Group 160621 [UU229 Block 1H La Jolla] Underground Utility Districts (UUD) Project, San Diego, California

Biological Technical Report

July 2020

Prepared for:

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1 SUMMARY

The City of San Diego Public Works Department proposes to prioritize and develop seven (7) underground utility districts which would allow San Diego Gas & Electric (SDG&E) to construct an Underground Utility System per the franchise agreement. The districts would also create an overlay that would restrict utility companies from installing above-ground utility lines in the future, excluding electric transmission lines which are regulated by the California Public Utilities Commission (CPUC). Trenching of utilities will occur within the paved ROW. Pole removal will occur within developed areas, with the exception of 8 poles that are located within unpaved areas within the MHPA. This report analyzes impacts to environmentally sensitive resources located within natural, unpaved areas. No permanent impacts to sensitive vegetation communities are anticipated as a result of this project. Temporary impacts resulting from pole removal and trimming (not removal) of vegetation is anticipated. Project activities are estimated to temporarily impact approximately 0.042 acre of Tier I habitat within the MHPA. A total of 0. 069-acre of Tier IV habitats within the MHPA are anticipated to be temporarily impacted. Impacts to sensitive habitats are temporary and will not adversely affect the habitat and are not considered significant; no mitigation will be required. Permanent impacts to sensitive plant species is not anticipated. Nuttall's scrub oak was observed along the edges of the existing footpaths. Trimming of Nuttall's scrub oak may be required for access but no plant removal is anticipated. In addition, permanent impacts to these species will be avoided with adherence to Avoidance and Minimization Measures that will be incorporated into the project. The following wildlife species have a moderate/high potential for occurrence on-site: Blainville's coast horned lizard, and orange-throated lizard. However, permanent impacts to sensitive wildlife species is not anticipated with adherence to Avoidance and Minimization Measures that will be incorporated into the project. Construction will be limited to outside of the nesting season for (February1 – September 15). No mitigation for sensitive plant or wildlife species is required.

2 INTRODUCTION

2.1 PROJECT PURPOSE

The City of San Diego Public Works Department proposes to prioritize and develop seven (7) underground utility districts which would allow San Diego Gas & Electric (SDG&E) to construct an Underground Utility System per the franchise agreement. The districts would also create an overlay that would restrict utility companies from installing above-ground utility lines in the future, excluding electric transmission lines which are regulated by the California Public Utilities Commission (CPUC).

2.2 PROJECT DESCRIPTION

The project will consist of work that occurs within developed, paved or landscaped areas and work that will occur within unpaved, natural areas. Within the developed, paved or landscaped areas the project would consist of trenching approximately 6 feet deep and 2.5 feet wide along one side of each public right-of-way, installing conduit and substructures such as transformers on concrete pads, installing cable through the conduits, providing individual customer connections, backfilling, removing existing overhead utility lines and poles, and installing new streetlights where applicable. Work would include pole installation or reinstallation where necessary, trenching (18-inches deep) of conduit from electrical service points to the street light locations and installation of pull-boxes when required, and other necessary appurtenances. Utility poles may need to be installed or upgraded at the boundary of the district where determined necessary for the transition from the existing aerial system to the new underground system. Locations will be determined during final design. Curb ramps would be installed where missing to meet the Americans with Disabilities Act (ADA) requirements, which may result in the loss of a street parking space at some locations. In addition, sidewalk repairs, preservation of historical stamps, and street resurfacing or replacement of segments of concrete road will be done as needed. Traffic control measures and Best Management Practices (BMPs) would be implemented during construction. Any street tree removal, relocation, and/or trimming would be done under the supervision of the City Arborist. The street light locations are within urban developed areas, no sensitive vegetation would be affected or removed, and historic sidewalk stamps would be preserved per contract specifications. The project locations are not included on any government code listing of hazardous waste sites.

Work within unpaved, natural areas will consist of removal of eight poles and associated appurtenances. Poles will be cut at the base using hand tools and removed from the site for proper disposal. Pole butts will remain in place to minimize impacts to environmentally sensitive resources. Foot paths will be utilized in areas that do not have vehicle access. Existing footpaths will be used to the greatest extent possible. It is assumed that a work area of approximately 314 square feet (10-foot radius from the pole location) and a three-foot wide access path to each pole will be required to complete work..

2.3 PROJECT LOCATION

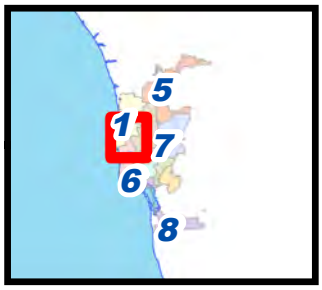
The majority of the Project site is located within the residential areas north of La Jolla Natural Open Space Park (Park) in the City of San Diego, east of Country Club Drive and north of Encelia Drive in the La Jolla community (Figure 1). A smaller portion of the project site is located within the Park.

2.4 REGULATORY CONTEXT

The Project would be subject to all City of San Diego biological regulations, as outlined herein, as well as relevant state and federal regulations. A full description of state and federal regulations is included as Appendix K to this report. Note however, that compliance with the City's MSCP plan and implementing

regulations (e.g., Biology Guidelines, MSCP Subarea Plan, etc.), would result in conformance with the state and federal endangered species acts for species deemed 'covered' under those plans. If any uncovered species occurred on-site, consultation and permitting through state and federal agencies would still be required. Conformance with all other regulations, such as jurisdictional non-wetland waters regulations, would be required and is separate from the City's permitting process. Conformance with all regulations, state, local and federal, is the responsibility of the Project applicant.

Figure 1. Project Vicinity Map



The City of SAN DIEGO Public Works

Group 160621 Underground Utility Districts Creation: Block 1H Project Vicinity Map

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COMMUNITY NAME: La Jolla

COUNCIL DISTRICT: 1

SAP ID: I/O 21004609

Date: March 15, 2019

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3 METHODS

Google Earth imagery and ArcMap software was used to determine which project features had potential for construction activities to impact sensitive resources. SDG&E provided shapefiles of the potential project features. Project feature numbers (feature #) can be found in Appendix C. Project features determined to be completely within urban environments consisting of ornamental/developed areas were not included in the biological assessment but are mapped on Figure 2.

This biological assessment was comprised of the following activities:

- Desktop analysis of existing biological resources
- Desktop vegetation mapping
- Field analysis of vegetation mapping for select sites
- Analysis of potential Project impacts on biological resources
- Analysis of Project conformance with local, state, and federal biological regulations

Desktop analysis of the project area was accomplished by completing a California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDB) search for information for the U.S. Geological Society 7.5' La Jolla Quadrangle, San Diego Museum of Natural History rare plant inventory, the United States Fish and Wildlife Service's (USFWS) National Wetland Inventory wetland mapper, and ArcMap to determine presence of biologically sensitive resources that could potentially be impacted by construction.

Vegetation community classifications follow City of San Diego Biology Guidelines (2012) with nomenclature from Holland (1986) as modified by Oberbauer et al (2008). Vegetation mapping of the Study Area was restricted to 20 feet from centerline for poles and access footpaths. All trench locations were determined to be completely within urban environments and were not assessed. In addition, several poles were also determined to be completely within urban environments and were not assessed. Impact areas were restricted to the following project feature buffers: poles (10 foot radius from pole location) and access footpaths (1.5 feet from centerline).

A site visit was conducted February 25, 2019 by Engineering and Capital Projects biologists Rebecca Alvidrez and Maya Mazon. During the field visit plant and animal observations were recorded. Plant names follow Simpson and Rebman (2014), and animal names follow Laudenslayer (1991). Representative photos of the vegetation communities observed can be found in Appendix A.

Figure 2. Project Study Area: Pole Removal and Trench Location

The City of SAN DIEGO Public Works

Group 160621 Underground Utility Districts Creation: Block 1H Pole and Trench Location

COMMUNITY NAME: La Jolla
Date: March 28, 2019

COUNCIL DISTRICT: 1
SAP ID: 21004609

0 150 300 600 900 1,200 Feet

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4 SURVEY RESULTS

4.1 EXISTING CONDITIONS

The southern portion of the Project area is located within the City's Multi-Habitat Planning Area (MHPA), part of a 42-acre open space park that is owned and operated by the City of San Diego's Parks and Recreation Department. Areas immediately north of the Project area are developed with residential housing, areas to the east are undeveloped open space park, and areas to the west are developed by residential units and a golf course (Figures 3-7).

Within the open space park there is an east-northwest trending drainage which enters the site at the southeastern corner of the property, and runs for approximately 1,000 feet within the park, with smaller tributaries entering from the east and west. Removal of the existing poles are within proximity of this drainage.

4.2 BIOLOGICAL RESOURCES

4.2.1 Botanical Resources

Vegetation communities and land uses within the Project are discussed in the paragraphs below; classifications follow the City of San Diego Biology Guidelines (Guidelines Table 3). Note that 'Tiers' cited within each upland habitat/land use description are from the Biology Guidelines as well and represent the sensitivity of the habitat, with Tier I being highest sensitivity and Tier IV being low/no sensitivity.

4.2.1.1 Vegetation Communities

4.2.1.1.1 Southern Maritime Chaparral

Southern Maritime Chaparral (Tier I, rare uplands) is a low, relatively open chaparral that occurs on weathered sands within the coastal fog belt. This habitat is typically dominated by such species as wart-stemmed ceanothus (*Ceanothus verrucosus*), Del Mar manzanita (*Arctostaphylos glandulosa* ssp. *crassifolia*), and summer-holly (*Comarostaphylis diversifolia* ssp. *diversifolia*). Other species that commonly occur in this habitat are chamise (*Adenostoma fasciculatum*), mission manzanita (*Xylococcus bicolor*), and toyon (*Heteromeles arbutifolia*). As with other chaparral associations, fire appears to be necessary for continued reproduction of many of the characteristic species within southern maritime chaparral (Holland 1986). Within the Project study area, seven of the eight poles subject to removal are located within this community. Plant species observed within this habitat on site include chamise, Nuttall's scrub oak (*Quercus dumosa*), black sage (*Salvia mellifera*), and toyon. There are approximately 0.26 acres of Southern Maritime Chaparral located within the Project study area.

4.2.1.1.2 Disturbed Land

Disturbed Land (Tier IV, other uplands) are either developed lands or areas that have been previously disturbed by development, agricultural activities, or are lands supporting only ruderal vegetation. It includes lands generally cleared of vegetation such that little or no natural habitat remains and lands disturbed such that at least 50 percent of plant cover is broad-leaved nonnative vegetation. Disturbed lands within the survey area are primarily areas that are adjacent to Urban/Developed Areas within residential housing, associated driveways, and existing roadways/road shoulders.

4.2.1.1.3 Non-native Woodland

Non-native Woodland (Tier IV, other uplands) denotes an area dominated by exotic trees, usually planted,

which are not maintained or artificially irrigated. The trees are not native and were planted and/or became naturalized in these areas. Species within the Project study area included Queensland pittosporum (*Pittosporum rhombifolium*), river red gum (*Eucalyptus camaldulensis*) and blue gum (*Eucalyptus globulus*). This community occurs in within the residential areas and in open space adjacent to residential areas. Within the large ephemeral drainage a stand of Queensland pittosporum has encroached and displaced much of the southern maritime chaparral that would otherwise occur.

4.2.1.1.4 Urban/Developed Areas

Urban/Developed Areas (Tier IV) support no native vegetation and are comprised of human-made structures such as residential areas, commercial buildings, roads, or landscaped vegetation. Within the Project study area there are approximately 110 acres of Urban/Developed Areas outside of the MHPA subject to trenching of underground utilities and pole removal activities.

4.2.1.2 Wildlife Resources

Animal species noted within the survey area were primarily common species typical of an urbanized canyon including Northern Mockingbird (*Mimus polyglottos*), California towhee (*Pipilo crissalis*), western scrub jay (*Aphelocoma californica*), lesser goldfinch (*Spinus psaltria*), house finch (*Carpodacus mexicanus*), red-shouldered hawk (*Buteo lineatus*), and western fence lizard (*Sceloporus occidentalis*).

4.2.2 Rare, Threatened, Endangered, Endemic and/or Sensitive Species, MSCP-Covered Species

Sensitive plants, animals and habitats are defined here as rare and/or endangered, or depleted or declining according to the USFWS, CDFW, California Native Plant Society (CNPS) and/or the City of San Diego. General surveys were conducted for plant and animal species and habitats that are considered sensitive according to the USFWS, CNPS and the CDFW's Natural Diversity Database (CNDDB) record for the La Jolla 7.5' minute quadrangle. Each of these species was assessed for its potential to occur within the Project area (Appendix B).

Figure 3. Project Overview Within MHPA

The City of SAN DIEGO Public Works

Group 160621 Underground Utility Districts Creation:
Block 1H Pole Removal [MHPA] Impact Area Vegetation Map Overview

COMMUNITY NAME: La Jolla
Date: March 28, 2019

COUNCIL DISTRICT: 1
SAP ID: 21004609

0 50 100 200 300 400 Feet

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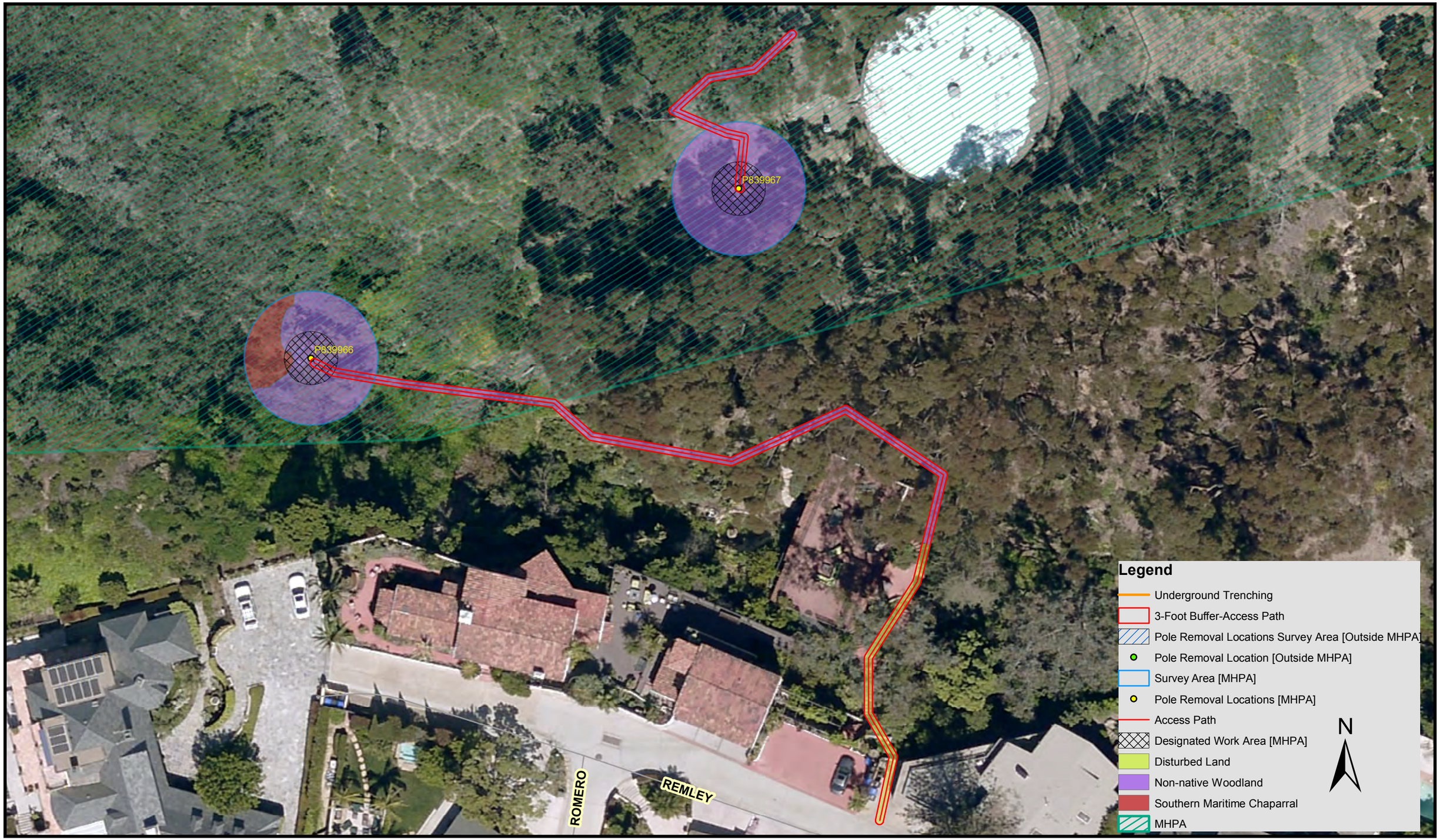
Figure 4. Impact Area Vegetation Communities [Subset 1]

The City of SAN DIEGO Public Works

Group 160621 Underground Utility Districts Creation: Block 1H Pole Removal [MHPA] Impact Area Vegetation Map (Subset 1)



COMMUNITY NAME: La Jolla
Date: March 28, 2019

COUNCIL DISTRICT: 1
SAP ID: 21004609

0 15 30 60 90 120 Feet

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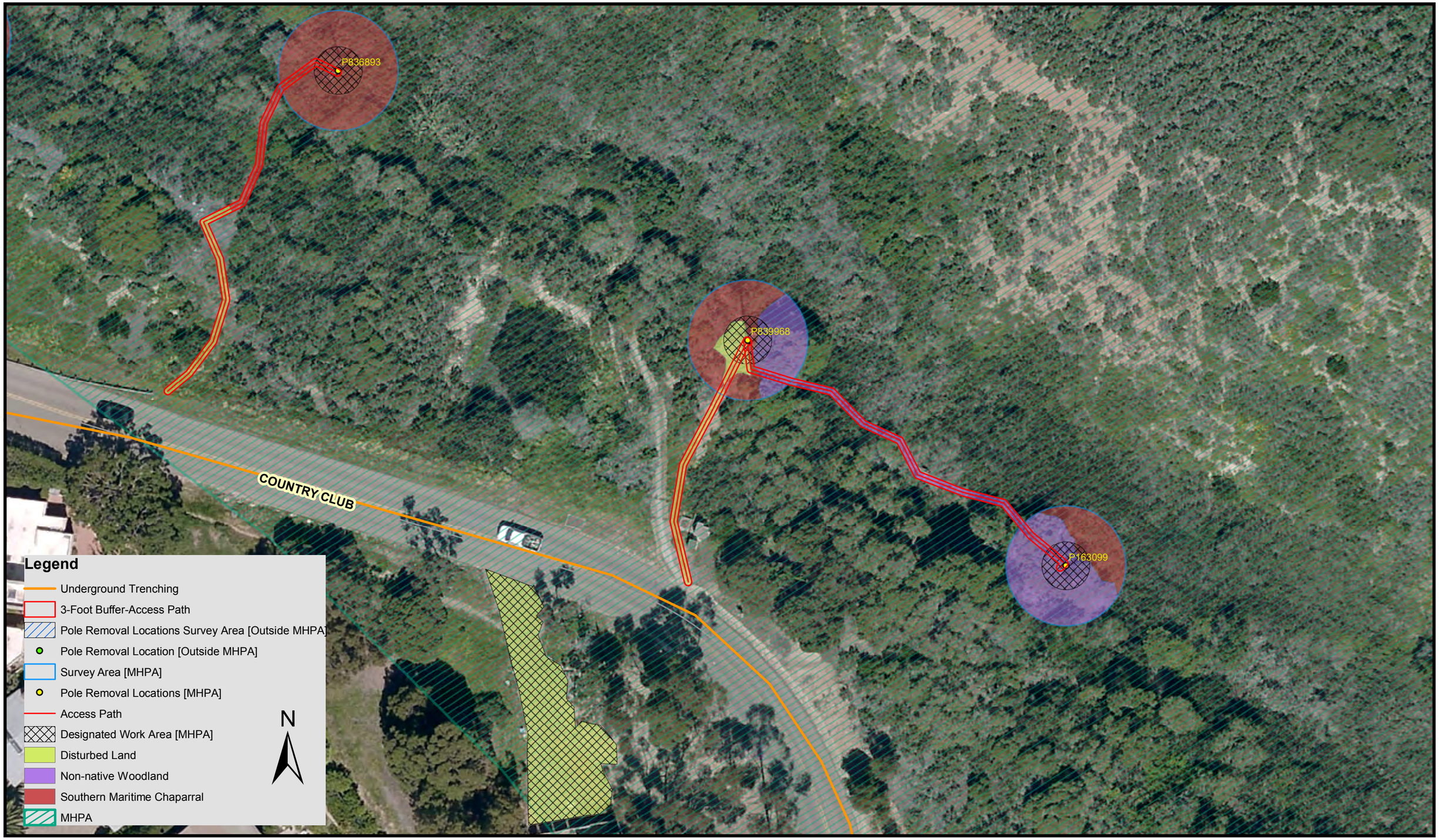
Figure 5. Impact Area Vegetation Communities [Subset 2]

The City of SAN DIEGO Public Works

Group 160621 Underground Utility Districts Creation:
Block 1H Pole Removal [MHPA] Impact Area Vegetation Map (Subset 2)



COMMUNITY NAME: La Jolla
Date: March 28, 2019

COUNCIL DISTRICT: 1
SAP ID: 21004609

0 15 30 60 90 120 Feet

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Figure 6. Impact Area Vegetation Communities [Subset 3]

The City of SAN DIEGO Public Works

Group 160621 Underground Utility Districts Creation: Block 1H Pole Removal [MHPA] Impact Area Vegetation Map (Subset 3)

COMMUNITY NAME: La Jolla
Date: March 28, 2019

COUNCIL DISTRICT: 1
SAP ID: 21004609

0 12.5 25 50 75 100 Feet

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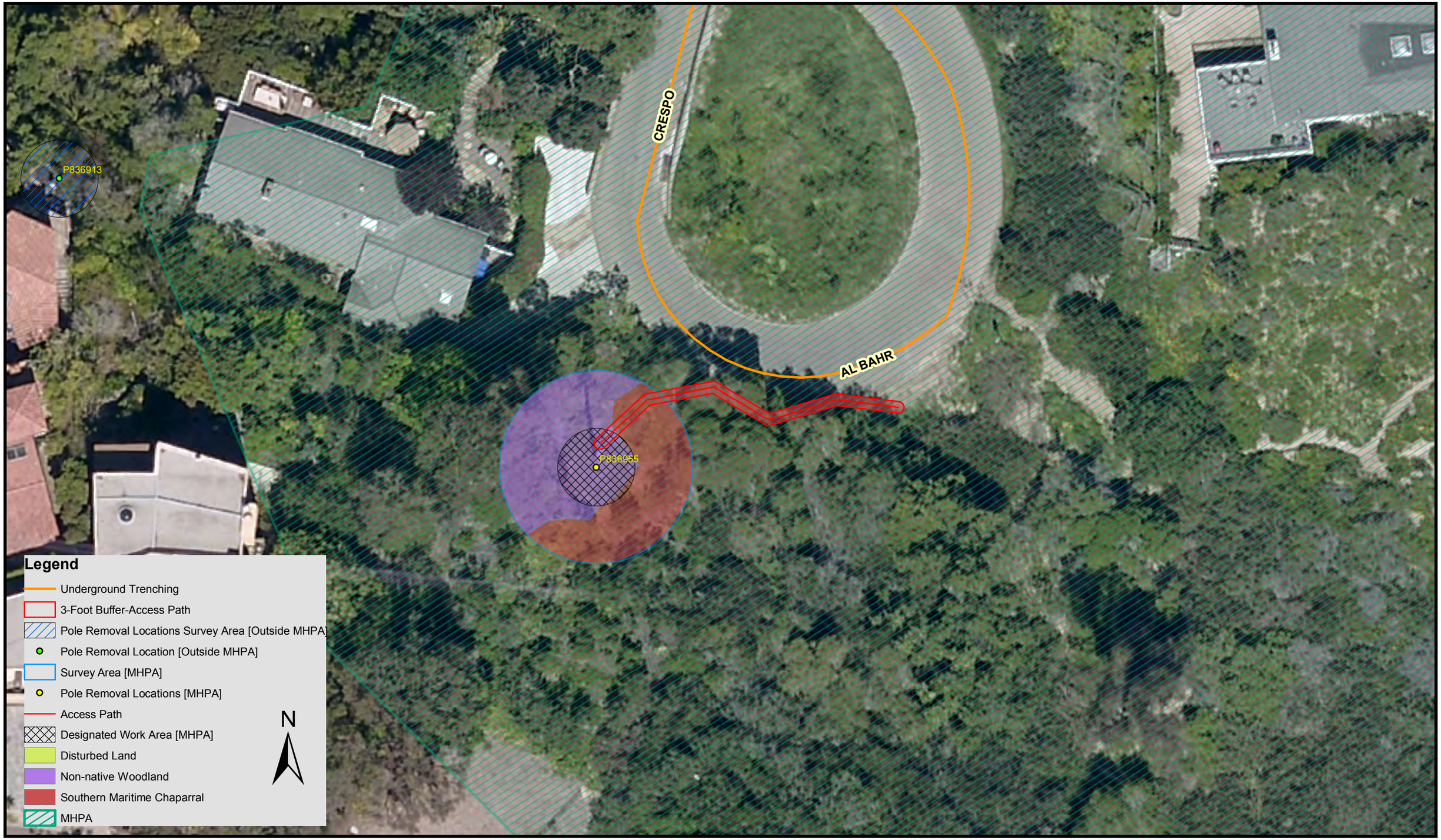
Figure 7. Impact Area Vegetation Communities [Subset 4]

The City of SAN DIEGO Public Works

Group 160621 Underground Utility Districts Creation:
Block 1H Pole Removal [MHPA] Impact Area Vegetation Map (Subset 4)



COMMUNITY NAME: La Jolla
Date: March 28, 2019

COUNCIL DISTRICT: 1
SAP ID: 21004609

0 10 20 40 60 80 Feet

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4.2.2.1 Plant Species

One listed species was present or had a moderate/high potential to occur within to the Project study area. A table documenting all species assessed can be found in Appendix B.

4.2.2.1.1 Nuttall's Scrub Oak

Nuttall's scrub oak is a CRPR 1B.1 species, which means it is "seriously threatened in California and elsewhere." It is an evergreen shrub in the Fagaceae family that typically blooms from February to April. This species is found in sandy or clay loam soils in chaparral, coastal sage scrub, and closed-cone coniferous forest. Nuttall's scrub oak is known from southern California from Orange, Santa Barbara, San Diego, and Ventura counties as well as from Baja California, Mexico, at elevations between 45 and 1,315 feet amsl. This species is threatened by development, fire suppression, and vegetation/fuels management (CNPS 2014). This species was observed within the Project study area within the open space park along the 3-foot access paths to the following poles subject for removal: P869968, P836893, P836902, and P836892. Individuals along the paths have been flagged for avoidance.

4.2.2.2 Wildlife Species

Three species have a potential to occur within or immediately adjacent to the Project area. A table documenting all species assessed can be found in Appendix B.

4.2.2.2.1 Blainville's Horned Lizard (aka Coast Horned Lizard) (*Phrynosoma blainvilli*)

Blainville's horned lizard is a flat-bodied lizard that ranges from Baja California border west of the deserts and the Sierra Nevada, north to the Bay Area, and inland as far as north as Shasta Reservoir. This species inhabits open areas of sandy soil and low vegetation in valleys, foothills and semiarid mountains. Specific habitats include grasslands, coniferous forests, woodlands, and chaparral. This species prefers lowlands along sandy washes with scattered shrubs and along dirt roads and frequently found near ant hills. This species is threatened and has been eliminated from many areas due to habitat destruction from development and agriculture, and the spread of nonnative ants, such as the Argentine ants which displace native ant food source. Blainville's horned lizard has a moderate potential for occurrence on-site based on the presence of suitable habitats in the project area and the site's location within this species range. This species was not observed during surveys.

4.2.2.2.2 Orange-Throated Whiptail (*Aspidoscelis hyperythra*)

Orange-throated whiptail is a fairly uncommon lizard that ranges from Orange, Riverside, San Bernardino and San Diego counties in areas with summer morning fog from elevations near sea level to 3,410 feet amsl. This species inhabits low-elevation coastal scrub, chamise red-shank, mixed chaparral and valley-foothill hardwood habitats. Orange-throated whiptail has a moderate potential for occurrence onsite based on the presence of suitable habitats in the project area and the site's location within this species range. This species was not observed during surveys.

4.2.2.2.3 Coastal California Gnatcatcher (*Polioptila californica californica*) [CAGN]

Coastal California gnatcatcher is a small bird that ranges from Ventura County to Baja California along the California coast. This species inhabits low shrubs in coastal sage scrub. This species has lost roughly 90 percent of its historic habitat where most of the habitat is fragmented in between urban areas and open space. This species is still threatened by continued development. While, suitable habitat for this species is found within the northern portion of the open space park where the Project study area is located, suitable habitat does not occur within the project limits, A proposed Public Utilities Department (PUD) project occurring in the same open space park and adjacent to this Project conducted protocol surveys in 2015 (Appendix D). Results were negative. Surveys are not suggested because the Project study area is far enough away (over 300 feet), that potential direct/indirect impacts from pole removal activities are not anticipated.

5 PROJECT IMPACT ANALYSIS

5.1 PROJECT IMPACTS

5.1.1 Biological Impacts

5.1.1.1 Vegetation Communities/Land Uses

Trenching of underground utilities and removal of poles within the urban areas cover approximately 110 acres and are concentrated in urban and residential areas considered Urban/Developed Areas (Appendix C).

Eight poles subject to removal activities are found within the MHPA within the open space park. Project activities associated with these eight poles have the potential to temporarily impact Southern Maritime Chaparral a Tier I habitat, and non-native woodland (Tier IV). Impacts to Tier I and Tier IV habitats are considered temporary because only minor trimming is expected, no impacts to the root ball will occur, there will be no ground disturbing activities within ESL, and all impacted vegetation is expected to recover within one growing season. A total of 0.042 acre of Tier I habitat and 0.069 acre of Tier IV may be temporarily impacted by this project. Impacts were calculated based on a ten-foot work area around each pole and a three-foot access path to each pole. Impacts to sensitive habitats are temporary and not considered significant; no mitigation will be required. A summary of impacts to vegetation communities within the MHPA associated with eight poles subject for removal are found in Table 2.

Table 1. Project Impacts on Vegetation Communities/Land Uses within the MHPA

Pole Numbers	Impacts [Acres/Ft²][1]		
	Vegetation Communities [within MHPA]		
	Southern Maritime Chaparral (Tier I)	Non-native Woodland (Tier IV)	Disturbed Land
P836958	0.006 / 261	0.007 / 305	0
P836902	0.018 / 784	0.004 / 174	0
P836892	0.003 / 131	0	0.012 / 523
P836893	0.012 / 523	0	0.006 / 261
P869968	0.002 / 87	0.002 / 87	0.010 / 436
P163099	0.000702 / 31	0.017 / 741	0.000128 / 6
P836958	0.000416 / 18	0.025 / 1,089	0.008 / 348
P839967	0	0.014 / 610	0
TOTAL	0.042 / 1,830	0.069 / 3,006	0.036 / 1,568

[1] Impacts to vegetation will be from minor trimming and are considered temporary

5.1.1.2 Sensitive Species

Nuttall's scrub oak was observed within the open space park along the designated 3-foot access paths associated with the eight poles subject for removal as listed above. This species is not anticipated to be impacted by removal activities within the open space park.

The following wildlife species have a moderate potential for occurrence onsite: orange-throated whiptail and coast horned lizard; however, impacts are not anticipated as a result of removal of poles.

5.1.1.2.1 Nuttall's Scrub Oak

Nuttall's scrub oak is not an MSCP covered species. Individuals have been flagged for avoidance within the

work areas including the access paths; however, minor trimming may be allowed if necessary to facilitate the 3-foot allocated walking paths that provide access to poles subject for removal. No Nuttall's scrub oak would be removed. Additionally, implementation of AMM-1, AMM-2, and AMM-3 will ensure that permanent impacts to this species is avoided.

5.1.1.2.2 Blainville's Horned Lizard (aka Coast Horned Lizard)

Coast horned lizard, a CDFW species of special concern, was not documented on-site but has a moderate potential for occurrence. Coast horned lizard is an MSCP covered species; thus take of the species is allowed for projects that comply with the City's MSCP implementing regulations. The Project would not create any edge effects as it is removing existing poles; no new urban edges would be created. Additionally, implementation of AMM-1 and AMM-2 will ensure impacts to this species is minimized.

5.1.1.2.3 Orange-throated Whiptail

Orange-throated whiptail, a CDFW species of special concern, was not documented on-site but has a moderate potential for occurrence. Orange-throated whiptail is not an MSCP covered species. No heavy equipment will be used for activities associated with removal of poles. Additionally, implementation of AMM-1 and AMM-2 will ensure impacts to this species is minimized.

5.1.1.2.4 Coastal California Gnatcatcher

Coastal California Gnatcatcher a federal-listed threatened and MSCP-Covered species is not expected within the Project study area. Suitable habitat is more than 300 feet away and past surveys were negative within suitable habitat within the open space park. Impacts to this species is not anticipated; however, implementation of AMM-1 and AMM-2 will ensure impacts to this species, if found nearby is minimized.

5.1.2 Wetlands and Wetland Buffers

No federal wetlands occur on site, but the portion of the Project study area that occurs within the open space parks does support a large drainage that is a potential non-wetland, ephemeral waters of the U.S./State jurisdictional by the Corps and RWQCB and potential ephemeral streambed jurisdictional by CDFW. The on-site drainage does not support a dominance of hydrophytic vegetation; therefore the drainage does not qualify as a City jurisdictional wetland.

Three of the eight poles (P836902, P839966 and P163099) are located directly adjacent to the drainage. Removal of these poles will be by hand, will not disturb soil, and will not impact the drainage. Therefore, this project will not require permits or consultation with federal and state regulatory agencies.

5.1.3 Wildlife Corridors

The Project area is not identified as an MSCP regional wildlife corridor. The open space park is isolated, with no adjacent native habitats. However, the habitat is a large, intact area of native habitat and serves as a local wildlife corridor and a 'stepping stone' corridor for avian species. The Project does not propose any new barriers such as fencing or development that would preclude wildlife movement. Further, the Project proposes to remove existing poles within natural areas and the removal of these poles will ultimately decrease public access to the lands within the MHPA and increase habitat for wildlife. As such, no impacts on wildlife corridors would occur with Project implementation.

5.2 MSCP CONSISTENCY ANALYSIS

A small portion of the Project lies within the City's MSCP Subarea and approximately eight existing pole structures are subject to removal activities occur within lands designated as MHPA under the MSCP (Figure 3-7), therefore compliance with several MSCP Subarea Plan directives is required for the portion of the Project in addition to compliance with the City's other MSCP implementing regulations. The majority of the Project is not within the MHPA but will also be subject to land use adjacency guidelines.

5.2.1 MHPA Compatible Land Uses

The eight existing pole structures subject to removal activities are located within lands designated MHPA under the City's MSCP. The MSCP Subarea Plan (§1.4.1) precludes development within the MHPA except in limited circumstances that are considered "conditionally compatible with the biological objectives of the MSCP." The allowed uses are as follows:

- Passive recreation
- Utility lines and roads in compliance with policies 1.4.2 below
- Limited water facilities and other essential public facilities
- Limited low density residential uses
- Brush Management (Zone 2)
- Limited agriculture

Installation of underground utilities and removal of existing structures qualify as "utility lines" and are conditionally compatible allowed uses within the MHPA, when design and construction are performed in conformance with relevant planning and design guidelines as outlined below.

5.2.1.1 General Planning and Design Guidelines (§1.4.2)

Following are the Project-relevant requirements from the 'Roads and Utilities – Construction and Maintenance Policies' discussion of Section 1.4.2 of the City's MSCP Subarea Plan, along with an analysis of Project compliance with each requirement.

- *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*

The existing pole structures subject to removal will be removed using hand tools only and access will be through existing SDG&E maintenance paths of which are approximately 3-foot wide. Crews will access the poles on foot and will use hand tools to remove the pole to the base that will be left in place. The material will be hauled out on foot.

5.2.2 MHPA Land Use Adjacency Guidelines (§1.4.3)

The Project study area occurs within the MHPA and portions of the paved right-of-way which are adjacent to MHPA land associated with the La Jolla Natural Open Space Park. Land Use Adjacency Guidelines are analyzed by assessing both the Project study area and portions of the paved right-of-way which are adjacent to the MHPA. Projects occurring adjacent to the City's MHPA, or preserve, must adhere to the City's MHPA land use adjacency guidelines as outlined in section 1.4.3 of City's MSCP Subarea Plan. The guidelines and analyses of Project conformance are detailed in the Table. Please see section 5.2.1 for a discussion of area-specific management directives for MSCP covered species that have been documented on-site.

Table 2. MHPA Land Use Adjacency Guidelines Summary

MHPA Adjacency Guidelines Section 1.4.3 of the HSCP Subarea Plan	Applicability	Implementation
Drainage: All new and proposed parking lots and developed areas in and adjacent to the preserve must not drain directly into the MHPA. All developed and paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials and other elements that might degrade or harm the natural environment or ecosystem processes within the MHPA	The majority of the project occurs within the existing ROW. The Project will not result in new storm drain structures.	All construction activities associated with underground operations (trenching, potholing, storage, staging, etc.) will occur within the paved existing ROW. Use of appropriate BMPs will be utilized to deter release of toxins, chemicals, petroleum products, exotic plant materials and other elements that might degrade or harm the natural environment or ecosystem processes within the MHPA
Toxics: Land uses, such as recreation and agriculture, that use chemicals or generate byproducts 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.	The majority of the project occurs within the existing ROW. Any work associated with pole removal will be conducted on foot and with the use of hand tools.	All construction activities associated with underground operations (trenching, potholing, storage, staging, etc.) will occur within the existing ROW. Any use of hazardous construction materials would be used within the ROW, such as fuel used for hand tools associated with pole removal.
Lighting: Lighting of all developed areas adjacent to the MHPA should be directed away from the MHPA. Where necessary, development should provide adequate shielding with non-invasive plant materials (preferably native), berming, and/or other methods to protect the MHPA and sensitive species from night lighting.	Replacement and/or new streetlights may be installed within the urban area.	All lighting would be installed within the developed right-of-way. Light overspill into the MHPA would be buffered by existing residential structures and ornamental landscaping.
Noise: 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.	Suitable habitat for CAGN is found within the MHPA; however, the Project's proximity to suitable habitat is far enough away (over 300 feet) that potential indirect impacts from noise associated with trenching activities and pole removal is not anticipated.	Construction within natural, unpaved areas (eight pole sites) will be limited to outside of the nesting season for CAGN (March 15-August 31).
Barriers: New development adjacent to the MHPA may be required to provide barriers (e.g., non-invasive vegetation, rocks/boulders, fences, walls, and/or signage) along the MHPA boundaries to direct public access to appropriate locations and reduce domestic animal predation.	The project consists of removing existing poles and trenching for installation of utilities within the existing ROW. No permanent barriers are required or proposed for this project.	Not applicable
Invasives: No invasive non-native plant species shall be introduced into areas adjacent to the MHPA.	No ornamental landscaping is proposed as part of project development. A revegetation plan will not be necessary as there will be no soil disturbance in undeveloped areas. All ground disturbing activities will be conducted within the existing ROW.	Not Applicable
Brush Management: New residential development located adjacent to and topographically above the MHPA (e.g., along canyon edges) must be set back from slope edges to incorporate Zone 1 brush management areas on the development pad and outside of the MHPA.	The project would not require brush management as it would not include any flammable structures requiring fire protection.	Not Applicable
Grading/Land Development: Manufactured slopes associated with site development shall be included within the development footprint for projects within or adjacent to the MHPA.	No manufactured slopes are anticipated within or adjacent to the MHPA. Pole removal activities consist of hand removal of poles and removal of material on foot.	Not Applicable

MHPA: Multi-Habitat Planning Area; HSCP: Health and Safety Contingency Plan; MM: Mitigation Measure; DSD: Development Services Department; MMC: Mitigation Monitoring Coordination.

5.2.3 General Management Directives (§1.5.2)

Section §1.5.2 does include directives regarding mitigation and restoration that would be applicable to the project, however. Each directive and analysis of each is provided below.

5.2.3.1 Mitigation

- *Mitigation, when required as part of project approvals, shall be performed in accordance with the City of San Diego Environmentally Sensitive Lands Regulations (ESL) and Biology Guidelines.*

No mitigation is required for this project as impacts to upland habitats are minimal/temporary and considered not significant under CEQA.

5.2.3.2 Restoration

- *Restoration or revegetation undertaken in the MHPA shall be performed in a manner acceptable to the City. Where covered species status identifies the need for reintroduction and/or increasing the population, the covered species will be included in restoration/revegetation plans, as appropriate. Restoration or revegetation proposals will be required to prepare a plan that includes elements addressing financial responsibility, site preparation, planting specifications, maintenance, monitoring, and success criteria, and remediation and contingency measures. Wetland restoration/revegetation proposals are subject to permit authorization by federal and state agencies.*

No restoration or revegetation is needed for this project as impacts to ESL are not considered significant and all temporary impacts are within the existing ROW.

5.2.3.3 Public Access, Trails, and Recreation

5.2.3.3.1 Priority 1

- *Minimize trail widths to reduce impacts to critical resources. For the most part, do not locate trails wider than 4-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.*

It is assumed that in areas where designated access paths may be overgrown, minor trimming of branches to widen the path up to 3-feet in width complies with the General Management Directives regarding Public Access Trails Priority 1 as described above. In addition, the access paths are considered temporary and vegetation is expected to recover within one growing season.

5.3 INDIRECT IMPACTS

The Project would entail removal of the above ground pole structure and appurtenances and foot traffic into the MHPA. This would have the potential to generate noise from chain saws and other mechanical hand held tools that may be required for work. To reduce noise impacts to less than significant construction within natural, unpaved areas (eight poles analyzed) will be limited to outside of the nesting season for CAGN (March 15-August 31). Therefore, no significant, indirect impacts on biological resources are anticipated.

5.4 CUMULATIVE IMPACTS

Cumulative impacts include both the potential regional (long-term, additive) effects of a project and the ways a project, in combination with other Projects and conditions in a region, may affect an ecosystem or one of its components beyond the

Project limits and on a regional scale. Because the Project would be consistent with the City of San Diego's MSCP, a regional conservation plan, there would be no cumulatively significant biological impacts.

6 AVOIDANCE AND MINIMIZATION MEASURES

The following measures will be included on the project design plans and incorporated into the contract specifications to comply with the City's MSCP requirements and ESL regulations. Implementation of these regulations will ensure impacts to biological resources are avoided and minimized.

6.1 PRE-CONSTRUCTION AVOIDANCE AND MINIMIZATION MEASURE

6.1.1 AMM-1

- Biologist Verification -The owner/permittee shall provide a letter to the City's Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City of San Diego's Biological Guidelines (2018), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.
- Preconstruction Meeting - The Qualified Biologist shall attend the preconstruction meeting, discuss the project's biological monitoring program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.
- Biological Documents - The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program (MSCP), Environmentally Sensitive Lands Ordinance (ESL), project permit conditions; California Environmental Quality Act (CEQA); endangered species acts (ESAs); and/or other local, state or federal requirements.
- BCME -The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME) which includes the biological documents in C above. In addition, include: restoration/revegetation plans, plant salvage/relocation requirements (e.g., coastal cactus wren plant salvage, burrowing owl exclusions, etc.), avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/ barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City ADD/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.
- Education –Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive

flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

6.1.2 AMM-2

- Resource Delineation - Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora & fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.

6.2 Construction Avoidance and Minimization Measures

6.2.1 AMM-3

- **Monitoring**- All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on "Exhibit A" and/or the BCME. The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR shall be e-mailed to MMC on the 1st day of monitoring, the 1st week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery.
- **Subsequent Resource Identification -** The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna onsite (e.g., flag plant specimens for avoidance during access, etc). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species specific local, state or federal regulations have been determined and applied by the Qualified Biologist.

7 MITIGATION AND MONITORING PROGRAM

No impacts to ESL exceeded significance thresholds; therefore, mitigation is not required.

8 REFERENCES

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APPENDIX A: Site Photographs.

ATTACHMENT A – SITE PHOTOGRAPHS

Photo 1. This photo shows the access path to P839968 located within Southern Maritime Chaparral with the open space park in the MHPA. Yellow flagging denotes Nuttall's scrub oak for avoidance.

Photo 2. This photo shows P163099 within Non-native Woodland within the open space park in the MHPA.

	**Photo 3. This photo shows the steel pole P836902 located within Southern Maritime Chaparral located in the open space park within the MHPA. This photo will be removed via helicopter with a hand crew that will remove the footings.**
	**Photo 4. This photo shows P836892 located within Southern Maritime Chaparral located in the open space park in the MHPA. The work area still remains cleared of vegetation from when the pole was replaced in 2016.**

APPENDIX B: Potential for Sensitive Flora and Fauna to Occur Within the Project Study Area.

Sensitive Fauna: Potential to Occur within the Project Study Area				
Common Name	Scientific Name	Status	Habitat Description	Potential to Occur
Mesa Shoulderband	*Helminthoglypta coelata (=H. traski c.)*	IUCN: VU	Terrestrial snail for which limited information is available. Other *Helminthoglypta* are found in the accumulated leaf litter and the undersides of lower branches of shrub species of coastal dune scrub.	Absent. No suitable habitat within the Project study area.
Orangethroat Whiptail	*Aspidoscelis hyperythra*	CDFW: Species of Special Concern, MSCP	A variety of habitats including sage scrub, chaparral, and coniferous and broadleaf woodlands. Found on sandy or friable soils with open scrub.	Moderate. This species is fairly common in undeveloped areas within San Diego County.
Rosy Boa	*Charina trivirgata*	CDFW: Special Animals List	A variety of habitats including coastal sage scrub, chaparral, grasslands, and agricultural fields. Rosy boas prefer areas with moderate to dense vegetation and rocky cover. They have been found under rocks, in boulder piles and along rock outcrops and vertical canyon walls (CDFW 1990).	Low. Suitable vegetation is present within the Project study area; however, but limited rocky habitat present on site.
Blainville's [Coast] Horned Lizard	*Phrynosoma blainvilli*	CDFW: Species of Special Concern, MSCP	A variety of habitats including sage scrub, chaparral, and coniferous and broadleaf woodlands. Found on sandy or friable soils with open scrub. Requires open areas, bushes, and fine loose soil.	Moderate. This species is fairly common in undeveloped areas within San Diego County.
Southern California Rufous-Crowned Sparrow	*Aimophila ruficeps canescens*	CDFW: Watch List, MSCP	Grassy or rocky slopes with open scrub at elevations from sea level to 2,000 feet. Occurs mainly in coastal sage scrub.	Very Low. No suitable habitat within the Project study area; however, suitable habitat located within coastal sage scrub within the open space park.
Coastal California Gnatcatcher	*Polioptila californica californica*	USFWS: Threatened; CDFW: Species of Special Concern, MSCP	Diegan coastal sage scrub dominated below 2,500 feet elevation in Riverside County and below 1,000 feet elevation along the coastal slope.	Very Low. No suitable habitat within the Project study area; however, suitable habitat located within coastal sage scrub within the open space park.
American Badger	*Taxidea taxus*	CDFW: Species of Special Concern, MSCP	Coastal sage scrub, mixed chaparral, grassland, oak woodland, chamise chaparral, mixed conifer, pinyon- juniper, desert scrub, desert wash, montane meadow, open areas, and sandy soils.	Absent. No burrows within the Project study area.

Sensitive Flora: Potential to Occur within the Project Study Area				
Common Name	Scientific Name	Status	Habitat Description	Potential to Occur
San Diego thorn-mint	Acanthomintha ilicifolia	FE, SE, CRPR 1B, MSCP, NE	Annual herb. Blooms Apr-June in clay openings in chaparral, coastal scrub, valley and foothill grassland and vernal pools. Elev. 32-3,149 ft	Low. Species occurs on clay lenses (often gray in color) in open, generally grassland areas. Suitable habitat for this species occurs in the Project area near the existing poles subject for removal. .
California adolphia	*Adolphia californica*	CRPR 2B.1	Deciduous shrub. Blooms Dec-May. Chaparral. Elev 20-660 ft	No Potential. Species is visible year round and would have been observed if present.
Shaw's agave	*Agave shawii* var. *shawii*	CRPR 2B.1, MSCP, NE	Perennial leaf succulent. Blooms Sep-May. Marine succulent scrub, coastal bluff scrub, coastal scrub. Elev 10-400 ft	No Potential. Species occurs exclusively on coastal bluffs.
Aphanisma	*Aphanisma blitoides*	CRPR 1B.2, MSCP, NE	Annual herb. Blooms Mar- Jun. Coastal bluff scrub, coastal dunes, and coastal sage scrub. Elev 3-1,000 ft.	Very Low Potential. Species restricted to immediate coastal bluffs.
San Diego sagewort	*Artemisia palmeri*	CRPR 4.2	Deciduous shrub. Blooms May-Sep. Sandy, mesic areas in chaparral, coastal sage scrub, and riparian habitats. Elev. 45-3,005 ft.	Very Low Potential. The primary drainage on site is not mesic enough to support this species.
Coastal dunes milk-vetch	*Astragalus tener* var. *titi*	FE, CE, CRPR 1B.1, MSCP, NE	Annual herb. Blooms Mar-May. Found in vernally mesic areas within coastal bluff scrub (sandy), coastal dunes, and coastal prairie (mesic). Elev. 3-164 ft.	No Potential. Suitable habitat is not present within the Project study area.
Coulter's saltbush	*Atriplex coulteri*	CRPR 1B.2	Perennial herb. Blooms Mar-Oct. Alkaline or clay soils in coastal dunes, coastal bluff scrub, coastal sage scrub, and grassland. Elev 10-1,510 ft.	No Potential. Suitable habitat is not present within the Project study area.
South coast saltscale	*Atriplex pacifica*	CRPR 1B.2	Annual herb. Blooms Mar- Oct. Playas, coastal dunes, coastal bluff scrub, and coastal sage scrub. Elev 0- 460 ft.	No Potential. Suitable habitat is not present within the Project study area.
Encinitas baccharis	*Baccharis vanessae*	FT, CE, CRPR 1B.1, MSCP, NE	Perennial deciduous shrub. Blooms Aug, Oct, Nov. Found on sandstone in maritime chaparral and cismontane woodland. Elev. 196-2,362 ft	Moderate. Suitable habitat within the Project study area.
Orcutt's brodiaea	*Brodiaea orcuttii*	CRPR 1B.1, MSCP	Bulbiferous herb. Blooms Apr- Jul. Typically mesic, clay soils (sometimes serpentinite) in vernal pools associated with chaparral, cismontane woodland, closed-cone coniferous forest, meadows, seeps, and grassland. Elev 30- 1,692 ft.	No Potential. Suitable habitat is not present within the Project study area.

Common Name	Scientific Name	Status	Habitat Description	Potential to Occur
Wart-stemmed ceanothus	*Ceanothus verrucosus*	CRPR 2B.2, MSCP	Evergreen shrub. Blooms Dec-May. Chaparral. Elev 3-1,250 ft.	Absent. Suitable habitat within the Project study area, but was not observed during the survey.
Summer holly	*Comarostaphylis diversifolia subsp. diversifolia*	CRPR 1B.2	Evergreen shrub. Blooms Apr-Jun. Chaparral and cismontane woodland. Elev 95-2,595 ft.	Absent. Suitable habitat within the Project study area, but was not observed during the survey.
San Diego sand aster	*Corethrogyne filaginifolia var. incana*	CRPR 1B.1	Perennial herb. Blooms Jun-Sep. Coastal bluff scrub, chaparral, and coastal sage scrub. Elev 10-380 ft.	Low Potential. No suitable habitat is present within the project study area and not detected during surveys.
Snake cholla	*Cylindropuntia parryi* var. *serpentina*	CRPR 1B.1, MSCP, NE	Perennial stem succulent. Blooms Apr-May. Chaparral and coastal scrub. Elev. 98-492 ft.	No Potential. Species occurs in chaparral and coastal sage scrub in southern San Diego County. Would have been observed if present.
Otay tarplant	*Deinandra conjugens*	FT, CE, CRPR 1B.1, MSCP, NE	Annual herb. Blooms (Apr) May-Jun. Found in clay soils in coastal scrub and valley and foothill grassland. Elev. 82-984 ft	No Potential. Species occurs in grasslands and coastal sage scrub in clay soils in southern San Diego County. The Project does not support clay lenses characteristic of Otay tarplant habitat.
Short-leaved dudleya	*Dudleya brevifolia*	SE; CRPR 1B.1, MSCP, NE	Perennial herb. Blooms Apr-May. Sandstone, openings in maritime chaparral, and coastal sage scrub. Elev 95-820 ft.	Moderate. Sandstone bluff soil formation habitat of species does not occur within the Project.
Variegated dudleya	*Dudleya variegata*	CRPR 1B.2, MSCP, NE	Perennial herb. Blooms Apr-May. Clay soils associated with vernal pools in chaparral, cismontane woodland, coastal sage scrub, and grassland. Elev 10-1,905ft.	No Potential. Suitable habitat is not present within the Project study area.
Sticky dudleya	*Dudleya viscida*	CRPR 1B.2, MSCP	Perennial herb. Blooms May-Jun. Rocky areas in coastal bluff scrub, chaparral, coastal scrub, and cismontane woodland. Elev 30-1,805 ft.	Absent. Suitable habitat within the Project study area, but was not observed during the survey.
San Diego button-celery	*Eryngium aristulatum* var. *parishii*	FE, CE, CRPR 1B.1, MSCP, NE	Annual/perennial herb. Blooms Apr-Jun. Found in mesic soils in coastal scrub, valley and foothill grassland and mostly associated with vernal pools. Elev. 65-2,034 ft	No Potential. Vernal pool species; no vernal pool habitat within the Project.
Cliff spurge	*Euphorbia misera*	CRPR 2B.2	Shrub. Blooms Dec-Aug. Rocky areas in coastal bluff scrub, coastal sage scrub, and Mojavean desert scrub. Elev 30-1,640 ft.	No Potential. Suitable habitat is not present within the Project study area.
San Diego barrel cactus	*Ferocactus viridescens*	CRPR 2B.1, MSCP	Stem succulent. Blooms May-Jun. Chaparral, coastal sage scrub, grassland, and vernal pools. Elev 10-1,480 ft.	Absent. Suitable habitat within the Project study area, but was not observed during the survey.

Common Name	Scientific Name	Status	Habitat Description	Potential to Occur
Beach goldenaster	*Heterotheca sessiliflora* subsp. *sessiliflora*	CRPR 1B.1	Perennial herb. Blooms Mar-Dec. Coastal dunes, chaparral, and coastal sage scrub. Elev 0-4,020 ft.	Very Low Potential. Species restricted to immediate coast.
Decumbent goldenbush	*Isocoma menziesii* var. *decumbens*	CRPR 1B.2	Shrub. Blooms Apr-Nov. Sandy, often disturbed, areas in chaparral and coastal sage scrub. Elev 30-445 ft.	Absent. Suitable habitat within the Project study area, but was not observed during the survey.
Sea dahlia	*Leptosyne maritima*	CRPR 2B.2	Perennial herb. Blooms Mar-May. Coastal bluff scrub and coastal sage scrub. Elev 15-495 ft.	No Potential. Suitable habitat is not present within the Project study area.
Prostrate navarretia	*Navarretia fossalis*	FT, CRPR 1B.1, MSCP, NE	Annual herb. Blooms Apr-Jun. Found in chenopod scrub, marshes and swamps (assorted shallow freshwater), playas, and vernal pools. Elev. 98-2,148 ft.	No Potential. Vernal pool species; no vernal pool habitat within the Project.
California Orcutt grass	*Orcuttia californica*	FE, CE, CRPR 1B.1, MSCP, NE	Annual herb. Blooms Apr-Aug. Vernal pools. Elev. 49-2,165 ft	No Potential. Vernal pool species; no vernal pool habitat within the Project.
San Diego mesa mint	*Pogogyne abramsii*	FE, CE, CRPR 1B.1, MSCP, NE	Annual herb. Blooms Mar-Jul. Vernal Pools. Elev. 295-656 ft.	No Potential. Vernal pool species; no vernal pool habitat within the Project.
Otay mesa mint	*Pogogyne nudiuscula*	FE, CE, CRPR 1B.1, MSCP, NE	Annual herb. Blooms Mar-Jul. Vernal Pools. Elev. 295-656 ft.	No Potential. Vernal pool species; no vernal pool habitat within the Project.
Nuttall's scrub oak	*Quercus dumosa*	CRPR 1B.1	Evergreen shrub. Blooms Feb-Apr. Sandy or clay loam soils associated with chaparral, coastal sage scrub, and closed- cone coniferous forest. Elev 45-1,315 ft.	Present within the Project study area. Individuals flagged along the 3-ft access path where observed within the Southern Maritime Chaparral within the open space park.
Chaparral ragwort	*Senecio aphanactis*	CRPR 2B.2	Annual herb. Blooms Jan- Apr. Chaparral, coastal sage scrub, and cismontane woodland. Elev 45-2,625 ft.	Very Low Potential. Species is very rare and limited suitable habitat present.

APPENDIX C: Summary of Poles Scheduled for Removal outside MHPA.

Appendix C
List of Pole Removal Located Outside MHPA

Pole Number	Vegetation Community
P102844	Urban/Developed Areas
P102857	Urban/Developed Areas
P102858	Urban/Developed Areas
P104264	Urban/Developed Areas
P104265J	Urban/Developed Areas
P104266J	Urban/Developed Areas
P104440	Urban/Developed Areas
P104441	Urban/Developed Areas
P104442	Urban/Developed Areas
P104443	Urban/Developed Areas
P104267	Urban/Developed Areas
P1100565	Urban/Developed Areas
P166534	Urban/Developed Areas
P180758	Urban/Developed Areas
P191736	Urban/Developed Areas
P196665	Urban/Developed Areas
P198632J	Urban/Developed Areas
P201450	Urban/Developed Areas
P201544	Urban/Developed Areas
P205354	Urban/Developed Areas
P2055	Urban/Developed Areas
P239411	Urban/Developed Areas
P239755	Urban/Developed Areas
P239899J	Urban/Developed Areas
P2418068750	Urban/Developed Areas
P2478468802	Urban/Developed Areas
P2482068701	Urban/Developed Areas
P2482668708J	Urban/Developed Areas
P2482668986	Urban/Developed Areas
P2484568685	Urban/Developed Areas
P2486368653	Urban/Developed Areas
P2487068820	Urban/Developed Areas
P2487868770	Urban/Developed Areas
P2488668783	Urban/Developed Areas
P2489568790	Urban/Developed Areas
P2490368752	Urban/Developed Areas
P2491168759	Urban/Developed Areas
P2491468917	Urban/Developed Areas
P2492768911	Urban/Developed Areas
P2493668684	Urban/Developed Areas
P2494568677	Urban/Developed Areas
P2496268957	Urban/Developed Areas
P250015	Urban/Developed Areas
P255031	Urban/Developed Areas
P255032	Urban/Developed Areas
P255033	Urban/Developed Areas
P255035	Urban/Developed Areas
P266034	Urban/Developed Areas
P36937	Urban/Developed Areas
P37231	Urban/Developed Areas
P37232	Urban/Developed Areas
P37259J	Urban/Developed Areas
P37260	Urban/Developed Areas
P37578	Urban/Developed Areas
P37891	Urban/Developed Areas
P731636J	Urban/Developed Areas

Appendix C
List of Pole Removal Located Outside MHPA

Pole Number	Vegetation Community
P731637J	Urban/Developed Areas
P732654J	Urban/Developed Areas
P732655J	Urban/Developed Areas
P73282J	Urban/Developed Areas
P732831J	Urban/Developed Areas
P732833J	Urban/Developed Areas
P732834	Urban/Developed Areas
P732835J	Urban/Developed Areas
P732836	Urban/Developed Areas
P732850J	Urban/Developed Areas
P733301	Urban/Developed Areas
P734921	Urban/Developed Areas
P734961	Urban/Developed Areas
P735003	Urban/Developed Areas
P834967	Urban/Developed Areas
P834974	Urban/Developed Areas
P834975	Urban/Developed Areas
P834980	Urban/Developed Areas
P834995	Urban/Developed Areas
P834997	Urban/Developed Areas
P834998	Urban/Developed Areas
P836894	Urban/Developed Areas
P836900	Urban/Developed Areas
P836904	Urban/Developed Areas
P836905	Urban/Developed Areas
P836906	Urban/Developed Areas
P836907	Urban/Developed Areas
P836908	Urban/Developed Areas
P836909	Urban/Developed Areas
P83691	Urban/Developed Areas
P836910	Urban/Developed Areas
P836911	Urban/Developed Areas
P836913	Urban/Developed Areas
P836914	Urban/Developed Areas
P836934	Urban/Developed Areas
P836935	Urban/Developed Areas
P836936	Urban/Developed Areas
P836937	Urban/Developed Areas
P836938	Urban/Developed Areas
P836939	Urban/Developed Areas
P836940	Urban/Developed Areas
P836941	Urban/Developed Areas
P836942	Urban/Developed Areas
P836943	Urban/Developed Areas
P836944	Urban/Developed Areas
P836945	Urban/Developed Areas
P836954	Urban/Developed Areas
P838411	Urban/Developed Areas
P838423	Urban/Developed Areas
P838425	Urban/Developed Areas
P838426	Urban/Developed Areas
P838427	Urban/Developed Areas
P838428	Urban/Developed Areas
P838429	Urban/Developed Areas
P838436	Urban/Developed Areas
P838437	Urban/Developed Areas

Appendix C
List of Pole Removal Located Outside MHPA

Pole Number	Vegetation Community
P838438	Urban/Developed Areas
P838439	Urban/Developed Areas
P838442	Urban/Developed Areas
P838444	Urban/Developed Areas
P838445	Urban/Developed Areas
P839754	Urban/Developed Areas
P839767J	Urban/Developed Areas
P839769	Urban/Developed Areas
P839771	Urban/Developed Areas
P839772	Urban/Developed Areas
P839773	Urban/Developed Areas
P839777	Urban/Developed Areas
P839970	Urban/Developed Areas
P839973	Urban/Developed Areas
P839974J	Urban/Developed Areas
P839975	Urban/Developed Areas
P839976	Urban/Developed Areas
P839977	Urban/Developed Areas
P839980	Urban/Developed Areas

APPENDIX D: 45-Day Report for Coastal California Gnatcatcher Surveys at the La Jolla View Reservoir Replacement Project in the City of San Diego, California

Appendix F

ROCKS
BIOLOGICAL CONSULTING

November 5, 2015

U.S. Fish and Wildlife Service
Attn: Ms. Stacey Love
Carlsbad Fish and Wildlife Office
2177 Salk Ave., Ste. 250
Carlsbad, CA 92008

Subject: 45-Day Report for Coastal California Gnatcatcher Surveys at the La Jolla View Reservoir Replacement Project in the City of San Diego, California

Ms. Love:

This letter presents the 45-Day Report for Coastal California Gnatcatcher (*Polioptila californica californica*; CAGN) protocol surveys conducted for the La Jolla View Reservoir Replacement Project in the City of San Diego, California. Survey results were negative for CAGN.

The surveys described in this report were performed on behalf of Infrastructure Engineering Corporation (IEC) for the City of San Diego. The project site is located within the United States Geological Survey (USGS) La Jolla 7.5' Quadrangle in the City of San Diego. The property is located partially within the Multiple Habitat Planning Area (MHPA) of the City of San Diego's Multiple Species Conservation Program (MSCP). The October 2015 project area plus a 300-foot buffer was surveyed, for a total CAGN survey area of approximately 37.44 acres. Previous protocol CAGN surveys in 2014 targeted only the areas selected for geotechnical borings; therefore protocol surveys were required in 2015 to include the entire project area.

Vegetation communities within the project area are primarily southern maritime scrub and Diegan coastal sage scrub, both of which constitute suitable CAGN habitat. Non-suitable habitats within the project area include eucalyptus trees/ornamental and developed areas. All suitable habitat within 300' of the project area was included in the CAGN survey area.

Survey methodology followed the U.S. Fish and Wildlife Service presence/absence protocol (1997) for NCCP areas, including three surveys at least one week apart. During each survey, all suitable habitats were surveyed. Taped vocalizations were used to elicit a response for CAGN in the area. Please see Table 1 for survey dates, times, and

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619.843.6560 ● MELANIE@ROCKSBIO.COM

conditions. A list of the 27 bird species observed during the survey is included as Appendix A. No CAGN were detected during the surveys.

Table 1. Survey Conditions During California Gnatcatcher Surveys at the La Jolla View Reservoir Replacement Project, 2015

Dates	10/5/15	10/12/15	10/21/15
Survey Time	0620 - 1200	0730 - 1105	0730-1125
Temp (ºF) Start-End	63 - 65	73 - 82	65-75
Sky Cover (%)	100	80 - 100	10 - 0
Wind Speed (mph)	0-2 to 0-1	0 to 1-3	0
Personnel	S. Walsh (authorized TE-221290-3.1)	S. Walsh (authorized TE-221290-3.1)	S. Walsh (authorized TE-221290-3.1) and Melanie Rocks

Please don't hesitate to contact me at (619) 843-6560 if you have any questions or concerns regarding this report.

Sincerely,

Melanie Rocks

I certify that the information in this survey report and attached exhibit fully and accurately represent my work.

Shannon Walsh
Authorized Individual, Permit Number TE-221290-3.1

Enclosures: Appendix A – Bird Species Observed During Coastal California Gnatcatcher Protocol Surveys at La Jolla View Reservoir Replacement Project, 2015
Figure 1 – Project Location Map
Figure 2 – CAGN Survey Area

Appendix A. Bird Species Observed During Coastal California Gnatcatcher Protocol Surveys at La Jolla View Reservoir Replacement Project, 2015

Code	Common Name	Scientific Name
AMCR	American crow	*Corvus brachyrhynchos*
ANHU	Anna's hummingbird	*Calypte anna*
BASW	barn swallow	*Hirundo rustica*
BEWR	Bewick's wren	*Thryomanes bewickii*
BLPH	black phoebe	*Sayornis nigricans*
BGGN	blue-gray gnatcatcher	*Polioptila caerulea*
CATH	California thrasher	*Toxostoma redivivum*
CALT	California towhee	*Melozone crissalis*
CORA	common raven	*Corvus corax*
COHA	Cooper's hawk	*Accipiter cooperii*
DEJU	dark-eyed junco	*Junco hyemalis*
HETH	hermit thrush	*Catharus guttatus*
HOFI	house finch	*Carpodacus mexicanus*
HOWR	house wren	*Troglodytes aedon*
LEGO	lesser goldfinch	*Spinus psaltria*
MODO	mourning dove	*Zenaida macroura*
NOFL	northern flicker	*Colaptes auratus*
NOMO	northern mockingbird	*Mimus polyglottos*
NUWO	Nuttall's woodpecker	*Picoides nuttallii*
OCWA	orange-crowned warbler	*Oreothlypis celata*
RSHA	red-shouldered hawk	*Buteo lineatus*
RCKI	ruby-crowned kinglet	*Regulus calendula*
SAPH	Say's phoebe	*Sayornis saya*
SPTO	spotted towhee	*Pipilo maculatus*
WESJ	western scrub-jay	*Aphelocoma californica*
WREN	wrentit	*Chamaea fasciata*
YRWA	yellow-rumped warbler	*Setophaga coronata*

FIGURE 1

Project Location

LA JOLLA VIEW
RESERVOIR REPLACEMENT PROJECT

ROCKS BIOLOGICAL CONSULTING

0 500 1,000 2,000 FEET

N

Source: USGS 7.5' Quadrangles (La Jolla)

FIGURE 2

CAGN Survey Area

LA JOLLA VIEW
RESERVOIR REPLACEMENT PROJECT

ROCKS BIOLOGICAL CONSULTING

0 50 100 200 FEET

N

Source: Google

APPENDIX E: Regulatory Language

Regulatory Setting

3.3.1.1 Regulatory Framework

Compliance with all state and federal laws, including MBTA and CDGC is anticipated. Various federal, state, and/or local regulations or policies apply to biological resources on or adjacent to the project parcels and are summarized below.

a. Federal Regulations

The Rivers and Harbors Act of 1899 and the Clean Water Act (CWA) regulate project activities within non-marine navigable waters and/or waters of the U.S. The discharge of any pollutant from a point source into navigable waters is illegal unless a permit under the CWA's provisions is acquired. Permitting for projects that include both permanent and temporary dredging and filling in wetlands and waters of the U.S. is overseen by the ACOE under Section 404 of the CWA. Projects can be permitted on an individual basis or be covered by one of several approved nationwide or regional general permits.

The federal Endangered Species Act (ESA) 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 'take' under the ESA. Section 9(a) of the ESA defines 'take' as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct." The ESA is administered by the USFWS.

The Migratory Bird Treaty Act (16 United States Code 703 et seq.), or MBTA, is a federal statute that implements treaties with several countries on the conservation and protection of migratory birds. The number of bird species covered by the MBTA is extensive and is listed at 50 Code of Federal Regulations (CFR) 10.13. The regulatory definition of "migratory bird" is broad, and includes any mutation or hybrid of a listed species and any part, egg, or nest of such birds (50 CFR 10.12). The MBTA, which is enforced by USFWS, makes it unlawful "by any means or in any manner, to pursue, hunt, take, capture, [or] kill" any migratory bird, or attempt such actions, except as permitted by regulation. The take, possession, import, export, transport, sale, purchase, barter, or offering of these activities is prohibited, except under a valid permit or as permitted in the implementing regulations (50 CFR 21.11). Pursuant to U.S. Department of the Interior Memorandum M-37050, the federal Migratory Bird Treaty Act is no longer interpreted to cover incidental take of migratory birds (U.S. Department of the Interior 2017). Therefore, impacts that are incidental to implementation of an otherwise lawful project would not be considered significant.

b. State Regulations

The California Environmental Quality Act (CEQA) requires an environmental review for projects with potentially adverse impacts on the environment. Adverse environmental impacts are typically mitigated in accordance with state laws and regulations.

The California ESA is similar to the federal ESA in that it provides the legal framework for the listing and protection of species (and their habitats) that are identified as being endangered or threatened with extinction.

Section 3503 of the California Fish and Game Code states that it is "unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto," and Section 3503.5 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 (State of California 1991).

The California Fish and Game Code (Sections 1600 through 1603) regulates project activities within wetlands and riparian habitats. The CDFW can issue a Streambed Alteration Agreement for projects affecting riparian and wetland habitats.

Project activities that fill or dredge within wetland waters of the U.S. and waters of the U.S. as well as wetland waters of the state and waters of the state, including isolated waters such as vernal pools and other waters showing lack of connectivity to a Traditional Navigable Waters, require a Water Quality Certification by the California Regional Water Quality Control Board (RWQCB) under Section 401 of the CWA and Section 13000 et seq. of the California Water Code under the Porter-Cologne Water Quality Control Act.

c. Local Regulations

One of the primary objectives of the City's MSCP Subarea Plan is to identify and maintain a preserve system, which allows for animals and plants to exist at both the local and regional levels. The MSCP has identified large blocks of native habitat having the ability to support a diversity of plant and animal life known as "core biological resource areas." "Linkages" between these core areas provide for wildlife movement. These lands have been determined to provide the necessary habitat quality, quantity, and connectivity to sustain the unique biodiversity of the San Diego region. Input from responsible agencies and other interested participants resulted in creation of the City's MHPA. The MHPA is the area within which the permanent MSCP preserve would be assembled and managed for its biological resources.

The City's Biology Guidelines (2012) were formulated to aid in the implementation and interpretation of the ESL Regulations, San Diego Land Development Code (LDC), Chapter 14, Division 1, Section 143.0101. Section III of the Guidelines (Biological Impact Analysis and Mitigation Procedures) also serves as standards for the determination of impacts and mitigation under CEQA. The ESL defines sensitive biological resources as those lands included within the MHPA as identified in the City's MSCP Subarea Plan (City of San Diego1997), and other lands outside of the MHPA that contain wetlands; vegetation communities classifiable as Tier I (rare uplands), II (uncommon uplands), IIIA (common uplands) or IIIB (common uplands); habitat for rare, endangered, or threatened species; or narrow endemic species.

The City of San Diego Vernal Pool Habitat Conservation Plan (VPHCP; City of San Diego 2017) provides a regulatory framework to protect, enhance, and restore vernal pool resources in specific areas within the City's jurisdiction, while improving and streamlining the

environmental permitting process for impacts to threatened and endangered species associated with vernal pools. The VPHCP is a conservation plan for vernal pools and seven threatened and endangered species that do not have federal coverage under the City's MSCP Subarea Plan, including five plant and two crustacean species. The VPHCP expands the City's existing MHPA established in the MSCP Subarea Plan to conserve additional lands with vernal pools that are occupied with the vernal pool covered species. Implementation of the VPHCP occurs through permanent protection of existing City-owned land for the conservation of vernal pools, conservation of private lands through the development entitlement process, the permanent management and monitoring of these lands, and annual reporting to the Wildlife Agencies that accounts for all take authorized, conservation achieved, and compliance and effectiveness monitoring. While the City Biology Guidelines generally require the presence of a vernal pool indicator plant species for a depression to be considered a "vernal pool," the VPHCP applies to human-made seasonally flooded depressions if they contain one or more VPHCP covered plant or wildlife species (City of San Diego 2017).

3.3.1.2 Sensitivity Criteria

Sensitive vegetation communities are vegetation assemblages, associations, or subassociations that have cumulative losses throughout the region, have relatively limited distribution, support or potentially support sensitive species, have particular value to other wildlife, or have a combination of these characteristics. Typically, sensitive vegetation communities are considered sensitive whether or not they have been disturbed. Sensitive vegetation communities are regulated by various local, state, and federal resource agencies. For purposes of this report, sensitive vegetation communities include all wetland communities and upland communities identified as Tier I, II, IIIA, or IIIB by the City (2012).

In accordance with the ESL Regulations, lands within the MHPA and habitat for sensitive species will also be considered sensitive biological resources.

For purposes of this report and in accordance with the City Guidelines for Conducting Biology Surveys (City of San Diego 2002), plant and wildlife species will be considered sensitive if they are: (1) listed by state or federal agencies as rare, threatened, or endangered or are proposed for listing; (2) designated by the City as a narrow endemic species (City of San Diego 1997, 2012); (3) covered species under the MSCP or VPHCP; (4) given a California Rare Plant Rank (CRPR) 1B (considered endangered throughout its range), 2 (considered endangered in California but more common elsewhere), 3 (more information about the plant's distribution and rarity needed), or 4 (plants of limited distribution) in the CNPS *Inventory of Rare and Endangered Vascular Plants of California* (2017); (5) considered rare, endangered, or threatened by CDFW (2017b–e); or (6) identified by another recognized conservation or scientific group as being depleted, potentially depleted, declining, rare, critical, endemic, endangered, or threatened.

3.3.2 Sensitive Vegetation Communities

Pursuant to the City's Biology Guidelines, five sensitive vegetation communities occur within the project parcels. Mule fat scrub is considered a wetland habitat (i.e., riparian scrub). Maritime succulent scrub and disturbed maritime succulent scrub are considered Tier 1 (rare uplands) habitats, and Diegan coastal sage scrub and disturbed Diegan coastal sage scrub are considered Tier II (uncommon uplands) habitats.