infeasible, then mitigation would be required. Wetland impacts shall be mitigated to achieve no net loss of wetland function and value. Mitigation for wetland vegetation community impacts usually entails a combination of habitat acquisition/preservation, restoration, and/or creation. Typical mitigation ratios, as defined in the City's Biology Guidelines, are identified in Table 7.

Table 7
CITY OF SAN DIEGO WETLAND MITIGATION RATIOS

On-Site Habitat Types	Vegetation Community	Mitigation Ratio
With Biologically Superior Design*		
Riparian forest or woodland, riparian scrub, freshwater marsh, natural flood channel, disturbed woodland	Riparian	2:1 to 3:1
Without Biologically Superior Design/Outside of the Coastal Zone		
Freshwater marsh, southern willow scrub, southern riparian forest, non-native riparian, streambed	Riparian	4:1 to 6:1

*A Biologically Superior Design includes avoidance, minimization, and compensatory measures, which would result in a net gain in overall function and values of the type of wetland resource over the resources being impacted.

6.1.2 Sensitive Upland Vegetation Communities

The following mitigation is required by the City (2012) for impacts to sensitive upland vegetation communities.

Impacts to sensitive upland vegetation communities shall first be avoided. Where avoidance is not feasible, sensitive upland vegetation communities shall be mitigated through habitat acquisition/ preservation, restoration, and/or creation—or a combination thereof. Mitigation for impacts to sensitive upland vegetation would be required in accordance with the ratios in Table 8 per the City's Biology Guidelines. The habitat types that would be impacted by the project and require mitigation are shown in bold in Table 8. The project would also impact eucalyptus woodland, non-native vegetation, disturbed habitat, and developed land which are classified as Tier IV, and do not require mitigation.

Table 8
MITIGATION RATIOS FOR IMPACTS
TO UPLAND VEGETATION COMMUNITIES

Tier	Habitat Type	Mitigation Ratios			
TIER I (rare uplands)	Southern Foredunes, Torrey Pines Forest, Coastal Bluff Scrub, Maritime Succulent Scrub, Maritime Chaparral Scrub, Oak Chaparral, Native Grassland, Oak Woodlands	Location of Preservation			
				Inside	Outside
		Location of Impact	Inside	2:1	3:1
			Outside	1:1	2:1
TIER II (uncommon uplands)	**Coastal Sage Scrub (CSS)** CSS/Chaparral	Location of Preservation			
				Inside	Outside
		Location of Impact	Inside	1:1	2:1
			Outside	1:1	1.5:1
TIER IIIA (common uplands)	Mixed Chaparral Chamise Chaparral	Location of Preservation			
				Inside	Outside
		Location of Impact	Inside	2:1	3:1
			Outside	1:1	2:1
TIER IIIB (common uplands)	Non-Native Grasslands	Location of Preservation			
				Inside	Outside
		Location of Impact	Inside	1:1	1.5:1
			Outside	0.5:1	1:1

Notes:
For all Tier I impacts, the mitigation could (1) occur within the MHPA portion of Tier I (in Tier) or (2) occur outside of the MHPA within the affected habitat type (in-kind).

For impacts on Tier II, IIIA, and IIIB habitats, the mitigation could (1) occur within the MHPA portion of Tiers I–III (out-of-kind) or (2) occur outside of the MHPA within the affected habitat type (in-kind). Project-specific mitigation will be subject to applicable mitigation ratios at the time of project submittal.

6.2 SENSITIVE PLANT SPECIES

The following types of mitigation may be required for impacts to sensitive plant species known to occur or with potential to occur (see Table 3 for potential species that would be surveyed for and note this list is subject to site specific project conditions) within the Specific Plan area.

A qualified biologist shall survey for sensitive plants during the appropriate time of year (i.e., when the species is readily identifiable, such as during its blooming period) prior to initiating construction

activities in a given area. If a survey cannot be conducted due to environmental conditions (e.g., inadequate rainfall), then the project proponent shall consult with the City and Wildlife Agencies (where applicable) to determine if construction may begin based on site-specific vegetation mapping and potential to occur analysis and what mitigation would be required, or whether construction must be postponed until spring rare plant survey data is collected.

Adherence to the MSCP Subarea Plan Appendix A (i.e., Conditions of Coverage) and securing comparable habitat at the required ratio(s) (i.e., a habitat-based approach to mitigation; see Tables 7 and 8) shall provide all or a component of mitigation for direct impacts to most sensitive plant species (e.g., MSCP Covered Species).

Impacts to Narrow Endemic species shall be avoided and minimized to the maximum extent possible. Unavoidable impacts shall be mitigated in accordance with the species-specific requirements in the City's Biology Guidelines and MSCP Subarea Plan.

Impacts to federal or state listed plant species shall first be avoided where feasible, and where not feasible, impacts shall be compensated through salvage and relocation via a transplantation/restoration program and/or off-site acquisition and preservation of habitat containing the plant species at a minimum 1:1 ratio and as required by the City and Wildlife Agencies. A qualified biologist shall prepare a City- and Wildlife Agency-approved Restoration Plan that shall indicate where restoration would take place. The restoration plan shall also identify the goals of the restoration, responsible parties, methods of restoration implementation, maintenance and monitoring requirements, final success criteria, contingency measures, and notice of completion requirements.

Impacts to other sensitive plant species (California Rare Plant Rank 1 or 2 species) shall first be avoided where feasible, and where not feasible, salvage and relocation via a transplantation/ restoration program and/or off-site acquisition and preservation of habitat containing the plant species at a minimum 1:1 ratio and as required by the City. Where reseeding or salvage and relocation are required, the project proponent shall identify a qualified Habitat Restoration Specialist to be approved by the City. The Habitat Restoration Specialist shall prepare and implement a Restoration Plan to be approved by the City for reseeding or salvaging and relocating sensitive plant species.

6.3 SENSITIVE WILDLIFE SPECIES

The following types of mitigation may be required for impacts to sensitive wildlife species known to occur or with potential to occur (see Table 4 for potential species which would be surveyed for and note this list is subject to site specific project conditions) within the Specific Plan area.

6.3.1 Ridgway's Rail

Prior to the issuance of construction permits for future projects planned adjacent to Rose Creek within the Specific Plan area, a habitat assessment shall be completed within suitable habitat for Ridgway's rail. If habitat is determined to be appropriate, protocol surveys should then be conducted. If the species is determined to occupy a site, indirect impacts shall be mitigated for in accordance with the City's Biology Guidelines and MSCP Subarea Plan (see the City's MHPA Land Use Adjacency Guidelines standard mitigation). Direct impacts to the Ridgway's rail are not expected as there will be no impacts to Rose Creek where the Ridgway's rail potential habitat (salt marsh) is located.

6.3.2 Least Bell's Vireo

Prior to the issuance of construction permits for future projects planned adjacent to Rose Creek within the Specific Plan area, a habitat assessment shall be completed within suitable habitat for least Bell's vireo. If habitat is determined to be appropriate, protocol surveys should then be conducted. If the species is determined to occupy a site, indirect impacts shall be mitigated for in accordance with the City's Biology Guidelines and MSCP Subarea Plan (see the City's MHPA Land Use Adjacency Guidelines standard mitigation). Direct impacts to the least Bell's vireo are not expected as there will be no impacts to Rose Creek where the least Bell's vireo potential habitat (southern willow scrub, southern riparian forest) is located.

6.3.3 Nesting Birds

To reduce potentially significant impacts that would interfere with avian nesting within the Specific Plan area, measures to be incorporated into project-level construction activities should include the following as applicable:

- In accordance with the noise component of the City's standard MHPA Land Use Adjacency Guideline mitigation measures, there shall be no clearing, grubbing, grading, or other construction activities during the breeding season for least Bell's vireo (April 10-July 31) until it can be demonstrated that construction activities would not result in noise levels exceeding 60dB(A) L_{EQ} at the edge of their occupied habitat(s).

- Site-specific biological resources surveys (e.g., for the coastal California gnatcatcher, burrowing owl, raptors, etc.) shall be conducted in accordance with latest City's Biology Guidelines and Wildlife Agency protocol. Nesting season avoidance and/or pre-grading surveys and mitigation shall also be completed as required to comply with the federal Endangered Species Act, MBTA, California Fish and Game Code, MSCP, and/or ESL Regulations.

- Work near active nests of MSCP Covered or Listed species must include suitable noise abatement measures to ensure construction noise levels at the MHPA boundary would not exceed 60 dB(A) L_{EQ}.

6.3.4 Other Wildlife Species

Site-specific biology surveys shall be conducted to identify any other sensitive or MSCP Covered Species present on each future project in the Specific Plan area, including but not limited to the potential species listed in Table 4. Impacts to most sensitive and MSCP Covered species will be mitigated by habitat-based mitigation as established by the City's Biology Guidelines, unless a rare circumstance requires additional species-specific mitigation. In that case, the project-level biological survey report would justify why species-specific mitigation is necessary. For MSCP Covered species, conditions from MSCP Subarea Plan Appendix A will be implemented where applicable.

6.4 JURISDICTIONAL WATERS/WETLANDS

Wetlands shall be avoided to the extent feasible. Where avoidance is not feasible, project-specific impacts to jurisdictional wetlands would be assessed for compliance with the City's Biology Guidelines during the City's discretionary process with mitigation requirements applied consistent with Table 7

above. Final requirements and locations are, however, subject to change during applicable consultation/ permit processes required by the USACE, CDFW, RWQCB, and City.

Jurisdictional, non-wetland waters shall be avoided. Where avoidance is not feasible, mitigation will be applied by federal and state regulators via their applicable consulting/permitting process. The types of mitigation required may include on-site protection, enhancement, creation, and/or restoration. Mitigation is typically required at a 1:1 ratio or higher and to be accomplished in close proximity to the impacts and usually within the same watershed. Like with impacts to wetlands, the final mitigation requirements and locations for the mitigation are subject to consultation with the permitting agencies.

6.5 MSCP CONSISTENCY

6.5.1 Indirect Impacts

Indirect impacts to sensitive biological resources in the MHPA would be reduced through compliance with the MSCP Subarea Plan Section 1.4.3 Land Use Adjacency Guidelines, which are typically implemented for site-specific projects via consistency analysis at the project level and incorporation of appropriate Land Use Adjacency Guidelines as conditions of project approval. The measures would ensure the guidelines listed below are complied with:

- Prior to the issuance of occupancy permits, development areas shall include barriers or be permanently fenced where development is adjacent to the MHPA to deter the intrusion of people and/or pets into the MHPA open space areas. Signage may be installed as an additional deterrent to human intrusion as required by the City.

- The use of structural and nonstructural best management practices (BMPs), including sediment catchment devices, shall be required to reduce the potential indirect impacts associated with construction and development to water quality. Drainage shall be directed away from the MHPA or, if not possible, must not drain directly into the MHPA. Instead, runoff flow shall be dissipated and filtered via sedimentation basins, grassy swales, or mechanical trapping devices prior to draining into the MHPA. Drainage shall be shown on the site plan and deemed satisfactory to the City Engineer.

- All outdoor lighting adjacent to the MHPA shall be directed away or shielded to prevent light over-spill.

- No invasive non-native plant species shall be introduced into areas adjacent to the MHPA (i.e., landscape plans for projects shall contain no exotic plant/invasive species and shall include an appropriate mix of native species which shall be used adjacent to the MHPA.)

- All manufactured slopes must be included within the development footprint for the project and outside the MHPA.

- All brush management areas shall be shown on the site plan and reviewed and approved by the Environmental Designee of the City. Zone 1 brush management areas must be included within the development footprint and outside the MHPA. Brush management Zone 2 may be permitted within the MHPA (considered impact neutral) but cannot be used as mitigation. Vegetation clearing shall be consistent with City standards and shall avoid/minimize impacts to MSCP

Covered species to the maximum extent possible. For all new development, regardless of the ownership, the brush management in the Zone 2 area will be the responsibility of a homeowners' association or other private party.

- Access to the MHPA, if any, shall be directed to minimize impacts and shall be shown on the site plan and reviewed and approved by the Environmental Designee.

- Land uses, such as recreation and agriculture, that use chemicals or generate by-products such as manure, that are potentially toxic or impactive to wildlife, sensitive species, habitat, or water quality need to incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. Such measures should include drainage/detention basins, swales, or holding areas with non-invasive grasses or wetland-type native vegetation to filter out the toxic materials. Regular maintenance should be provided. Where applicable, this requirement should be incorporated into leases on publicly owned property as leases come up for renewal.

- Uses in or adjacent to the MHPA should be designed to minimize noise impacts. Berms or walls should be constructed adjacent to commercial areas, recreational areas, and any other use that may introduce noises that could impact or interfere with wildlife utilization of the MHPA. Excessively noisy uses or activities adjacent to breeding areas must incorporate noise reduction measures and be curtailed during the breeding season of sensitive species. Adequate noise reduction measures should also be incorporated for the remainder of the year.

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Appendix A

Explanation of Status Codes for Sensitive Plant and Wildlife Species

Appendix A
EXPLANATION OF STATUS CODES FOR PLANT AND ANIMAL SPECIES

FEDERAL, STATE, AND LOCAL CODES/RANKS

U.S. Fish and Wildlife Service (USFWS)

FE Federally listed endangered
FT Federally listed threatened

California Department of Fish and Wildlife (CDFW)

SE State listed endangered
SR State listed rare
ST State listed threatened
SSC State species of special concern
WL Watch List
Fully Protected Fully Protected species refers to all vertebrate and invertebrate taxa of concern to the Natural Diversity Data Base regardless of legal or protection status. These species may not be taken or possessed without a permit from the Fish and Game Commission and/or CDFW.

California Native Plant Society (CNPS) Ranks

Ranks

1A Plants Presumed Extirpated in California and Either Rare or Extinct Elsewhere

1B Plants Rare, Threatened, or Endangered in California and Elsewhere

2A Plants Presumed Extirpated in California, But Common Elsewhere

2B Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere

3 Plants About Which More Information is Needed

4 Plants of Limited Distribution

Threat Ranks

0.1 Seriously threatened in California (over 80 percent of occurrences threatened / high degree and immediacy of threat)

0.2 Moderately threatened in California (20 to 80 percent occurrences threatened / moderate degree and immediacy of threat)

0.3 Not very threatened in California (less than 20 percent of occurrences threatened / low degree and immediacy of threat or no current threats known)

A "CA Endemic" entry corresponds to those taxa that only occur in California.

All List 1A (presumed extinct in California) and some List 3 (need more information; a review list) plants lacking threat information receive no extension. Threat Code guidelines represent only a starting point in threat level assessment. Other factors, such as habitat vulnerability and specificity, distribution, and condition of occurrences, are considered in setting the Threat Code.

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