Biological Technical Report for the Sanyo Logistics Center in the City of San Diego, California

October 4, 2021

City of San Diego Project No. 668005

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Biological Technical Report for the Sanyo Logistics Center

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MANAGEMENT SUMMARY/ABSTRACT

The proposed project is construction of an industrial/distribution facility within the Otay Mesa Community Plan boundaries of the City of San Diego (City). The project site is not located within or adjacent to the City's Multiple Species Conservation Plan Multi-habitat Planning Area, and it is outside the Coastal Overlay Zone.

The 14.85-acre project site supports disturbed emergent wetland, mule fat scrub, disturbed broom baccharis scrub, non-native grassland, ornamental vegetation, disturbed land, non-native vegetation, and developed land. No sensitive plant or animal species were found on site. Wetland Waters of the U.S., wetland Waters of the State, and City Wetlands are present and are comprised of the disturbed emergent wetland and mule fat scrub.

The entire site would be graded during construction resulting in significant permanent impacts to 6.42 acres of disturbed broom baccharis scrub and non-native grassland, for which mitigation is proposed at a 1:1 ratio for disturbed broom baccharis scrub (0.09 acre) and at a 0.5:1 ratio for non-native grassland (3.17 acres) through monetary compensation to the City's Habitat Acquisition Fund.

Project implementation would also result in significant permanent impacts to the City Wetlands requiring a deviation in the City's Environmentally Sensitive Lands Regulations under the Biologically Superior Option (i.e., the proposed project). Mitigation for the loss of the City Wetlands is proposed to be mitigated at a ratio of 2:1 in the form of off-site wetland habitat establishment (i.e., creation) and rehabilitation (i.e., enhancement).

1.0 INTRODUCTION

This report describes existing biological conditions on the approximately 14.85-acre Sanyo Logistics Center project parcel and provides the City of San Diego (City) and project applicant with information necessary to assess impacts to biological resources under the California Environmental Quality Act (CEQA) and City, State, and Federal regulations.

1.1 PROJECT LOCATION AND SITE DESCRIPTION

The parcel is vacant land located within the City. It is bordered to the north by existing utility development, to the south by Airway Road, to the east by Sanyo Avenue, and to the west by State Route 905 (Figures 1 and 2). The parcel (APN 646-130-55) is located within the Otay Mesa Community Plan boundaries and is in Section 35 in Township 18 South, Range 1 West of the U.S. Geological Survey (USGS) Otay Mesa 7.5-minute quadrangle.

The parcel is not located within or adjacent to the City's Multiple Species Conservation Plan (MSCP) Multi-habitat Planning Area (MHPA), and it is outside the Coastal Overlay Zone. The nearest MHPA lies approximately 1 mile to the southwest.

1.2 PROJECT DESCRIPTION

The proposed project is construction of two-building, multi-tenant industrial/distribution facility of approximately 243,000 square-feet on an approximately 14.85-acre site in the Otay Mesa Community Planning Area and the IL-2-1 zone with associated site improvements (e.g., parking, storm drains, and water quality basins) and landscaping. The City's Standard Biological Resource Protection Measures will be conditions of approval of the project.

2.0 METHODS AND SURVEY LIMITATIONS

2.1 LITERATURE REVIEW

Prior to conducting its field investigations, Alden Environmental, Inc. (Alden) performed searches of CDFW's California Natural Diversity Database and the U.S. Fish and Wildlife Service (USFWS) database for information regarding sensitive species known to occur within approximately two miles of the parcel. Historic aerials also were reviewed for the site.

2.2 BIOLOGICAL SURVEYS

Biological surveys (Table 1) conducted included vegetation mapping, a Quino checkerspot butterfly (*Euphydryas editha quino*) habitat assessment, a jurisdictional delineation, a breeding season survey for the burrowing owl (BUOW; *Athene cunicularia*), and spring and summer 2020 sensitive plant surveys. Lists of plant and animal species observed or detected during the site visits is provided in Appendices A and B, respectively. Representative site photographs taken during the vegetation mapping are provided in Appendix C. Additionally, on September 22, 2021, Alden (Greg Mason) met with the City, CDFW, and USFWS on site to review site mapping and to obtain concurrence on the Biologically Superior Alternative (i.e., the proposed project; see Section 7.4.4 of this report).

Table 1 SURVEY AND SITE VISIT INFORMATION			
Date	**Personnel**	**Purpose**	**Weather Conditions (start/stop)**
2/6/20	Greg Mason	Map vegetation	NA
2/17/20	Greg Mason	BUOW survey visit #1	Foggy, 54°F, wind 0 mph/ Clear, 58°F, wind 0 mph
2/18/20	Greg Mason	Quino checkerspot butterfly habitat assessment	NA
4/17/20	Greg Mason	BUOW survey visit #2; spring sensitive plant survey	Overcast, 63°F, wind 0-2 mph/ Overcast, 63°F, wind 0-2 mph; NA
5/10/20	Greg Mason	BUOW survey visit #3; spring sensitive plant survey; jurisdictional delineation	Overcast, 64°F, wind 0-1 mph/ Overcast, 65°F, wind 0-1 mph; NA; NA
6/17/20	Greg Mason	BUOW survey visit #4; summer sensitive plant survey	Clear, 72°F, wind 0-3 mph/ Clear, 72°F, wind 0-3 mph; NA
9/22/21	Greg Mason City CDFW USFWS	On-site meeting to review site mapping and obtain concurrence on the Biologically Superior Alternative (i.e., the proposed project).	NA

2.2.1 Vegetation Mapping

Vegetation mapping was initially conducted on February 6, 2020, and updated as necessary during subsequent visits. Mapping took into account the City's defined differentiation between non-native grassland and other disturbed areas (City 2018). That is, the relative percent cover of herbaceous species was used to distinguish between the non-native grassland and disturbed land. Vegetation was characterized and mapped as non-native grassland where non-native grass species comprised a relative cover of 50 percent or more. Additionally, the site was searched for evidence of vernal pools (e.g., ponding water) during the vegetation mapping as well as during the later February 2020 site visits for BUOW and Quino checkerspot butterfly.

2.2.2 Sensitive Species

Sensitive species are those that are considered Federal, State, or California Native Plant Society (CNPS) rare, threatened, or endangered; Multiple Species Conservation Program (MSCP) Narrow Endemics; or MSCP Covered Species. For simplicity, "sensitive" may be used throughout this document to refer to any of these categories.

Sensitive Plant Species

Sensitive plant species were searched for opportunistically during all site visits; however, spring and summer are the time period when most annual species bloom. Therefore, focused sensitive plant surveys were conducted on, prior to, or after two of the BUOW surveys in the spring (April 17 and May 10, 2020) and prior to the BUOW survey in the summer (June 17, 2020). Special

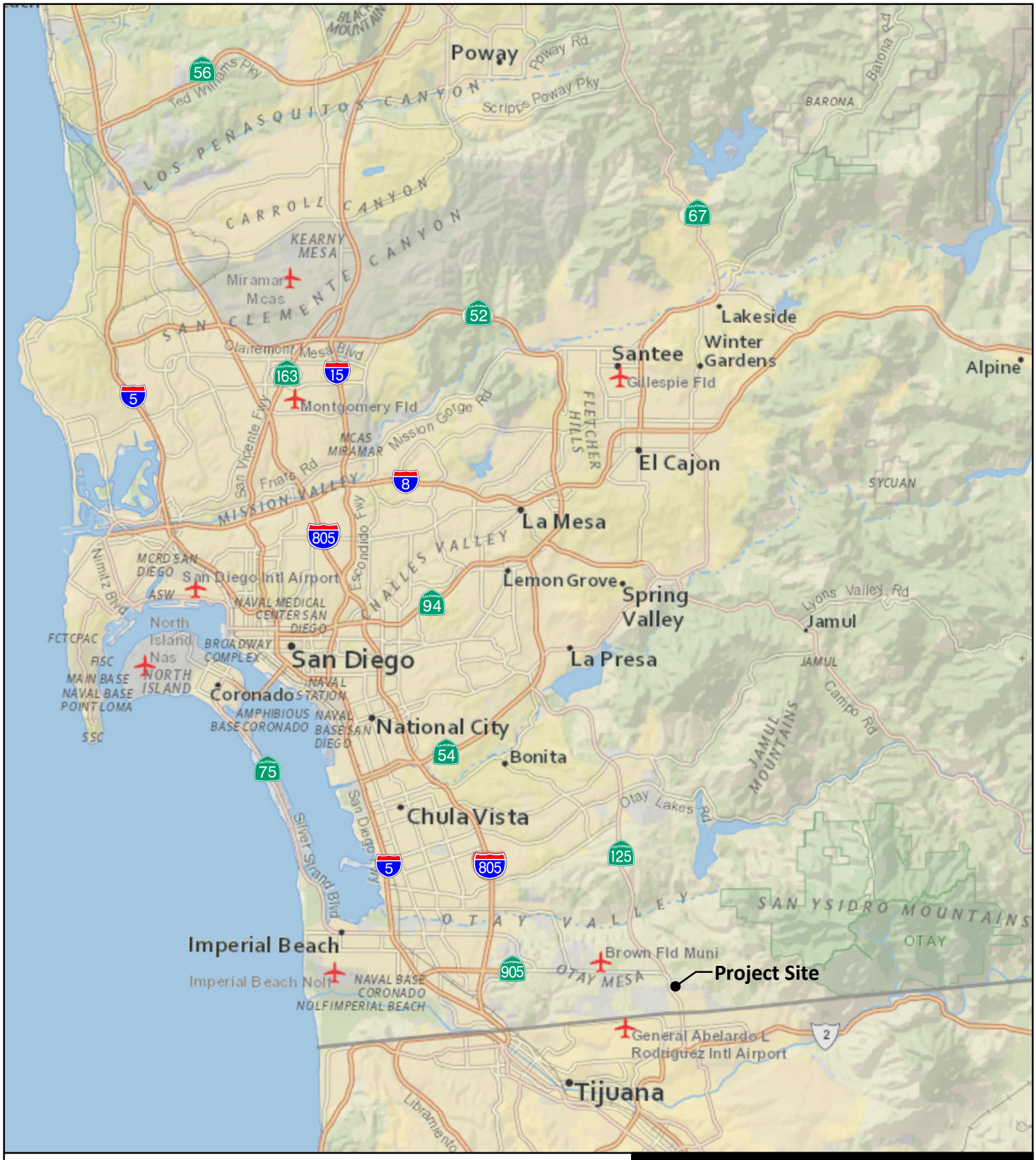

Figure 1

Regional Location

SANYO LOGISTICS CENTER

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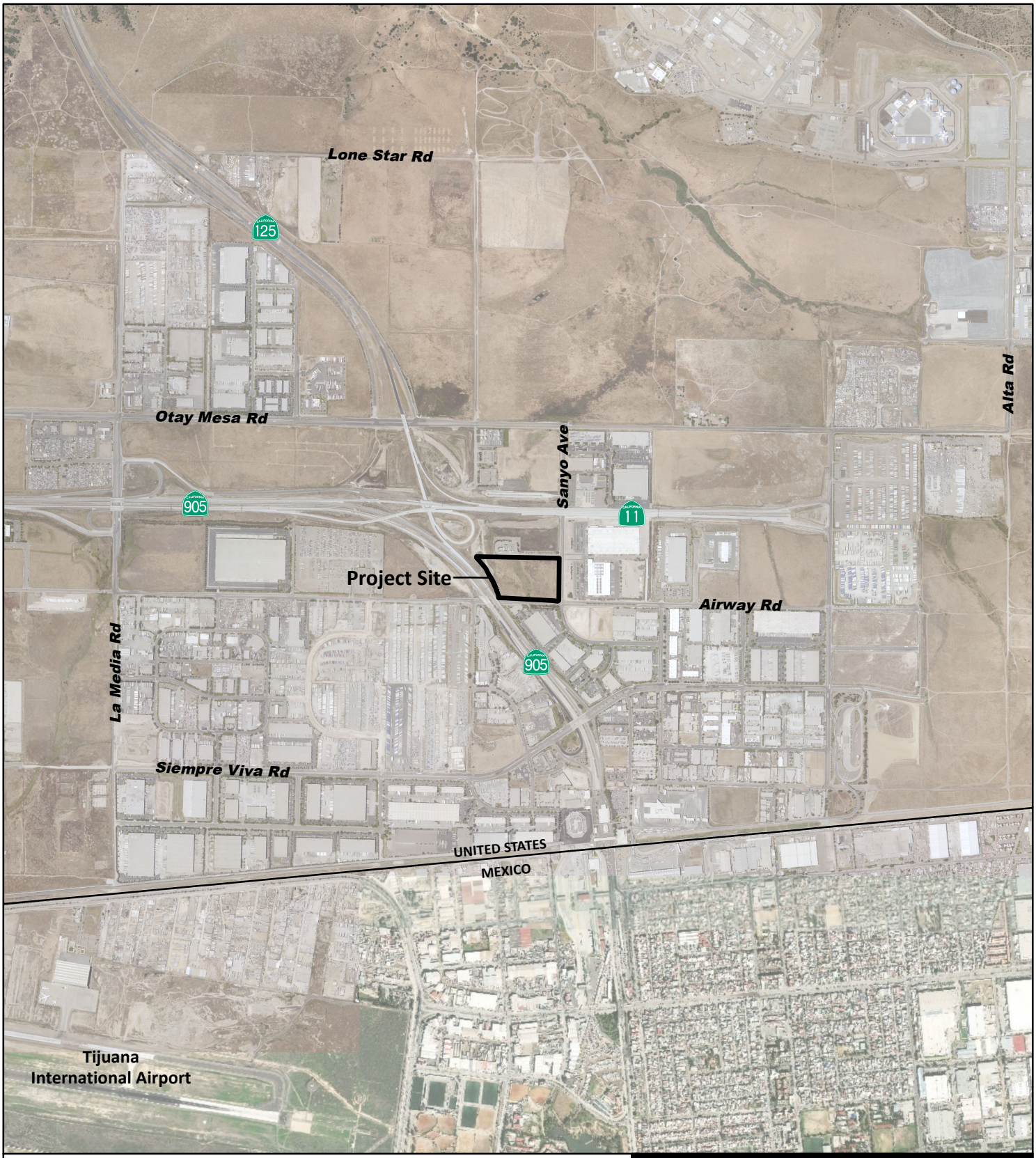

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Figure 2

Project Location

SANYO LOGISTICS CENTER

attention was paid to the Federal- and State-listed Otay tarplant (*Deinandra conjugens*) during its blooming period (typically May to June). The spring survey also specifically looked for vernal pools/vernal pool endemic sensitive plant species.

Burrowing Owl

The BUOW breeding season survey consisted of 4 site visits on separate days according to the survey methods in the Staff Report on Burrowing Owl Mitigation (California Department of Fish and Game [CDFG] 2012; Appendix D.

Potential BUOW habitat was examined by walking line transects spaced approximately 10 meters (m) apart across the site. At the start of each transect and at approximately every 100 m, the entire site was scanned for BUOWs and potential burrows or perches that could be used by the BUOW. BUOWs are known to occupy California ground squirrel (*Otospermophilus beecheyi*) burrows; therefore, particular attention was paid to any areas along fence lines, or other locations where squirrel activity was observed or was likely to occur. The determination of BUOW presence is made by direct BUOW observation or by BUOW signs such as, but not necessarily limited to, excavated soil, whitewash (excrement), castings (pellets), and/or feathers.

Quino Checkerspot Butterfly

A Quino checkerspot butterfly habitat assessment was conducted in accordance with the Quino Checkerspot Butterfly Survey Guidelines (USFWS 2014). The site was walked, and potential Quino checkerspot butterfly resources (open areas, host plants, nectar resources, etc.) were searched for. Since the parcel was determined to have minimal potential for the species, a subsequent focused survey for the butterfly was not conducted.

2.2.3 Jurisdictional Delineation

A delineation of the limits of WUS, Waters of the State (WS), and City Wetlands was conducted on May 10, 2020. WUS and WS encompass wetlands but also may include ephemeral and intermittent streams that may or may not be vegetated. Generally, wetlands are lands where saturation with water is the dominant factor determining the nature of soil development and the types of plant and animal communities present.

WUS include wetlands and non-wetlands (streams) under the jurisdiction of the Corps. WS include wetland habitats and streambeds under the jurisdiction of the CDFW. City Wetlands are summarily characterized as having one or more of the following conditions: 1) contain naturally occurring wetland vegetation; 2) have hydric soils or wetland hydrology; and/or 3) are previous wetlands that were filled without a permit. City Wetlands often overlap with Corps and CDFW jurisdiction. For simplicity, "jurisdictional areas" may be used in this document to refer to WUS, WS, and/or City Wetlands.

The delineation took into account recent aerial photography, soils (Bowman 1973), topographic mapping, and National Wetland Inventory data. Corps wetland boundaries were determined using the three criteria (vegetation, hydrology, and soils) as described within the *Wetlands Delineation Manual* (Environmental Laboratory 1987) and *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Supplement* (Corps 2008).

CDFW jurisdictional boundaries were determined based on the presence of riparian vegetation or regular surface flow. Streambeds within CDFW jurisdiction were delineated based on the definition of a streambed as "a body of water that flows at least periodically or intermittently through a bed or channel having banks and supporting fish or other aquatic life. This includes watercourses having a surface or subsurface flow that supports riparian vegetation." CDFW jurisdictional limits for streambeds were determined by the top of the bank. Vegetated CDFW habitats, when present, are mapped at the limits of the riparian vegetation canopy.

2.2.4 Survey Limitations

Sensitive species surveys were conducted during appropriate times of year and cover the activity periods for most species. Noted animal species were identified by direct observation, vocalizations, or the observance of scat, tracks, or other signs. However, the lists of species identified in Appendices A and B are not necessarily a comprehensive account of all species that utilize the site as species that are nocturnal, secretive, or seasonally restricted may not have been observed/detected. The species that are sensitive and that may have potential to occur on site, however, are still addressed in this report in Section 5.5.2, *Sensitive Plant Species,* Section 5.5.3, *Sensitive Animal Species*, and Section 7.1.5, *Direct Impacts to Sensitive Species with Potential to Occur*.

2.2.5 Nomenclature

Nomenclature used in this report is from the following sources: City Biology Guidelines (City 2018) and the City's MSCP Subarea Plan (City 1997a); Holland (1986); Oberbauer et al. (2008); Hickman, ed. (1993); CNPS (2020); Crother (2008); American Ornithological Society (2019); Jones, et al. (1992); and CDFW (2020).

3.0 REGULATORY CONTEXT

3.1 REGULATORY ISSUES

Biological resources that would be impacted on site are subject to regulatory administration by the Federal government, State of California, and City as follows.

3.1.1 Federal

Endangered Species Act

The Federal Endangered Species Act (FESA) designates threatened and endangered species and provides measures for their protection and recovery. "Take" of listed species in areas under Federal jurisdiction is prohibited without obtaining a Federal permit. Take is defined as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct." Harm includes any act that actually kills or injures fish or wildlife, including significant habitat modification or degradation that significantly impairs essential behavioral patterns of fish or wildlife. Activities that damage the habitat of (i.e., harm) listed wildlife species require approval from the USFWS for terrestrial species. The FESA also generally requires determination of Critical Habitat for listed species. If a project would involve a Federal action potentially affecting Critical Habitat, the Federal agency would be required to consult with USFWS. No Federal listed species or Critical Habitat occurs on site.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA; 16 U.S. Code Sections 703-711) includes provisions for protection of migratory birds. The MBTA regulates or prohibits taking, killing, possession of, or harm to migratory bird species listed in Title 50 Code of Federal Regulations Section 10.13. Migratory birds include geese, ducks, shorebirds, raptors, songbirds, and many others (including those that are not sensitive; see Section 5.5.3, *Sensitive Animal Species,* for an explanation of which species are sensitive). Disturbance that causes nest abandonment and/or loss of reproductive effort (killing or abandonment of eggs or young) is considered a "take." The MBTA is an international treaty for the conservation and management of bird species that migrate through more than one country, and is enforced in the United States by the USFWS. The MBTA was amended in 1972 to include protection for migratory birds of prey (raptors). As a general/standard condition, the project must comply with the MBTA.

Clean Water Act

Under Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers (Corps) is charged with regulating the discharge of dredge and fill materials into jurisdictional Waters of the U.S. (WUS). The terms "WUS" and "jurisdictional waters" have a broad meaning that includes special aquatic sites, such as wetlands. Corps wetland boundaries are determined using three criteria (vegetation, hydrology, and soils) established for wetland delineations, as described within the Wetlands Delineation Manual (Environmental Laboratory 1987) and Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Corps 2008).

WUS, as defined by regulation and refined by case law include: (1) the territorial seas; (2) coastal and inland waters, lakes, rivers, and streams that are navigable WUS, including their adjacent wetlands; (3) tributaries to navigable WUS, including adjacent wetlands; and (4) interstate waters and their tributaries, including adjacent isolated wetlands and lakes, intermittent and ephemeral streams, prairie potholes, and other waters that are not a part of a tributary system to interstate waters or navigable WUS, the degradation or destruction of which could affect interstate commerce.

Section 401 of the Clean Water Act requires that any applicant for a federal license or permit to conduct any activity that may result in a discharge to WUS must obtain a Water Quality Certification, or a waiver thereof, from the state in which the discharge originates. In California, the Regional Water Quality Control Board issues Water Quality Certifications.

3.1.2 State of California

California Environmental Quality Act

Primary environmental legislation in California is found in the CEQA and its implementing guidelines (State CEQA Guidelines), requiring that projects with potential adverse effects or impacts on the environment undergo environmental review. Adverse impacts to the environment are typically mitigated as a result of the environmental review process in accordance with existing laws and regulations. The City is the Lead Agency under the CEQA for the proposed project, and this report is part of that environmental review process.

California Endangered Species Act

The California Endangered Species Act (CESA) established that it is State policy to conserve, protect, restore, and enhance endangered species and their habitats. Under State law, plant and animal species may be formally designated rare, threatened, or endangered by official listing by the California Fish and Game Commission. CESA authorizes that private entities may "take" plant or wildlife species listed as endangered or threatened under the federal ESA and CESA, pursuant to a federal Incidental Take Permit if the CDFW certifies that the incidental take is consistent with the CESA (Fish & Game Code Section 2080.1[a]). For State-only listed species, Section 2081 of the CESA authorizes the CDFW to issue an Incidental Take Permit for a State listed threatened or endangered species if specific criteria are met.

Native Plant Protection Act

Sections 1900 - 1913 of the California Fish and Game Code (Native Plant Protection Act) direct the CDFW to carry out the Legislature's intent to "…preserve, protect and enhance endangered or rare native plants of this state." The Native Plant Protection Act gives the California Fish and Game Commission the power to designate native plants as "endangered" or "rare" and protect endangered and rare plants from take.

California Fish and Game Code

California Fish and Game Code provides specific protection and listing for biological resources. Section 1600 of California Fish and Game Code requires a Streambed Alteration Agreement (SAA) for any activity that would alter the flow, change or use any material from the bed, channel, or bank of any perennial, intermittent, or ephemeral river, stream, and/or lake. Typical activities that require a SAA include excavation or fill placed within a channel, vegetation clearing, structures for diversion of water, installation of culverts and bridge supports, cofferdams for construction dewatering, and bank reinforcement. Notification is required prior to any such activities, and CDFW will issue a SAA with any necessary mitigation to ensure protection of the State's fish and wildlife resources.

Pursuant to California Fish and Game Code Section 3503, 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. Raptors 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. Section 3513 states that it is unlawful to take or possess any migratory non-game bird as designated in the MBTA. These regulations could require that construction activities (particularly vegetation removal or construction near nests) be reduced or eliminated during critical phases of the nesting cycle unless surveys by a qualified biologist demonstrate that nests, eggs, or nesting birds will not be disturbed, subject to approval by CDFW and/or USFWS. As a general/standard condition, the project must comply with California Fish and Game Code Sections 3503 and 3503.5.

Porter-Cologne Water Quality Control Act of 1970

The Porter-Cologne Water Quality Control Act of 1970 grants the State Water Resource Control Board and its regional offices power to protect water quality and is the primary vehicle for implementation of the State's responsibilities under Section 401 of the Clean Water Act. The Porter-Cologne Act grants the State Water Resource Control Board authority and responsibility to adopt plans and policies, regulate discharges to surface and groundwater, regulate waste disposal sites, and require cleanup of discharges of hazardous materials and other pollutants. Typically, the Regional Water Quality Control Board act in concert with the Corps under Section 401 of the Clean Water Act in relation to permitting fill of WUS.

3.1.3 City of San Diego

Environmentally Sensitive Lands Regulations

Mitigation requirements for sensitive biological resources follow the requirements of the City's Biology Guidelines (2018) as outlined in the City's Municipal Code Environmentally Sensitive Lands (ESL) Regulations (Chapter 14, Article 3, Division 1). Impacts to biological resources within the City's Preserve, the Multi-habitat Planning Area (MHPA), must comply with the ESL Regulations, which also serve as standards for the determination of biological impacts and mitigation under CEQA in the City. ESL include sensitive biological resources, steep hillsides, coastal beaches, sensitive coastal bluffs and 100-year floodplains (San Diego Municipal Code [SDMC] 143.0110).

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" (SDMC 143.0101). Outside the Coastal Overlay Zone where the project lies, impacts to wetlands should be avoided. Unavoidable impacts should be minimized to the maximum extent practicable. Whether or not an impact is unavoidable will be determined on a case-by-case basis. If impacts to wetlands cannot be avoided, a deviation from the ESL Regulations is required (see Section 7.1.2, *Impacts to Waters of the U.S., Waters of the State, and City Wetlands*). Examples of unavoidable impacts include those necessary to allow reasonable use of a parcel entirely constrained by wetlands, roads where the only access to the developable portion of the site results in impacts to wetlands, and essential public facilities (essential roads, sewer, water lines, etc.) where no feasible alternative exists.

A wetland buffer shall be maintained around all wetlands as appropriate to protect the functions and values of the wetland. Section 320.4(b)(2) of the Corps General Regulatory Policies (33CFR 320-330) list criteria for consideration when evaluating wetland functions and values. These include wildlife habitat (spawning, nesting, rearing, and foraging), food chain productivity, water quality, ground water recharge, and areas for the protection from storm and floodwaters.

The ESL regulations also specify development requirements inside and outside of the MHPA. Inside the MHPA, development must be located in the least sensitive portion of a given site; outside of the MHPA (where the project site lies), development must avoid wetlands and non-MSCP Covered Species (City 2018). The ESL regulations further require that impacts to sensitive biological resources must be assessed and mitigation provided where necessary, as required by Section III of the City's biology guidelines. The MSCP and MHPA are further discussed in Section 4.0, *Regional Context.*

City Biology Guidelines

The City's Biology Guidelines (2018) have been formulated by the Development Services Department to aid in the implementation and interpretation of the ESL Regulations; San Diego Land Development Code, Chapter 14, Division 1, Section 143.0101 et seq; and the Open Space Residential (OR-1-2) Zone, Chapter 13, Division 2, Section 131.0201 et seq. Section III of the Biology Guidelines (Biological Impact Analysis and Mitigation Procedures) also serves as standards for the determination of impact and mitigation under CEQA. The Biology Guidelines are the baseline biological standards for processing permits issued pursuant to ESL Regulations.

4.0 REGIONAL CONTEXT

4.1 MULTIPLE SPECIES CONSERVATION PROGRAM SUBAREA PLAN

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 City's 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 City's Subarea Plan and thereby allows the City to issue "take" permits under the FESA and State Endangered Species Act to address impacts at the local level. Under the FESA, an Incidental Take Permit 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 Incidental Take Permit. In July 1997, the USFWS, CDFW, and City entered into the 50-year MSCP Implementing Agreement, wherein the City received its FESA Section 10(a) Incidental Take Permit (City 1997b).

Pursuant to its MSCP permit issued under 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 Incidental Take Permit and considered to be adequately protected within the MHPA. Special conditions apply to Covered Species that would be potentially impacted including, for example, designing a project to avoid impacts to Covered Species in the MHPA where feasible. Outside the MHPA, projects must incorporate measures (i.e., Area Specific Management Directives; ASMDs) for the protection of Covered Species as identified in Appendix A of the City's Subarea Plan.

In addition to identifying preserve areas within the City (and guiding implementation of the MSCP within its corporate boundaries), the City's Subarea Plan also regulates effects on natural communities throughout the City.

4.1.1 Multi-habitat Planning Area

The MHPA was developed by the City in cooperation with the USFWS, CDFW, property owners, developers, and environmental groups using the Preserve Design Criteria contained in the MSCP Plan, and the City Council-adopted criteria for the creation of the MHPA.

MHPA lands are large blocks of native habitat that have the ability to support a diversity of plant and animal life and, therefore, have been included within the City's Subarea Plan for conservation. The MHPA also delineates core biological resource areas and corridors targeted for conservation as these lands have been determined to provide the necessary habitat quality, quantity, and connectivity to sustain the unique biodiversity of the San Diego region. The project site is not within or adjacent to the MHPA.

5.0 SURVEY RESULTS

5.1 PHYSICAL CHARACTERISTICS

Elevation on site ranges from approximately 526 to 560 feet above mean sea level. One soil type is mapped on site: Diablo clay (2 to 9 percent slopes; Bowman 1973).

According to historic aerial imagery, the site consists of land that was in agricultural production from 1953 to approximately 1981, was left fallow from 1982 through the present. Additionally, the current Airway Road was constructed along the southern border of the site in 1986 - 1988, which included grading to the full roadway width and adjacent slopes. Subsequently, grading for the Caltrans SR 905 project impacted the eastern portion of the site in 2008 - 2009, and included additional clearing and construction along Airway Road. Following completion of SR 905 the cleared, graded areas on and adjacent to the site were seeded with a native seed mix for erosion control purposes (as opposed to mitigation). Historic aerials of the site are included in Appendix E to show the previous uses on the site, as well as the pre- and post- condition following the construction of Airway Road (1989) and SR 905 (2009).

5.2 VEGETATION COMMUNITIES

The project site supports 2 wetland communities, 5 upland vegetation communities, and developed land as shown in Table 2, on Figure 3, and described below.

Table 2
EXISTING VEGETATION COMMUNITIES ON SITE

Vegetation Community[1]	Acreage on Site
Wetland	
Disturbed emergent wetland	0.65
Mule fat scrub	0.03
Subtotal Wetlands	**0.68**
Upland	
Disturbed broom baccharis scrub (Tier II)	0.09
Non-native grassland (Tier IIIB)	6.33
Ornamental (Tier IV)	0.34
Disturbed land (Tier IV)	6.78
Non-native vegetation (No tier)	0.17
Developed (No tier)	0.46
Subtotal Uplands	**14.17**
TOTAL	**14.85**

[1]Upland vegetation communities and some other areas within the MSCP study area have been divided into tiers of sensitivity. Tier I = rare upland. Tier II = uncommon upland. Tier IIIA and Tier IIIB = common upland. Tier IV = other upland. Tier I communities are the most sensitive and Tier IV communities are the least sensitive based on rarity and ecological importance (City 2018).

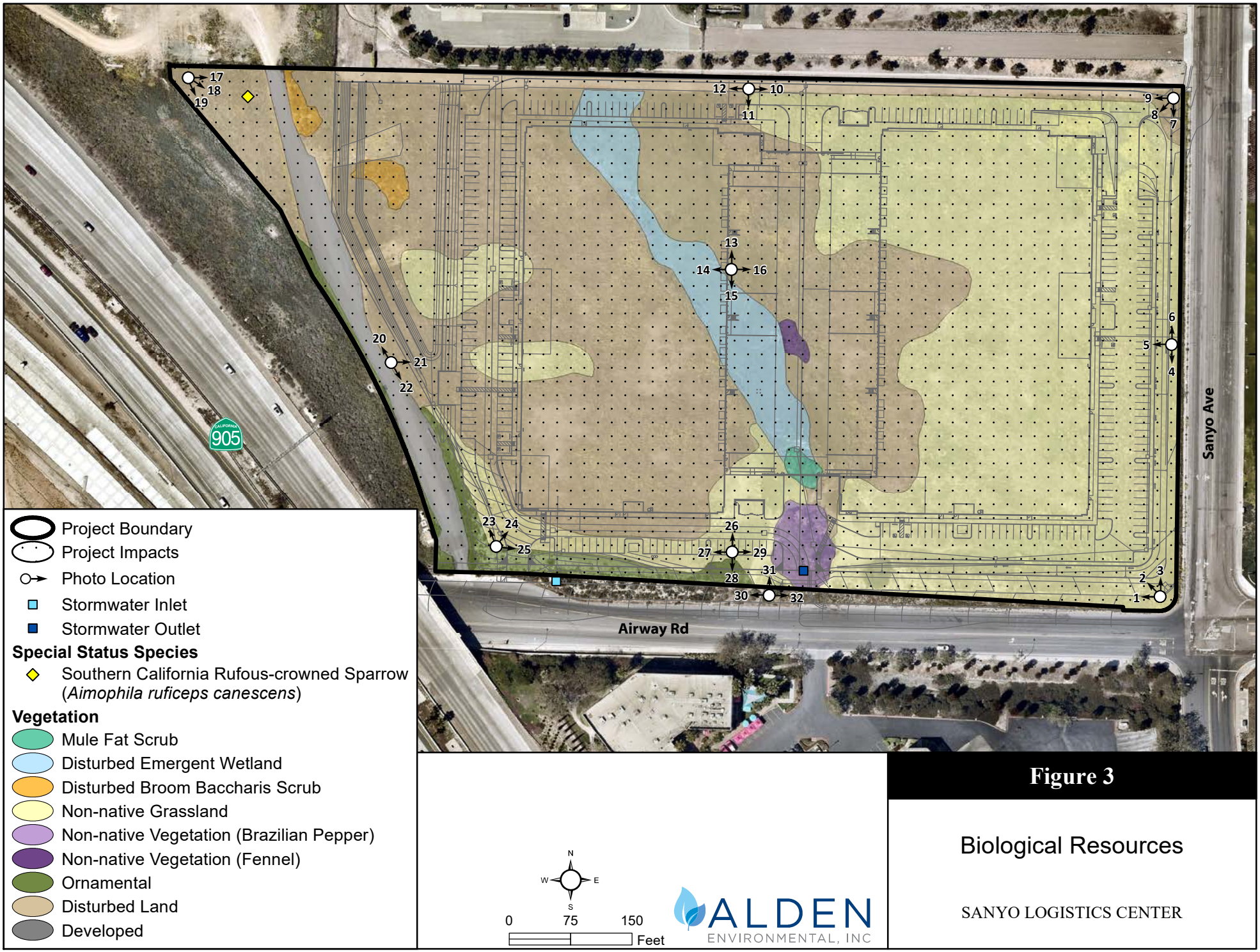

Figure 3

Biological Resources

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Disturbed Emergent Wetland

Emergent wetland is dominated by low growing, perennial wetland species. It can be found in channels, seeps and springs, floodplains, margins of lakes and rivers, and various basins. Disturbed emergent wetland is located in the central portion of the site and is characterized as disturbed as it is composed entirely of non-native species. Dominant species of the disturbed emergent wetland on site include Italian ryegrass (*Festuca perennis*), curly dock (*Rumex crispus*), picris (*Helminthotheca echioides*), and annual beard grass (*Polypogon monspeliensis*).

Mule Fat Scrub

Mule fat scrub is an herbaceous riparian scrub dominated by mule fat (*Baccharis salicifolia*). This community is located along the drainage in the central portion of the site.

Broom Baccharis Scrub-Disturbed

Broom baccharis scrub is dominated by the shrub, broom baccharis (*Baccharis sarothroides*), and on site, this community is considered disturbed because it supports an understory of non-native grasses and black mustard (*Brassica nigra*). Disturbed broom baccharis scrub may be recognized as a Tier II habitat (uncommon upland) by the City as it may be considered a subtype of Tier II Diegan coastal sage scrub. On site this habitat occurs in 2 separate patches with a combined area of 0.09 acre. These patches are within the previous disturbance limits of the SR 905 project.

Non-Native Grassland

As described in Section 2.2.1 of this report, non-native grassland was mapped where non-native grass species comprised a relative cover of 50 percent or more. The non-native grassland on site is characterized by species such as wild oat (*Avena fatua*) and foxtail chess (*Bromus madritensis*). Non-native grassland is recognized as a Tier IIIB habitat (common upland) by the City.

Ornamental

Ornamental vegetation on site is comprised of native and non-native species, and many of the native species are components of Diegan coastal sage scrub. Some characteristic species of the ornamental vegetation include California sagebrush (*Artemisia californica*), California buckwheat (*Eriogonum fasciculatum*), California Encelia (*Encelia californica*), Australian saltbush (*Atriplex semibaccata*), and garland daisy (*Glebionis coronaria*). Ornamental planting is considered a Tier IV (other upland) by the City.

Despite the presence of some native species, this seeded vegetation community is the result of landscaping (not mitigation) following construction of State Route 905, as noted above in Section 5.1. The ornamental areas are not within any conservation easements, nor are they within lands designated as “conserved” in the City and County records. They also are not included as “gain” in the City’s MSCP Habitrak database. They are, however, within existing an existing Caltrans construction easement, an existing pipeline easement, and the right-of-way limits for Airway Road.

Disturbed Land

Areas mapped as disturbed land on site include those where broad-leaved, non-native plant species such as black mustard and cheeseweed (*Malva parviflora*) are predominant. Disturbed land is considered a Tier IV (other upland) by the City.

Non-native Vegetation

Non-native vegetation on site consists of one area dominated by Brazilian peppertree (*Schinus terebinthifolius*) and one area dominated by fennel (*Foeniculum vulgare*), each in the central portion of the site. Non-native vegetation has not been assigned to a Tier by the City.

Developed

Developed land consists of a gravel access road in the western portion of the site. Developed land has not been assigned to a Tier by the City.

5.3 PLANT SPECIES OBSERVED

Twenty-eight species of plants were observed on site. A list of these plant species is presented in Appendix A.

5.4 ANIMAL SPECIES OBSERVED OR DETECTED

Twenty-two species of animals (2 invertebrates, 1 reptile, 15 birds, and 4 mammals) were observed or detected on site. A list of these animal species observed is presented in Appendix B.

5.5 SENSITIVE BIOLOGICAL RESOURCES

According to City Municipal Code (Chapter 11, Article 3, Division 1) and the City's Biology Guidelines (City 2018), sensitive biological resources refer 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 MHPA);

(b) Wetlands;

(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 FESA, 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 2018); or

(f) Lands containing habitats of MSCP Covered Species as listed in the Biology Guidelines (City 2018).

5.5.1 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 or burned), are considered sensitive because they have been historically depleted, are naturally uncommon, or support sensitive species. The site supports two sensitive upland vegetation communities (ESL): disturbed broom baccharis scrub and non-native grassland.

5.5.2 Sensitive Plant Species

Sensitive plant species are those that are considered Federal, State, or CNPS rare, threatened, or endangered; MSCP Covered Species; or MSCP Narrow Endemic species. 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 FESA, 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 2018); and/or

(c) A species is a Covered Species as listed in the Biology Guidelines in the Land Development Manual (City 2018).

A species may also be considered sensitive if it is included in the CNPS Inventory of Rare and Endangered Plants (CNPS 2020). California Rare Plant Rank 1 includes plants that are rare, threatened or endangered in California. California Rare Plant Rank 2 includes plants that are rare, threatened or endangered in California but more common elsewhere. California Rare Plant Rank 3 includes plants that are eligible for State listing as rare, threatened or endangered. California Rare Plant Rank 4 plants are locally significant but few, if any, are eligible for State listing.

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 (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. No sensitive plant species were observed on site.

Sensitive plant species that were not observed but may have potential to occur on site (based on, for example, CNDDB records, vegetation communities present, and soils present) are listed in Table 3. With the previous, long-standing, agricultural practices and disturbance of the site, it is unlikely that these species are present. Table 4 lists MSCP Narrow Endemic species and their potential to occur on site. Narrow Endemic species are a subset of MSCP Covered Species (defined in Section 4.1). The MSCP Subarea Plan specifies additional conservation measures to ensure impacts to Narrow Endemic species are avoided to the maximum extent practicable.

Table 3 SENSITIVE PLANT SPECIES NOT OBSERVED AND THEIR POTENTIAL TO OCCUR		
SPECIES	**SENSITIVITY**[1]	**POTENTIAL TO OCCUR**
California adolphia (*Adolphia californica*)	CNPS RPR 2B.1	Low due to previous agricultural activities and mechanical disturbance.
San Diego bur-sage (*Ambrosia chenopodiifolia*)	CNPS RPR 2B.1	Low due to previous agricultural activities and mechanical disturbance.
Golden-spine cereus (*Bergerocactus emoryi*)	CNPS RPR 2B.2	Low due to previous agricultural activities and mechanical disturbance.
San Diego goldenstar (*Bloomeria clevelandii*)	CNPS RPR 1B.1 MSCP Covered	Low due to previous agricultural activities and mechanical disturbance.
Orcutt's brodiaea (*Brodiaea orcuttii*)	CNPS RPR 1B.1 MSCP Covered	Low due to previous agricultural activities and mechanical disturbance.
Tecate tarplant (*Deinandra floribunda*)	CNPS RPR 1B.2	Low due to previous agricultural activities and mechanical disturbance.
San Diego barrel cactus (*Ferocactus viridescens*)	CNPS RPR 2B.1 MSCP Covered	Low due to previous agricultural activities and mechanical disturbance.
Palmer's grapplinghook (*Harpagonella palmeri*)	CNPS RPR 4.2	Low due to previous agricultural activities and mechanical disturbance.
Tecate cypress (*Hesperocyparis forbesii*)	CNPS RPR 1B.1 MSCP Covered	Low due to previous agricultural activities and mechanical disturbance.
Decumbent goldenbush (*Isocoma menziesii* var. *decumbens*)	CNPS RPR 1B.2	Low due to previous agricultural activities and mechanical disturbance.
San Diego marsh-elder (*Iva hayesiana*)	CNPS RPR 2B.2	Low due to previous agricultural activities and mechanical disturbance.
Little mousetail (*Myosurus minimus*)	CNPS RPR 3.1	Low due to previous agricultural activities and mechanical disturbance.
Munz's sage (*Salvia munzii*)	CNPS RPR 2B.2	Low due to previous agricultural activities and mechanical disturbance.
Purple stemodia (*Stemodia durantifolia*)	CNPS RPR 2B.1	Low due to previous agricultural activities and mechanical disturbance.
Laguna Mountains jewelflower (*Streptanthus bernardinus*)	CNPS RPR 4.3	Not expected as it occurs from approximately 2,195 to 8,200 feet above mean sea level.
Parry's tetracoccus (*Tetracoccus dioicus*)	CNPS RPR 1B.2 MSCP Covered	Low due to previous agricultural activities and mechanical disturbance.

[1]**California Rare Plant Rank**
1A = Presumed extirpated in California and either rare or extinct elsewhere.
1B = Rare, threatened, or endangered in California and elsewhere.
2A= Presumed extirpated in California but more common elsewhere.
2B= Rare, threatened, or endangered in California but more common elsewhere.
3 = More information is needed.
4 = A watch list for species of limited distribution.

Threat Rank
.1 = Seriously endangered in California
.2 = Moderately endangered in California
.3 = Not very threatened in California

MSCP Covered = Species for which the City has take authorization from the USFWS and CDFW

Table 4 MSCP NARROW ENDEMIC PLANT SPECIES AND THEIR POTENTIAL TO OCCUR[1]		
SPECIES	**SENSITIVITY[2]**	**POTENTIAL TO OCCUR**
San Diego thorn-mint (*Acanthomintha ilicifolia*)	FT/SE CNPS RPR 1B.1	Not expected. Known from vernal pool habitat, which does not occur on site.
Shaw's agave (*Agave shawii*)	CNPS RPR 2B.1	Not expected. Not known from immediate project vicinity and would have been observed if present.
San Diego ambrosia (*Ambrosia pumila*)	FE CNPS RPR 1B.1	Low due to previous agricultural activities and mechanical disturbance.
Aphanisma (*Aphanisma blitoides*)	CNPS RPR 1B.2	Not expected. No known populations in MSCP area.
Coastal dunes milk vetch (*Astragalus tener* var. *titi*)	FE/SE CNPS RPR 1B.1	Not expected. Occurs in sandy places along the coast, including coastal dunes.
Encinitas baccharis (*Baccharis vanessae*)	FT/SE CNPS RPR 1B.1	Not expected. Not known from near the site.
Otay tarplant (*Deinandra conjugens*)	FT/SE CNPS RPR 1B.1	Low due to previous agricultural activities and mechanical disturbance. Special attention for this species was paid during the sensitive plant species surveys, which were conducted during this species' blooming period.
Short-leaved dudleya (*Dudleya brevifolia*)	SE CNPS RPR 1B.1	Not expected. Occurs on dry, sandstone bluffs in chamise chaparral.
Variegated dudleya (*Dudleya variegata*)	CNPS RPR 1B.2	Not expected. Often associated with vernal pool habitat, which does not occur on site. Previous agricultural activities and mechanical disturbance also reduces potential for this species to occur.
San Diego button-celery (*Eryngium aristulatum* var. *parishii*)	FE/SE CNPS RPR 1B.1 VPHCP Covered	Not expected. Known from vernal pool habitat, which does not occur on site.
Spreading navarretia (*Navarretia fossalis*)	FT CNPS RPR 1B.1 VPHCP Covered	Not expected. Known from vernal pool habitat, which does not occur on site.
Snake cholla (*Cylindropuntia californica*)	CNPS RPR 1B.1	Not expected. Not known from immediate project vicinity and would have been observed if present.
California Orcutt grass (*Orcuttia californica*)	FE/SE CNPS RPR 1B.1 VPHCP Covered	Not expected. Known from vernal pool habitat, which does not occur on site.
San Diego mesa mint (*Pogogyne abramsii*)	FE/SE CNPS RPR 1B.1 VPHCP Covered	Not expected. Site is outside the species' range.
Otay Mesa mint (*Pogogyne nudiuscula*)	FE/SE CNPS RPR 1B.1 VPHCP Covered	Not expected. Known from vernal pool habitat, which does not occur on site.

[1]Narrow endemic plant species are covered under the MSCP unless noted as covered under the Vernal Pool Habitat Conservation Plan (VPHCP)
[2]FE = Federally listed Endangered
FT = Federally listed Threatened
SE = State listed Endangered
VPHCP Covered = The City has authorization from the USFWS for incidental take these species for otherwise lawful covered activities within the MSCP Plan Area under the City's Vernal Pool Habitat Conservation Plan.

5.5.3 Sensitive Animal Species

Sensitive animal species are those that are considered Federal or State threatened or endangered; MSCP Covered Species; or MSCP Narrow Endemic species. 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 FESA, 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 2018); and/or

(c) A species is a Covered Species as listed in the Biology Guidelines in the Land Development Manual (City 2018).

A species may also be considered sensitive if it is included on the CDFW Special Animals List (CDFW 2020) as a State Species of Special Concern, State Watch List species, State Fully Protected species, or Federal Bird of Conservation Concern.

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.

One sensitive animal species was observed as noted below.

Southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*)
Sensitivity: State Watch List; MSCP Covered
Distribution: Observed throughout coastal lowlands and foothills of San Diego County
Habitat(s): Coastal sage scrub and open chaparral as well as shrubby grasslands
Status on site: This sparrow was observed in the northwestern portion of the site.

Sensitive animal species that were not observed or detected but that may have potential to occur (based on, for example, nearby CNDDB records and/or the presence of potential habitat) are listed in Table 5. The BUOW, which is considered to have low potential to occur, was not found nor was evidence of BUOW use/occupation of the site found. The site is surrounded by development (industrial complexes, power plant, roadways, and State Route 905) and not adjacent to suitable or occupied owl habitat. Also, the species has not been historically reported to the CNDDB on site.

Table 5 SENSITIVE ANIMAL SPECIES NOT OBSERVED OR DETECTED AND THEIR POTENTIAL TO OCCUR		
SPECIES	**SENSITIVITY**[1]	**POTENTIAL TO OCCUR**
INVERTEBRATES		
San Diego fairy shrimp (*Branchinecta sandiegonensis*)	FE	Not expected. No water holding basins suitable for this species were found on site.
Thorne's hairstreak (*Callophrys thornei*)	MSCP Covered	Not expected. Thorne's hairstreak habitat is characterized by interior cypress woodland dominated by its exclusive larval host plant, Tecate cypress (*Hesperocyparis* [*Cupressus*] *forbesii*), which is not present.
Quino checkerspot butterfly (*Euphydryas editha quino*)	FE	Not expected. The parcel was determined to lack suitable habitat for the QCB during the habitat assessment.
Riverside fairy shrimp (*Streptocephalus woottoni*)	FE	Not expected. No water holding basins suitable for this species were found on site.
VERTEBRATES		
Amphibians		
Western spadefoot (*Spea hammondii*)	SSC	Low. Potential habitat on site is marginal for the species. The species typically occurs along sandy or gravelly washes, floodplains, alluvial fans, or playas and requires temporary pools for breeding.
VERTEBRATES		
Reptiles		
Baja California coachwhip (*Masticophis fuliginosus*)	SSC	Low. Found mainly in open areas such as grassland, shrubland, and coastal sand dunes in a small area of southern San Diego County. While the site may be within the range of the species and support grassland, its history of agricultural production and grading for construction of State Routes 905/125 likely has rendered the site unsuitable for the species.
Coast horned lizard (*Phrynosoma blainvillii*)	SSC	Low. Potential habitat is not present on site. The species occurs in coastal sage scrub and open areas in chaparral, oak woodlands, and coniferous forests with sufficient basking sites, adequate scrub cover, and areas of loose soil.

Table 5 (continued) **SENSITIVE ANIMAL SPECIES NOT OBSERVED OR DETECTED AND THEIR POTENTIAL TO OCCUR**		
SPECIES	**SENSITIVITY**[1]	**POTENTIAL TO OCCUR**
Birds		
Burrowing owl (*Athene cunicularia*)	BCC SSC MSCP Covered	Low. This species was not found nor was evidence of BUOW use/occupation of the site found during a focused, four-visit survey for it in 2020. The species has not been historically reported to the CNDDB on site. Additionally, the site is surrounded by development and not adjacent to suitable BUOW habitat areas.
Coastal cactus wren (*Campylorhynchus brunneicapillus sandiegensis*)	BCC SSC MSCP Covered	Not expected. Cactus thickets used by this species are not present on site.
Northern harrier (*Circus hudsonius*)	SSC MSCP Covered	Moderate as this species utilizes grasslands.
California horned lark (*Eremophila alpestris actia*)	WL	Moderate as this species utilizes arid grasslands.
Coastal California gnatcatcher (*Polioptila californica californica*)	FT SSC MSCP Covered	Low. Ornamental plantings that include some plant species typical of this bird's native coastal sage scrub habitat are not suitable for the species.
Yellow warbler (*Setophaga petechia*)	BCC SSC	Not expected as potential habitat on site (mule fat scrub) is isolated and occupies a very small area.
Least Bell's vireo (*Vireo bellii pusillus*)	FE SE MSCP Covered	Not expected as potential habitat on site (mule fat scrub) is isolated and occupies a very small area.
Mammals		
San Diego black-tailed jackrabbit (*Lepus californicus bennettii*)	SSC	Moderate as it utilizes grassland and open, disturbed areas if there is at least some shrub cover present.

[1] FE = Federally listed Endangered
FT = Federally listed Threatened
BCC = Federal Bird of Conservation Concern: USFWS' highest conservation priorities and draw attention to species in need of conservation action.
SE = State listed Endangered
SSC = State Species of Special Concern: Declining population levels, limited ranges, and/or continuing threats have made them vulnerable to extinction.
WL = State Watch List: Birds that are/were: a) not on the current list of species of special concern but were on previous lists and have not been State listed under the California Endangered Species Act; b) previously State or federally listed and now are on neither list; or c) on the list of "Fully Protected" species.
MSCP Covered = Species for which the City has take authorization from the USFWS and CDFW within the City's subarea.

5.5.4 Waters of the U.S., Waters of the State, and City Wetlands

A combined 0.71 acre of wetland WUS and WS (disturbed emergent wetland and mule fat scrub) was mapped on site (Figure 4). WUS and WS characteristics are defined in Sections 3.1.1 (*Federal, Clean Water Act*) and 3.1.2 (*State of California, California Fish and Game Code*).

The disturbed emergent wetland and mule fat scrub are also City Wetland (Figure 4). City Wetlands are summarily characterized as have one or more of the following conditions: 1) contain naturally occurring wetland vegetation; 2) have hydric soils or wetland hydrology; and/or 3) are previous wetlands that were filled without a permit.

The existing buffers to the wetlands on site are comprised primarily of disturbed land and non-native grassland with small areas of non-native vegetation. On the north, the wetlands are bordered by existing development off site (Figure 3).

Additionally, 0.03 acre of non-wetland WUS and WS was mapped on site (not a City Wetland; Figure 4).

The jurisdictional areas within the drainage have been degraded by agricultural activities, vehicular use, and adjacent development, thereby reducing natural functions. The flows within the drainage are constricted by an inlet structure (south end of site) and a sheet flow area into a brow ditch (north end of site). The drainage is surrounded by long standing developed areas, resulting in minimal natural buffer area. This lack of buffer also extends into the developed areas up and downstream. Almost the entire watershed for this channel is comprised of developed surface area with the City's stormwater system directing flows to the site.

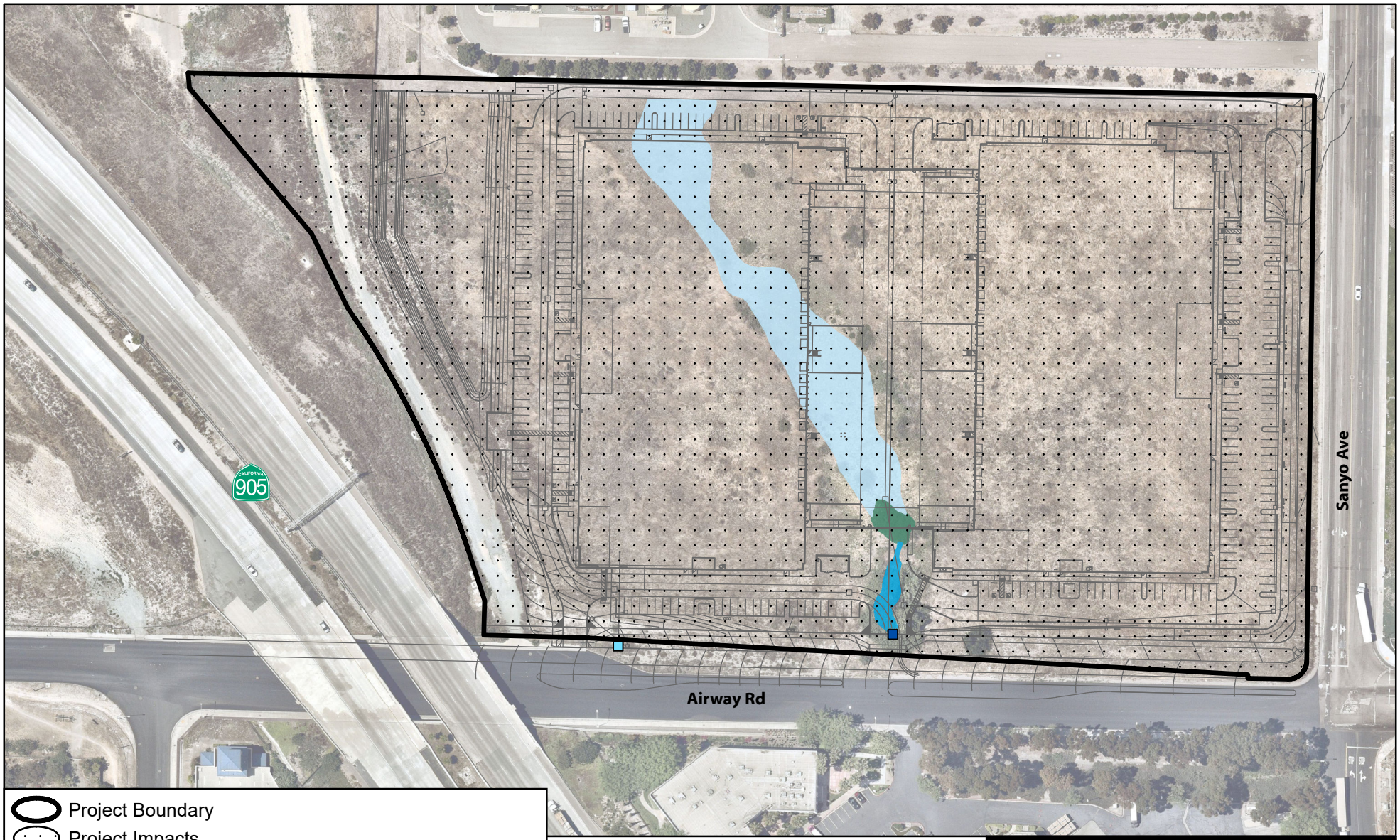
Vegetation in the drainage is degraded and dominated by low growing, non-native wetland species. It can be found in channels, seeps and springs, floodplains, margins of lakes and rivers, and various basins. There also is little topographic complexity or horizontal interspersion, with the drainage being more or less in a straight line from end to end. As such, biotic and wildlife functions are reduced.

Given the above, the jurisdictional features on site are degraded and of low quality. A more detailed California Rapid Assessment Method (CRAM) analysis was conducted to assess the quality of the wetland features and assign a numerical value. The CRAM data are included within the Habitat Mitigation and Monitoring Plan (HMMP) prepared for the project (Alden 2021a).

5.5.5 Wildlife Corridors

Wildlife corridors can be local or regional in scale; their functions may vary temporally and spatially based on conditions and species presence. Wildlife corridors represent areas where wildlife movement is concentrated due to natural or anthropogenic constraints. Local corridors provide access to resources such as food, water, and shelter. Animals use these corridors, which are often hillsides or tributary drainages, to move between different habitat areas. Regional corridors provide these functions and link two or more large habitat areas. Regional corridors provide avenues for wildlife dispersal, migration, and contact between otherwise distinct populations.

The MHPA includes core biological resource areas and corridors targeted for conservation that preserve local and regional corridor functions. The site is not in or adjacent to the MHPA, and the project's location surrounded by existing development severely limits, or even precludes, it from connecting any surrounding potential habitat areas. The site may provide some resources such as food for wildlife, but due to its history of agricultural and mechanical disturbance, those resources are limited. As such, the site is not located within or adjacent to any local or regional wildlife corridor or movement area.



Project Boundary
Project Impacts
Stormwater Inlet
Stormwater Outlet

Waters of the U.S., Waters of the State, and City Wetlands

Emergent Wetland
Mule Fat Scrub

Waters of the U.S. and Waters of the State

Non-wetland Waters

N
W E
S

0 75 150
Feet

ALDEN ENVIRONMENTAL, INC

Figure 4

Jurisdictional Delineation

SANYO LOGISTICS CENTER

6.0 COMPLIANCE WITH THE MSCP

The Subarea Plan policies and guidelines that require project compliance are addressed below.

6.1 GENERAL PLANNING POLICIES AND DESIGN GUIDELINES

Section 1.4.2 of the City's Subarea Plan includes policies and guidelines that have been applied in the review of development projects within or adjacent to the MHPA. The project site is not within or adjacent to the MHPA; therefore, these policies and guidelines are not applicable.

6.2 GENERAL MANAGEMENT DIRECTIVES

General management directives have been prescribed for all areas of the City's MSCP Subarea Plan, as appropriate. The one that applies is listed below. Directives related to Public Access, Trails, and Recreation; Adjacency Management Issues; Invasive Exotics Control and Removal; Litter/Trash and Materials Storage; and Flood Control are not applicable to the project.

1. Mitigation shall be performed in accordance with ESL Regulations and the City's Biology Guidelines.

   The mitigation measures in Section 8.0, *Mitigation Program*, of this report have been formulated to satisfy the requirements of the City's MSCP Subarea Plan, ESL Regulations, and Biology Guidelines.

6.3 AREA SPECIFIC MANAGEMENT DIRECTIVES

The ASMDs for southern California rufous-crowned sparrow, which was observed on site, must include maintenance of dynamic processes, such as fire, to perpetuate some open phases of coastal sage scrub with herbaceous components. This species is covered by the MSCP because 61 percent (73,600+ acres) of potential habitat (including 71 percent of mapped localities) will be conserved. This sparrow was observed in the northwest corner of the site near ornamental plantings, which is not a natural habitat condition as explained in Section 5.2, *Vegetation Communities*, of this report. The project would directly impact the entire site and remove all of the existing vegetation, replacing it with development. The project would not preserve any potential habitat for the sparrow; therefore, there would be no habitat condition to maintain.

The ASMDs for the BUOW must include: enhancement of known, historical, and potential BUOW habitat; and management for ground squirrels. Enhancement measures may include creation of artificial burrows and vegetation management to enhance foraging habitat. Management plans must also include: monitoring of BUOW nest sites to determine use and nesting success; predator control; establishing a 300-foot wide impact avoidance area (within the preserve) around occupied burrows. The BUOW has low potential to occur, and evidence of presence was not found. Also, the species has not been historically reported to the CNDDB on site. As such, no specific measures are required for this species.

7.0 PROJECT IMPACT ANALYSIS

This section analyzes the project's effects on sensitive biological resources. The City's CEQA Significance Determination Thresholds (City 2018) are used to establish whether or not there is a significant effect. A significant effect is defined as a "substantial or potentially substantial adverse change in the environment." The CEQA Guidelines (i.e., Appendix G of the CEQA Guidelines) further indicate that there may be a significant effect on biological resources if a project will trigger the following criteria:

A. Substantially affect an endangered, rare, or threatened species of animal or plant or the habitat of the species;

B. Interfere substantially with the movement of any resident or migratory fish or wildlife species; or

C. Substantially diminish habitat for fish, wildlife, or plants.

For projects within the City or carried out by the City which may affect sensitive biological resources, potential impacts to such sensitive biological resources must be evaluated using the following significance criteria:

1. Would the project result in substantial adverse impacts, either directly or through habitat modifications, to any species identified as a candidate, sensitive or special status species in the MSCP or other local or regional plans, policies or regulations, or by the CDFW or USFWS?

2. Would the project result in a substantial adverse impact on any Tier I, Tier II, Tier IIIA or Tier IIIB habitats as identified in the Biology Guidelines or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS?

3. Would the project result in a substantial adverse impact on wetlands (including, but not limited to, marsh, vernal pools, riparian areas, etc.) through direct removal, filling, hydrological interruption, or other means?

4. Would the project substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, including linkages identified in the MSCP Plan, or impede the use of native wildlife nursery sites?

5. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, NCCP, or other approved local, regional or state habitat conservation plan, either within the MSCP plan area or in the surrounding region?

6. Would the project introduce a land use within an area adjacent to the MHPA that would result in adverse edge effects?

7. Would the project conflict with any local policies or ordinances protecting biological resources?

8. Would the project introduce invasive species of plants in to natural open space?

The project must also comply with the Otay Mesa Community Plan Implementation Overlay Zone B, which requires implementation of ESL Regulations related to biological resources (i.e., implementation of Otay Mesa Community Plan Update Conservation Element Policy 8.1-1; City 2014).

7.1 DIRECT IMPACTS

Direct impacts immediately alter the affected biological resources such that those resources are eliminated temporarily or permanently. The removal of vegetation would be considered a direct impact. All direct impacts associated with the project would be permanent.

7.1.1 Direct Impacts to Vegetation Communities

The entire 14.85-acre site would be directly and permanently impacted by the project (Figure 3; Table 6).

Table 6
DIRECT IMPACTS TO VEGETATION COMMUNITIES ON SITE

Vegetation Community	Acreage Impacted
Wetland	
Disturbed emergent wetland	0.65
Mule fat scrub	0.03
Upland	
Disturbed broom baccharis scrub (Tier II)	0.09
Non-native grassland (Tier IIIB)	6.33
Ornamental (Tier IV)	0.34
Disturbed land (Tier IV)	6.78
Non-native vegetation (No tier)	0.17
Developed (No tier)	0.46
TOTAL	**14.85**

The project's mitigation would also impact 0.06 acre of non-native grassland and tamarisk scrub (no tier) habitat at the 1.42-acre off-site mitigation location through conversion to wetland habitat. This is further described in Section 8.1.1, *Mitigation for Impacts to Wetland Habitats*.

Analysis of Significance of Impacts to Vegetation Communities

Upland Vegetation Communities. On site impacts to the Tier II and Tier IIIB upland vegetation communities (disturbed broom baccharis scrub and non-native grassland, respectively) would be significant according to the significance criteria described previously in Section 7.0, *Project Impact Analysis*. As such, mitigation would be required for project impacts to 6.42 acres of these communities.

The impacts to 0.06 acre of non-native grassland at the mitigation site would not be considered as it is for mitigation purposes and would result in the conversion to high quality wetland habitat.

Impacts to Tier IV Other uplands (including no-tier tamarisk scrub at the mitigation site) would be less than significant as the impacts would not meet criteria for significance. Thus, no mitigation would be required for Tier IV or the tamarisk scrub impacts.

Significance Criterion C: The Project would substantially diminish habitat for fish, wildlife, or plants. The Project would replace 6.42 acres of disturbed broom baccharis scrub and non-native grassland habitat, which is considered substantial.

Significance Criterion 2: The Project would result in a substantial adverse impact on any Tier I, Tier II, Tier IIIA or Tier IIIB habitat as identified in the Biology Guidelines or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS. As presented in Table 6 in Section 7.1.1, *Direct Impacts to Vegetation Communities*, the project would directly impact 6.42 acres of Tier II and Tier IIIB habitats. According to the City's Biology Guidelines (City 2018), lands containing Tier II and Tier IIIB upland habitats are considered sensitive and declining. Therefore, the project's impacts to 6.42 acres of Tier II disturbed broom baccharis scrub and Tier IIIB non-native grassland would be significant.

Wetland/Riparian Vegetation Communities. Impacts to wetland/riparian vegetation communities would be significant according to the following significance criteria listed in Section 7.0, *Project Impact Analysis*. Mitigation for these impacts would be required.

Significance Criterion C: The Project would substantially diminish habitat for fish, wildlife, or plants. The project would replace 0.68 acre of disturbed emergent wetland and 0.03 acre of mule fat scrub, which is considered substantial.

Significance Criterion 2: The Project would result in a substantial adverse impact on sensitive natural communities identified in local or regional plans, policies, regulations or by the CDFW or USFWS. As presented in Table 6, the project would directly impact wetland/riparian communities considered sensitive in the Biology Guidelines and regulated as ESL. Therefore, the impact is considered substantial and adverse.

Significance Criterion 3: The Project would result in a substantial adverse impact on wetlands (including, but not limited to, marsh, vernal pools, riparian areas, etc.) through direct removal, filling, hydrological interruption, or other means. The City's ESL Regulations state that wetlands impacts should be avoided, and unavoidable impacts should be minimized to the maximum extent practicable. As explained in Section 3.1.3, *City of San Diego Environmentally Sensitive Lands [ESL] Regulations*, non-avoidance of wetlands requires a deviation from the ESL

Regulations. Therefore, the project's impacts on wetlands are considered substantial and adverse.

Significance Criterion 7: The Project would conflict with any local policies or ordinances protecting biological resources. As stated above, the ESL Regulations state that impacts to wetlands should be avoided. Because wetlands cannot be avoided, a deviation from the regulations is required to resolve this conflict (see Section 7.1.2*, Direct Impacts to Waters of the U.S., Waters of the State, and City Wetlands*).

Impacts to wetland vegetation communities (disturbed emergent wetland and mule fat scrub) would be significant because they are regulated by Federal and State law. Impacts to these communities would also be significant because they are City Wetland. Mitigation would be required.

7.1.2 Direct Impacts to Waters of the U.S./State, and City Wetlands

Waters of the U.S. and Waters of the State

The project would directly impact 0.71 acre of wetland WUS and WS. The project would also impact 0.03 acre of non-wetland (unvegetated channel/streambed) WUS and WS (Figure 4).

City Wetlands

Total impacts to City Wetlands from the project include 0.71 acre of disturbed emergent wetland and mule fat scrub (Figure 4). The 0.03 acre of mapped non-wetland WUS/WS is not considered a City wetland as it is an unvegetated channel and does not support wetland habitat.

Analysis of Significance of Impacts to Waters of the U.S., Waters of the State, and City Wetlands

Impacts to WUS and WS are significant because they are regulated by Federal and State law, and Corps and CDFW permitting and mitigation, would be required. Impacts to City Wetlands are significant because they are ESL; mitigation would be required.

7.1.3 Direct Impacts to Sensitive Plant Species

No sensitive plant species were observed on site. See Section 7.1.5*, Direct Impacts to Sensitive Species with Potential to Occur*, of this report for an analysis of impacts to sensitive plant species evaluated for their potential to occur on site.

7.1.4 Direct Impacts to Sensitive Animal Species

The project would impact southern California rufous-crowned sparrow through loss of ornamental plantings along the Caltrans access easement on the western portion of the site. Despite including native coastal sage scrub plant species, this area on site occurs in narrow strips and is marginal habitat for the species. While the species was observed on site, it is more likely that is utilizing the adjacent off site vegetated SR 905 slope areas that are much larger and provide a more contiguous vegetation community for the species.

Analysis of Significance of Impacts to Sensitive Animal Species

The southern California rufous-crowned sparrow is covered by the MSCP because 61 percent (73,600+ acres) of potential habitat (including 71 percent of mapped localities) will be conserved. Therefore, the loss of the marginal habitat used by this species on site would be less than significant, and no mitigation is required.

7.1.5 Direct Impacts to Sensitive Species with Potential to Occur

Tables 3 and 4 presented lists of the sensitive and MSCP Narrow Endemic plant species not observed and their potential to occur on site. All of these species are either not expected or have low potential to occur. Therefore, impacts to these species are not anticipated. Additionally, no sensitive plant species were observed during the focused sensitive plant species surveys conducted in spring and summer 2020.

Table 5 presented a list of sensitive animal species not observed or detected and their potential to occur on site. All of these species are not expected to occur or have low potential to occur with three exceptions. Therefore, impacts to these species are not anticipated.

The three exceptions are species with moderate potential to occur due to the presence of potential habitat and reports of the species to the CNDDB within 2 miles of the site. These species are California horned lark, northern harrier, and San Diego black-tailed jackrabbit.

Grading of the site would result in a loss of potential foraging and nesting habitat for the northern harrier and California horned lark.

Impacts to the San Diego black-tailed jackrabbit would occur from habitat removal and potential injury or mortality to very young jackrabbit litters that may be immobile during construction activity.

Analysis of Significance of Impacts to Sensitive Species with Potential to Occur

Northern Harrier and California Horned Lark

This northern harrier is a State Species of Special Concern, which means that it is experiencing declining population levels, limited ranges, and/or continuing threats have made it vulnerable to extinction. However, it is covered by the MSCP because 42 percent of its potential nesting habitat and 85,000+ acres of its potential foraging habitat will be conserved. Therefore, its long-term survival will not be adversely affected, and no mitigation is required for impacts to its potential habitat.

The California horned lark is on the State Watch List, which means that it was previously a State Species of Special Concern (because of declining population levels, limited ranges, and/or continuing threats have made it vulnerable to extinction) but is no longer. Therefore, the loss of its potential habitat due to the project would be less than significant, and no mitigation is required.

San Diego Black-tailed Jackrabbit

The San Diego black-tailed jackrabbit is a State Species of Special Concern. Therefore, impacts to this species, including habitat loss and potential injury or mortality to very young jackrabbit litters, would be significant. Mitigation would be required.

7.1.6 Wildlife Corridors

The site is not in or adjacent to the MHPA, and the project's location surrounded by existing development severely limits, or even precludes, it from connecting any surrounding potential habitat areas. Therefore, the project would not significantly alter wildlife movement. No mitigation would be required.

7.2 INDIRECT IMPACTS

Indirect impacts consist of secondary effects of a project that can occur temporarily during construction or permanently from a project once built. For this project, potential indirect impacts that are addressed include erosion/sedimentation/pollution, fugitive dust, lighting, noise, and, invasive plant species. The magnitude of an indirect impact can be the same as a direct impact, but the effect usually takes a longer time to become apparent.

7.2.1 Erosion/Sedimentation/Pollution

Water quality can be adversely affected by potential surface runoff and sedimentation during construction. The use of petroleum products (fuels, oils, and/or lubricants) and erosion of cleared land during construction or from runoff from parking lots, for example, can pollute downstream surface waters. Decreased water quality may adversely affect vegetation, aquatic animals, and terrestrial wildlife that depend upon these resources.

Potential erosion/sedimentation/pollution impacts from project construction would be minimized through the required use of the City's Construction Site Best Management Practices (SDMC §43.0301; BMPs) per current storm water regulations. There would be one water quality basin on the project site that would address potential issues with contaminated runoff from the built project. The use of BMPs and the water quality basin would adequately address potential issues of erosion/sedimentation/pollution during construction and occupancy of the built project. Therefore, potential impacts are not anticipated.

7.2.2 Fugitive Dust

Fugitive dust produced by construction can disperse onto adjacent vegetation. A long-term cover of dust may reduce the overall vigor of individual plants by reducing their photosynthetic capabilities and increasing their susceptibility to pests or disease. This, in turn, could affect animals dependent on these plants. Fugitive dust also may make plants unsuitable as habitat for insects and birds. Construction of the project would include the use of dust control measures required in SDMC Section 142.0101 et seq. Therefore, potential impacts are not anticipated.

7.2.3 Lighting

Night lighting exposes wildlife to an unnatural light regime that may adversely affect foraging patterns, increase predation risk, cause biological clock disruptions, and result in a loss of species diversity. Lighting can be a significant indirect impact if it spills into ESL. Potential night lighting impacts would be minimized by the project's adherence to the City's Outdoor Lighting Regulations (SDMC §142.0740). Therefore, potential impacts are not anticipated.

7.2.4 Noise

Construction-related noise from such sources as clearing, grading, and construction vehicular traffic can result in significant, temporary noise-related impacts to wildlife in undeveloped habitat adjacent to a project site. Noise-related impacts, however, would only be considered significant if a sensitive species is present that is susceptible to noise, such as the coastal California gnatcatcher. There is potential habitat for such species, so there would be no construction-related noise impacts to sensitive wildlife.

7.2.5 Invasive Plant Species

Invasive, non-native plants can colonize areas disturbed by construction and potentially spread and impact nearby sensitive plant and animal species. Such invasions could displace native plant species, reduce diversity, increase flammability and fire frequency, change ground and surface water levels, and adversely affect the native wildlife that are dependent on native or naturalized vegetation. This impact can also occur if invasive, non-native plant species are included in a project's landscaping. The project site and its surroundings, which are not natural open space, are already colonized by invasive, non-native plant species. Therefore, there would be no impact from the project related to such species.

7.3 CUMULATIVE IMPACTS

The MSCP was designed to compensate for the cumulative loss of biological resources throughout the San Diego region. Projects that conform to the MSCP as specified by the City's Subarea Plan and implementing ordinances, (i.e., Biology Guidelines and ESL Regulations) are not expected to result in a significant cumulative impact for those biological resources adequately covered by the MSCP. These resources include the vegetation communities identified as Tier I through IV and MSCP Covered Species (City 2018). The project would comply with the City's Subarea Plan by mitigating for significant impacts in accordance with ESL Regulations and the City's Biology Guidelines. Other projects in the City would also be required to comply with the City's Subarea Plan. Therefore, the project would not contribute considerably to cumulatively significant impacts on sensitive biological resources in the City.

Likewise, mitigation is required for all project impacts to City Wetlands in accordance with Table 2A of the City's Biology Guidelines. The mitigation prescribed is to prevent any net loss of wetland functions and values. Since the project would comply with Table 2A, it would not contribute to a cumulative loss of wetlands but would rather result in a net increase.

7.4 ESL WETLAND DEVIATION

Impacts to City wetland habitats require a deviation from the wetland regulations as outlined in Section IV of the City's Biology Guidelines (2018) outside of the Coastal Overlay Zone. Wetland impacts for this project are being assessed under the Biologically Superior Option.

As described in Section 5.1, the site supports 0.71 acre of City wetlands including 0.68 acre of disturbed emergent wetland and 0.03 acre of mule fat scrub habitats. The wetlands on site are highly disturbed, are surrounded by development, have limited buffers, and have a watershed that is almost entirely comprised of stormwater runoff through the City's stormwater system.

In accordance with the City's Biology Guidelines, the following alternatives have been developed in the evaluation of the proposed project as the Biologically Superior Option.

- No Project Alternative – This alternative would result in no development and avoidance of all 0.71 acre of City wetlands on site.
- 100% Avoidance Alternative – This alternative would completely avoid the City wetlands on the site (Figure 5) by developing two separate pads on the west and east sides of the wetland features.
- Minimized Impact Alternative – This alternative would develop most of the site (Figure 6) and avoid approximately 0.27 acre of the disturbed emergent wetland habitat on the northern end of the drainage. Impacts to wetlands would be mitigated off site.
- Biologically Superior Alternative – This is the proposed project (Figure 3) that would impact all of the City wetlands (0.71 acre) on the site. Impacts to wetlands would be mitigated off site.

In the analysis below, wetland impacts associated with each alternative have been evaluated against parameters provided in the City's Biology Guidelines (Section III.A.2.C.2.I.a-h) to demonstrate that the proposed project would impact wetlands of low biological quality. Each alternative has also been evaluated against Corps criteria (33 CFR 320.4(b)2.i-viii) for wetland function and value to demonstrate that the project would achieve a net increase in wetland quality and viability (functions and value) relative to existing conditions and the other project alternatives.

7.4.1 No Project Alternative

The No Project Alternative would not involve any site development and therefore the existing 0.71 acre of wetlands would remain in their current, disturbed state. The existing wetlands on site are of low quality as determined using the factors listed below. The No Project Alternative would result in no impacts to these low-quality wetlands; however, it is not feasible because it would not meet the project's purpose to build an industrial/distribution facility on the site. Additionally, there is little biological value to be gained/maintained by preserving the existing, low quality wetlands on the site.

Existing Wetland Quality (City Biology Guidelines)

a. Use of the wetland by federal and/or state endangered, threatened, sensitive, rare and/or other indigenous species.

   No such species that would use the wetlands were observed on site, and none is expected to occur. As such, the potential sensitive species to occur on the site is low.

b. Diversity of native flora and fauna present (characterizations of flora and fauna must be accomplished during the proper season, and surveys must be done at the most appropriate time to characterize the resident and migratory species).

   Surveys on site recorded lists of plant species observed in the wetlands. Those surveys included the vegetation mapping and 3 sensitive plant species surveys in April, May, and June. The plant species surveys were conducted during the spring/summer blooming period that is the proper season to observe and identify most annual species. The diversity of the wetland flora is low. Only 5 plant species were observed in disturbed emergent wetland, and all of them were non-native. The disturbed emergent wetland area could justifiably be mapped as disturbed wetland, given the species composition and site condition. It was mapped as disturbed emergent wetland to be conservative and also in recognition of the historic mapping of disturbed emergent wetland in the National Wetland database. The only plant species observed in the mule fat scrub was mule fat, a very common species that occurs in both wetland and upland areas.

   Twenty-two animal species were observed or detected on site during all of the site surveys, which were conducted in winter (three site visits in February), spring (two site visits in April and May), and summer (one site visit in June). Due to the small size of the site, the low quality of the habitats present, and the fact that the site is entirely surrounded by existing development, it is expected that the animal species observed or detected typify the resident and migratory species that utilize the site.

   Considering the conditions described above, it was determined that the overall native species diversity of the site is low.

c. Enhancement or restoration potential.

   The on-site wetlands are entirely within a stormwater conveyance system that carries stormwater runoff from City streets and adjacent industrial complexes. Beyond the on-site buffers comprised of disturbed land and non-native grassland, the site is surrounded by existing development. Even if the wetlands were enhanced or restored, they are small in area (total of 0.71 acre) and isolated from a larger wetland system. Therefore, the potential for meaningful habitat enhancement or restoration at the site is low.

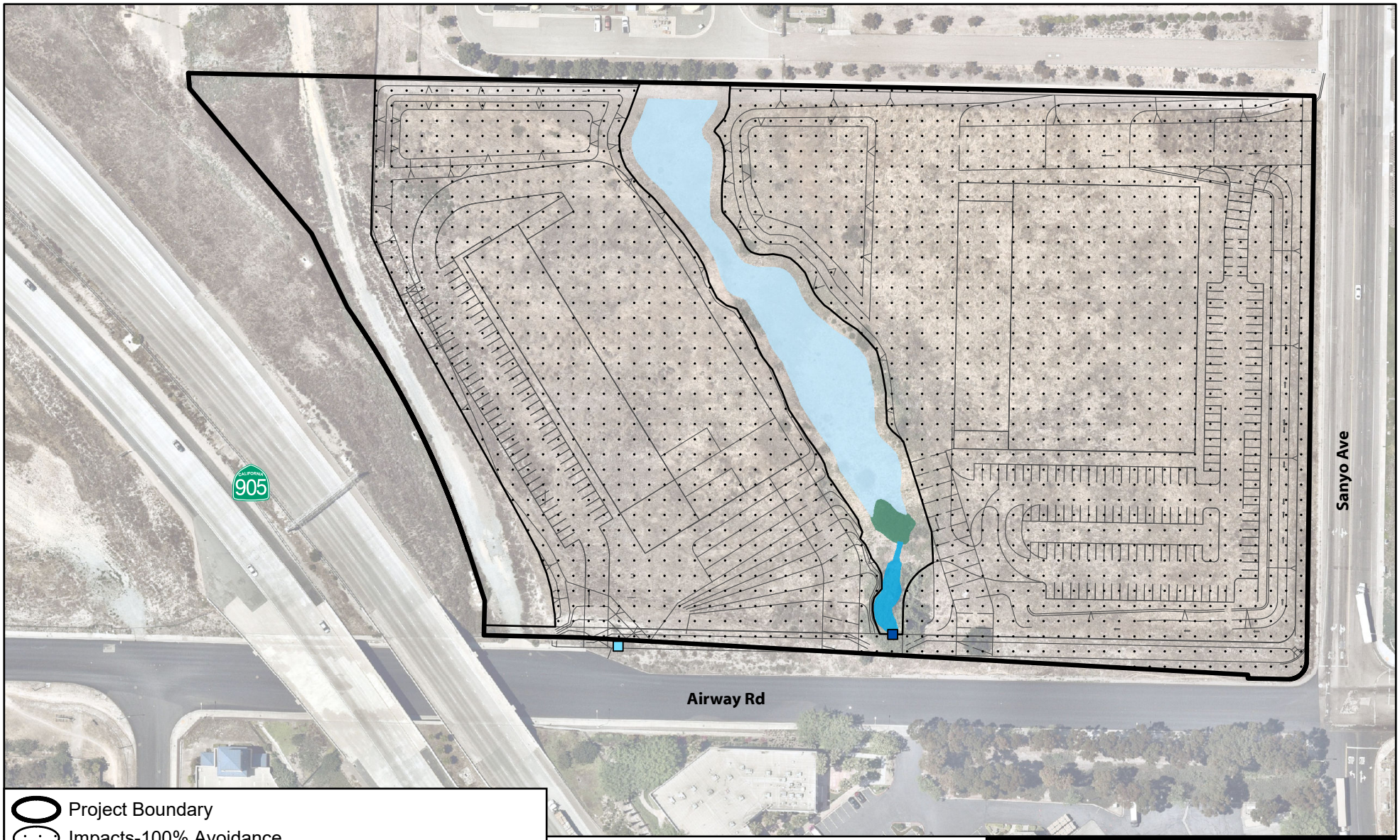


Figure 5

100% Avoidance Alternative

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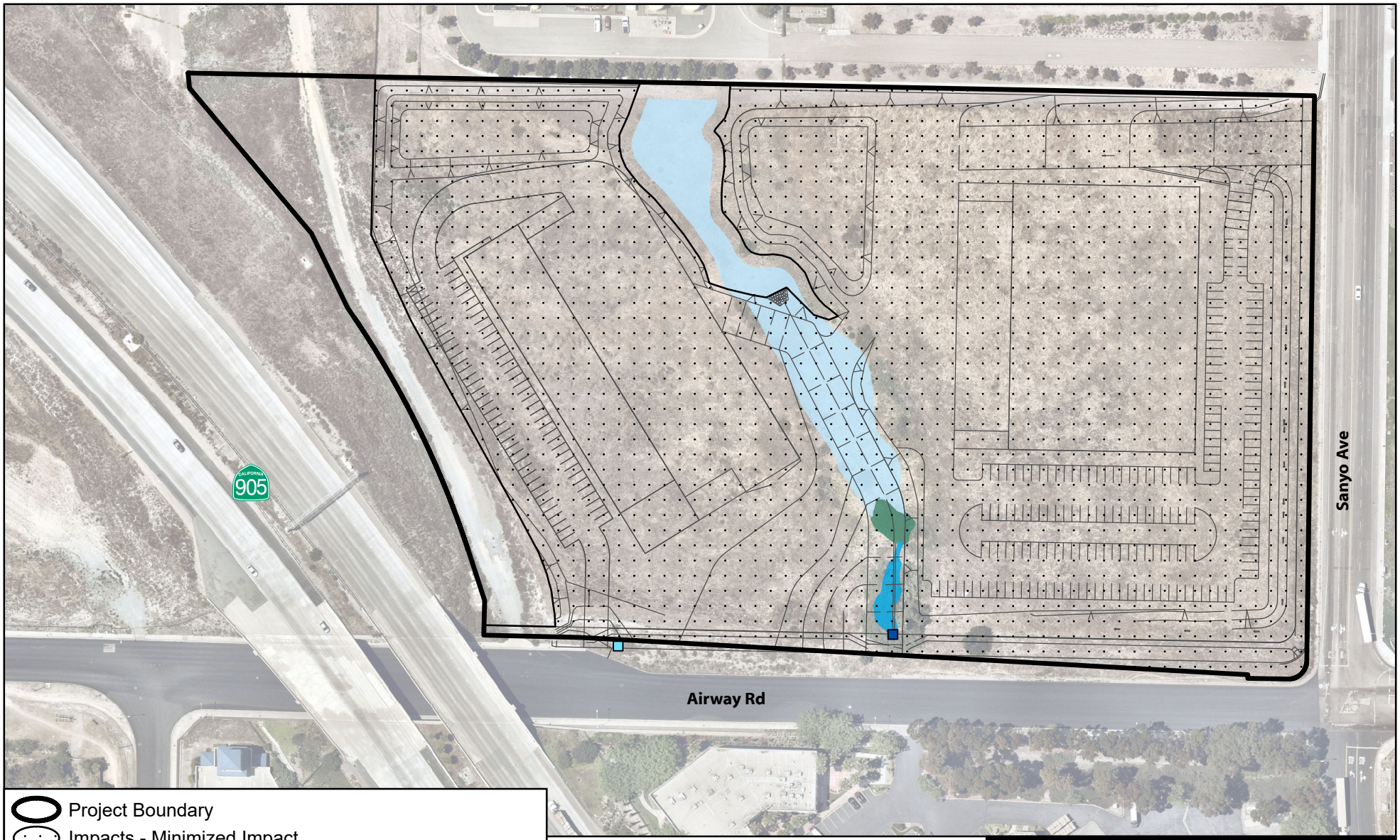

Project Boundary
Impacts - Minimized Impact
Stormwater Inlet
Stormwater Outlet

Waters of the U.S., Waters of the State, and City Wetlands

Emergent Wetland
Mule Fat Scrub

Waters of the U.S. and Waters of the State

Non-wetland Waters

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Figure 6

Minimized Impact Alternative

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d. Habitat function/ecological role of the wetland in the surrounding landscape.

The on-site wetlands have been degraded by agricultural activities and off-road vehicular use, and coupled with the water source being largely artificial and of low quality (see h. Source and quality of water, below), this results in wetlands with low plant species diversity (see Existing Wetland Quality b., above) and limited habitat functions and a minor ecological role in the surrounding, entirely developed, landscape. The habitat does not provide standing water for aquatic invertebrates and other organisms, it is vegetated almost entirely by short herbaceous species that do not provide significant nesting resources for native bird species, and it lacks cover for other animal species (rabbits, etc.).

e. Connectivity to other wetland or upland systems (including use as a stopover or stepping stone by mobile species).

The wetlands lack connectivity to other wetland or upland systems with biological value. They are connected upstream and downstream to a stormwater conveyance system. Adjacent uplands on site are comprised of disturbed land of little biological value and non-native grassland where no sensitive plant or animal species have been found. The project site is surrounded by development and not within or adjacent to the MHPA or any wildlife corridor or movement area. Therefore, these wetlands would be considered low quality because, over the long term, the viability of the resource is tentative and dependent on continued stormwater flows and protection from human activity. With this, the habitat connectivity on site is low.

f. Hydrologic function.

The wetland area on site is the last remaining above ground portion of an otherwise culverted and undergrounded stormwater runoff system. The water source for the site is from surface runoff from adjacent streets and industrial development complexes and, therefore, would be considered low quality. The wetland habitat exists as a relatively straight line across the site with very low topographic complexity and structural path richness.

The site has little potential to provide significant flood control functions as it is little more than a short stretch before the water leaves the site and enters the brow ditch on the adjacent power plant to the north. It is more likely that the site will contribute to uncontrolled stormwater and flooding to the north as it sheet flows out of the site during heavy storm events. There is evidence of this occurring at the off-site brow ditch in the form of undercutting and sediment deposits. As such, the hydrologic function of the site is low.

g. Status of watershed considering whether the watershed is partially developed, irrevocably altered, or inadequate to supply water for wetland viability.

Upstream and downstream of the on-site wetlands are entirely within a stormwater conveyance system; therefore, the watershed for the wetlands is entirely influenced by human development and activity and dependent on continued stormwater flows. Given that this is a developed area of the City, there is no potential for improvement of the watershed for the site. Therefore, the watershed quality is low.

h. Source and quality of water.

The water source for the wetlands is almost exclusively from human-caused runoff that flows through a stormwater conveyance system that carries stormwater runoff water from City streets. The site serves as a short above ground segment of a larger developed stormwater system and there is little opportunity to restore the water quality entering the site. Given the artificial water source and its low quality, wetland quality on site would be considered low.

Furthermore, the existing functions, values, and viability of the existing, low quality wetlands are evaluated as presented below (based on 33 CFR §320.4 - General policies for evaluating permit applications, effect on wetlands).

Wetlands considered to perform functions important to the public interest include:

i. Wetlands which serve significant natural biological functions, including food chain production, general habitat and nesting, spawning, rearing and resting sites for aquatic or land species.

The wetlands on site occupy a small area and include 0.68 acre of disturbed emergent wetland comprised of 5 non-native plant species and 0.03 acre of mule fat scrub. Therefore, they are small in area. They are isolated from other wetland systems and are surrounded by non-native vegetation and existing development. Lastly, they are fed by a stormwater conveyance system that carries polluted water from City streets. Therefore, they are of low quality as general habitat and do not perform significant natural biological functions.

ii. Wetlands set aside for study of the aquatic environment or as sanctuaries or refuges.

The wetlands on site have not been set aside for study or as a sanctuary or refuge.

iii. Wetlands, the destruction or alteration of which would detrimentally affect natural drainage characteristics, sedimentation patterns, salinity distribution, flushing characteristics, current patterns, or other environmental characteristics.

Upstream and downstream of the on-site wetlands are entirely within a stormwater conveyance system. Therefore, the destruction or alteration of the on-site wetlands would not detrimentally affect natural drainage characteristics.

iv. Wetlands, which are significant in shielding other areas from wave action, erosion, or storm damage. Such wetlands are often associated with barrier beaches, islands, reefs and bars.

The on-site wetlands do not shield other areas from wave action, erosion, or storm damage.

v. Wetlands which serve as valuable storage areas for storm and flood waters.

Upstream and downstream of the on-site wetlands are entirely within a stormwater conveyance system. The on-site wetlands are an area where the stormwater intermittently flows across undeveloped land. Therefore, the wetlands do not serve as a storage area for storm or flood waters.

vi. Wetlands, which are ground water discharge areas, that maintain minimum baseflows important to aquatic resources and those which are prime natural recharge areas.

The on-site wetlands are an area where the stormwater intermittently flows across undeveloped land, and they are not connected to any other wetland system. Therefore, there are no baseflows important to aquatic resources, and they are not a prime natural recharge area.

vii. Wetlands which serve significant water purification functions.

The wetlands on site receive polluted flows from City streets through a stormwater conveyance system. While the on-site wetlands may purify the water to some degree, this would not be considered a significant function.

viii. Wetlands which are unique in nature or scarce in quantity to the region or local area.

While naturally occurring, wetlands are now unique in nature and scarce in quantity, the wetlands on site do not occur naturally. Rather, they are maintained by water entering the site from the City's stormwater conveyance system and are comprised almost entirely of non-native plant species due to past site disturbances (e.g., agricultural activity). The wetlands on site, therefore, are not unique.

7.4.2 100% Avoidance Alternative

The 100% Avoidance Alternative (Figure 5) would avoid all of the City Wetlands on site by separating the development into separate pads on the east and west sides of the wetlands. Each of the development areas would have its own access point off of Airway Road. While this alternative would avoid direct impacts to the wetlands on site, it would need to develop essentially up to the wetland edges, which would mean the wetlands would be completely surrounded by development. This could result in indirect effects to these already low-quality wetlands and degrade them even further, particularly as potential wildlife habitat.

The 100% Avoidance Alternative would avoid direct impacts to the existing wetlands and the City/Corps parameter results would be the same as for the No Project Alternative above; therefore, the they are not repeated again for this alternative.

While it would avoid wetlands, this alternative is not feasible for the following reasons:

- The separate pad locations, with their required parking, stormwater basins, and internal circulation would not allow for development of buildings large enough to be marketable.
- The site elevations are such that walls and steep slopes are required to avoid the wetlands.
- The access driveways off of Airway Road would be too steep to allow for safe ingress/egress of commercial trucks.
- The dual access locations on Airway road would be relatively close to each other and would not provide desirable sight distances and separation for vehicles.

7.4.3 Minimized Impact Alternative

The Minimized Impact Alternative (Figure 6) would maintain a developed connection to the west and east sides of the site but would avoid the northern portion of the City Wetlands. This alternative would still result in direct impacts to approximately 0.44 acre of wetlands in the southern portion of the site. While retaining approximately 0.27 acre of disturbed emergent wetland, it would result in a very small "postage stamp" preserve completely surrounded by development with essentially no buffer. This could result in indirect effects to these already low-quality wetlands and degrade them even further, particularly as potential wildlife habitat. The impacted wetlands in this alternative still would require mitigation off site.

The wetlands impacted by the Minimized Impact Alternative are the same as those evaluated for the No Project Alternative and the City/Corps parameter results would be the same; therefore, they are not repeated again for this alternative.

While it would technically avoid wetlands, this alternative is not feasible for the following reasons:

- The wetland avoidance in the north still affects the pad layout and the ability to build buildings large enough to be marketable, particularly on the west side.
- The site elevations are such that walls and steep slopes would be required to avoid the wetlands in the north.
- The avoided wetland would be too small to be biologically viable.

7.4.4 Biologically Superior Alternative (Proposed Project)

The Biologically Superior Alternative (proposed project) would directly impact all 0.71 acre of the low-quality (see Section 7.4.1) City Wetlands on site through their removal and replacement with the built facility. As mitigation, the project proposes establishing (= creating) and rehabilitating (= enhancing) wetlands as detailed in the HMMP for the project (Alden 2021a) at an off-site location. The mitigation would occur at a 2:1 ratio, resulting in 1.42 acres of high-quality wetland habitat. The terms establishment and rehabilitation are used because the project requires permits from the Corps, RWQCB, and CDFW, and the agencies use those terms. The City's Biology Guidelines (City 2018) use the terms creation and enhancement, respectively. The terms have the same meanings and are interchangeable for this document.

While the wetland impacts on the project site would occur in the Lower Cottonwood Creek watershed, the mitigation would occur within the adjacent Otay River watershed. The reason for this is that there is no suitable or available location remaining within the project's watershed where the mitigation could occur. Therefore, the mitigation site is located approximately 1.7 miles northeast of the project site.

Unlike the project site where the wetlands are surrounded by development, the mitigation site sits in a canyon with a large buffer, and its watershed is mostly undeveloped. Additionally, the mitigation site is part of a larger wetland preserve system that connects to the Otay River Valley. Therefore, the mitigation site has greater functions, values, and long-term viability potential than the project site wetlands. As described above, the project site wetlands are not connected to any other wetland system; rather, they are connected to the City's stormwater conveyance system. See Section 8.1.1, Mitigation for Direct Impacts to Wetland Habitats, for details. For these reasons, the proposed project is the Biologically Superior Alternative.

8.0 MITIGATION PROGRAM

Section 8.1, *Mitigation Element*, of this report includes measures to mitigate significant direct impacts to wetland habitats (mule fat scrub, disturbed emergent wetland); sensitive upland habitats (non-native grassland); Waters of the U.S., Waters of the State, and City Wetlands; and the San Diego black-tailed jackrabbit (and its habitat) with moderate potential to occur on site. Also, the project is required to comply with all applicable Federal, State, and local regulations (see Section 3.1, *Regulatory Issues*, of this report), and the City's standard Mitigation Monitoring and Reporting Program Biological Resources Protection During Construction listed below. Successful implementation of the mitigation measures would reduce each impact to a less-than-significant level.

8.1 MITIGATION ELEMENT

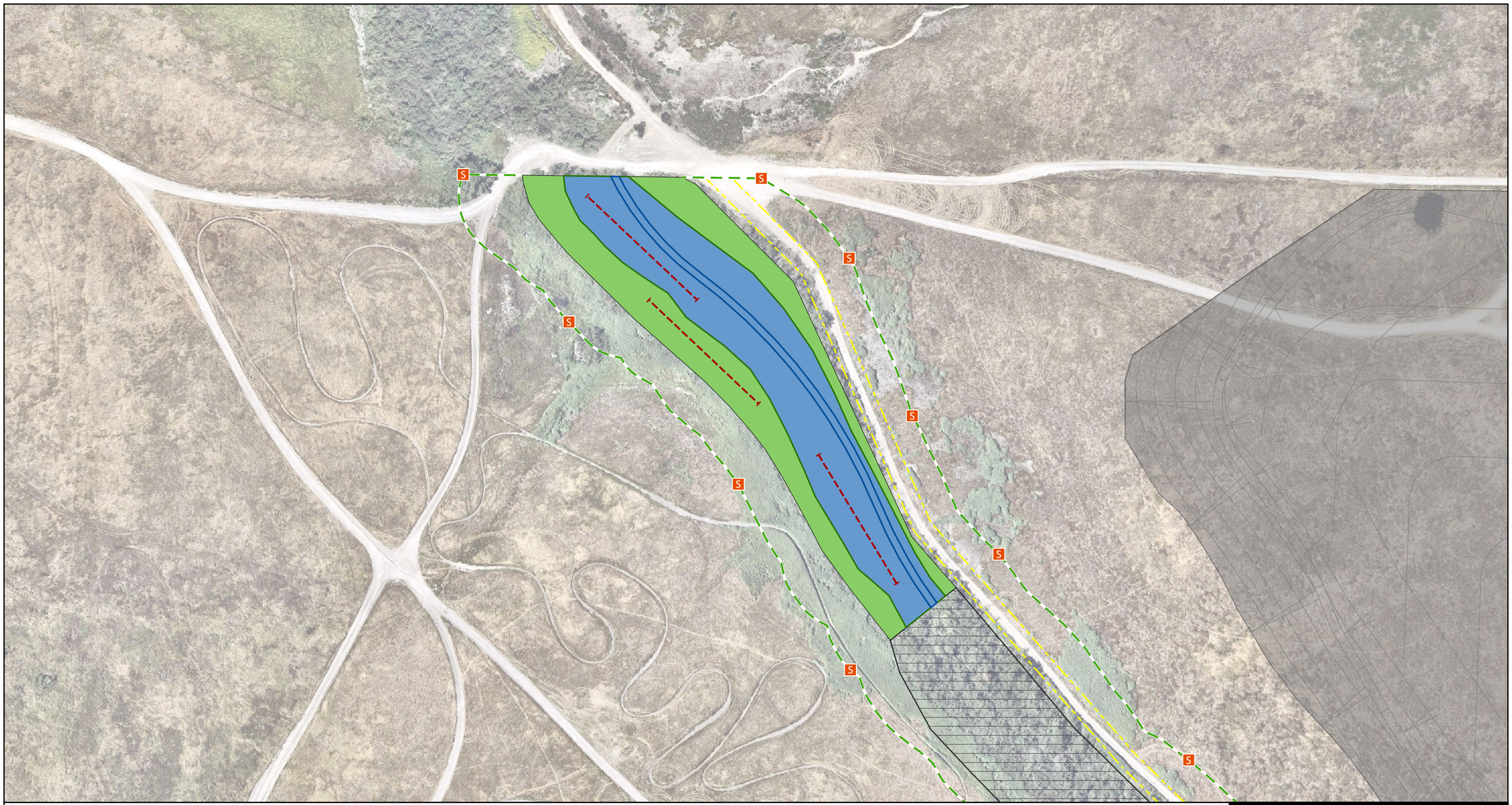
The following mitigation measures have been formulated to satisfy the requirements of the City's MSCP Subarea Plan and Biology Guidelines.

8.1.1 Mitigation for Impacts to Wetland Habitats

Impacts to 0.68 acre of disturbed emergent wetland and 0.03 acre of mule fat scrub are proposed to be mitigated at a 2:1 ratio per table 2A of the City's Biology Guidelines (City 2018). The mitigation consists of habitat establishment and rehabilitation (1.42 acres total) at a site in Johnson Canyon, approximately 1.7 miles northeast of the project site (Table 7; Figure 7) on East Otay Mesa in San Diego County.

The wetland impacts would occur in the Lower Cottonwood Creek watershed and the mitigation would occur within the adjacent Otay River watershed area. The reason for this out of watershed mitigation is that there is no suitable or available location remaining within the project's watershed area where the mitigation could occur. Similar to the upland mitigation search described above, a search was conducted for suitable wetland mitigation parcels within the same watershed area as the proposed project's impacts. The search parameters included sites of approximately 2-3 acres in size within or adjacent to existing drainages/streambeds with potential to support wetland habitat establishment. In addition, suitable parcels must also be non-conserved, privately owned, and available for acquisition. No suitable sites were identified within the watershed as virtually all of the potentially suitable parcels are proposed for development, already conserved, or publicly owned. The parcel search results are presented in Appendix F. Once it became apparent that an in-watershed mitigation solution was not possible, the search was expanded to include the adjacent Otay River watershed and the proposed mitigation site was found.

An unnamed drainage flows through the mitigation site from the southeast to the northwest (approximately 1.5 miles to the Otay River). The drainage has been piped, culverted, and channelized approximately 2,000 feet upstream. The mitigation site was dry-land farmed and supports two non-native vegetation communities (tamarisk scrub and non-native grassland) and dirt roads. Unlike the project site where the wetlands are surrounded by development, the mitigation site sits in a canyon with a large buffer, and its watershed is mostly undeveloped. Additionally, the mitigation site is part of a larger wetland preserve system that connects to the



Approved TM 5549 Development Project
Fence Location
S Open Space Signage
Approximate 50 m Transect Location
Sewer Easement
(not included in mitigation area)
Approved TPM 21140 Wetland Mitigation Area

Existing Jurisdictional Features (Rehabilitation area)
Corps/RWQCB Non-wetland Waters/Streambed
Unvegetated Ephemeral Drainage/Streambed
Corps/RWQCB Wetland Waters
Tamarisk Scrub

Sanyo Logistics Center Mitigation
Rehabilitation (0.71 ac)
Establishment (0.71 ac)

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Figure 7

Mitigation Site Figure

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Otay River Valley. Therefore, the mitigation site has greater functions, values, and long-term viability potential than the project site wetlands.
The site is considered suitable as mitigation because of the presence of appropriate topography, hydrology, and existing riparian wetland/riparian features (tamarisk scrub). The site is within the historic limits of a tributary to Johnson Canyon and the Otay River and supports area for successful expansion (establishment) of native wetland habitat. There are two approved wetland habitat restoration projects (TM 5549 and TPM 21140 projects) immediately upstream from the Sanyo Logistics Center mitigation site. In addition, the mitigation site is within a larger, interconnected area of conserved and publicly owned lands. The mitigation effort would contribute to regional open space preserve design.

A standalone HMMP (Alden 2021a) has been prepared to present the wetland habitat mitigation approach. The HMMP includes an evaluation of the functions and services of the wetlands on site (CRAM), a 5-year maintenance and monitoring period, and success criteria. A separate Wetland Habitat Resource Management Plan (Alden 2021b) also has been prepared to direct the long-term management of the site after successful completion of the mitigation effort.

Table 7
City Wetland Habitat Mitigation

Habitat Type	Project Impact	Mitigation Ratio	Mitigation Type		Total
			Establishment[1]	Rehabilitation	
Disturbed emergent wetland	0.68 acre	2:1	0.68 acre	0.68 acre	1.36 acres
Mule fat scrub	0.03 acre	2:1	0.03 acre	0.03 acre	0.06 acre
TOTAL	**0.71 acre**	**--**	**0.71 acre**	**0.71 acre**	**1.42 acres**

[1]Meets the minimum 0.71-acre (1:1 ratio) establishment target for no net loss of wetlands.

The mitigation site is not currently protected or preserved. It would be protected by recordation of an open space easement prior to approval of the grading permit for the Sanyo Logistics Center project.

Establishment

A total of 0.71 acre of establishment (Table 7; Figure 7) would occur in areas that are adjacent to the mapped jurisdictional area along the center of the channel. The establishment area would be subject to grading for the purpose of widening the drainage/channel, improving hydrological conditions, and creating a gain in wetlands. This expanded area will be planted with native wetland species. The establishment area would increase wetland habitat and also would meet the minimum 1:1 no-net loss requirement.

Rehabilitation

A total of 0.71 acre of rehabilitation (Table 7) would occur in existing wetlands (tamarisk scrub) at the mitigation site. This area would be subject to grading, removal of weeds (including tamarisk), trash, and other deleterious materials from the area. This area also would be seeded and planted with native wetland habitat species. This mitigation-associated impact would be permanent; however, it would not require additional compensatory mitigation because the area would remain as wetland and be rehabilitated to improve overall functions.

8.1.2 Mitigation for Impacts to Upland Habitats

The City's Biology Guidelines (City 2018) state, "In some cases, developments with small impacts may compensate by payment into a fund…intended to be used only for mitigation of impacts to small, isolated sites with lower long-term conservation value. For purposes of this fund, small is generally considered less than 5 acres, but could, in some cases, be considered up to 10 acres."

The project proposes to mitigate for impacts to 0.09 acre of disturbed broom baccharis scrub at a ratio of 1:1 and proposes to mitigate for impacts to 6.33 acres of non-native grassland at a 0.5:1 ratio (ratios are for impacts outside the MHPA with mitigation inside the MHPA). Therefore, the total mitigation acreage would be 3.26 acres, and mitigation is proposed to occur through monetary compensation to the City's Habitat Acquisition Fund (HAF).

As explained in Section 5.1, *Physical Characteristics*, the site consists of land that was in agricultural production from 1953 to approximately 1981, was left fallow from 1982 through the present, but was partially graded for construction of State Routes 905/125 in 2009.

Only 1 sensitive animal species (i.e., southern California rufous-crowned sparrow) was observed on site, and it is not Federal or State listed. The site is bordered by development and State Route 905. It is not located within or adjacent to the MHPA. The project site is, therefore, substantially isolated. Furthermore, its long-term conservation value is low because of its past disturbance and lack of connection to a large area of habitat such as the MHPA.

A search was conducted for parcels in the 3-4 acre size in an attempt to identify suitable parcels for possible acquisition in order to meet the project's mitigation requirements (3.26 acres). Suitable parcels must be of the minimum acreage, support suitable habitat, and be within the MHPA or have the potential to be added to the MHPA. The search did not result in any parcels that met the criteria and were available. Therefore, monetary compensation into the HAF for the project's impacts to 6.42 acres of disturbed broom baccharis scrub and non-native grassland is appropriate because the impacts are to less than 10 acres of these habitats, the impacts would occur on an isolated site with low long-term conservation value, and the total mitigation required is only 3.26 acres. With the project contributing to the City's HAF, the City will have additional funding to purchase larger target parcels to add to the MHPA than the small 3.26-acre area the project would otherwise provide alone.

8.1.3 Mitigation for Impacts to Waters of the U.S./State, and City Wetlands

Impacts to 0.71 acre of wetland WUS, WS, and City Wetland are proposed to be mitigated through the establishment and rehabilitation described in Section 8.1.1, *Mitigation for Direct Impacts to Wetland Habitats*.

8.1.4 Mitigation for Impacts to Sensitive Species

San Diego Black-tailed Jackrabbit

Potential impacts to the San Diego black-tailed jackrabbit shall be mitigated through implementation of the mitigation for impacts to disturbed broom baccharis scrub and non-native grassland presented in Section 8.1.2, *Mitigation for Direct Impacts to Upland Habitats*, of this report. This will secure comparable habitat for the species, and at the ratio required, per the City's Biology Guidelines.

Southern California Rufous-crowned Sparrow

To avoid impacts to the southern California rufous-crowned sparrow, removal of habitat that supports active nests in and immediately adjacent to the proposed area of disturbance should occur outside of the avian breeding season (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of the species. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to City DSD for review and approval prior to initiating any construction activities. If nesting southern California rufous-crowned sparrow are detected on or adjacent to the site, a letter report or mitigation plan in conformance with the City's Biology Guidelines (i.e., appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction.

8.2 PROTECTION AND NOTICE ELEMENT

Mitigation monies deposited into the City's HAF are administered by the City for the purpose of habitat acquisition and preservation.

The off-site wetland mitigation site shall be protected by recordation of an open space easement prior to approval of the grading permit for the Sanyo Logistics Center project. This will be carried out in conjunction with the resource agency permitting required for state and federal jurisdictional impacts.

8.3 MANAGEMENT ELEMENT

Prior to impacts to City Wetlands on site, a draft easement for the off-site mitigation area shall be provided to the City. This easement will state that no other easements or activities that would result in soil disturbance and/or vegetation removal will be allowed within the biological conservation easement area. Upon approval, the conservation easement shall be executed and a final copy furnished to the City. Long-term management of the mitigation area is discussed within the Wetland Habitat Resource Management Plan (Alden 2021b).

9.0 REFERENCES

Alden Environmental, Inc. 2021a. Sanyo Logistics Center Project Habitat Mitigation and Monitoring Plan. August 5.

2021b. Wetland Habitat Resource Management Plan for the Sanyo Logistics Center Project. August 5.

American Ornithological Society. 2019. Check-list of North American Birds (online). http://checklist.aou.org/taxa

Bowman, R. 1973. Soil Survey of the San Diego Area. U.S. Department of Agriculture in cooperation with the USDI, UC Agricultural Experiment Station, Bureau of Indian Affairs, Department of the Navy, and the U.S. Marine Corps.

California Burrowing Owl Consortium. 1993. Burrowing Owl Survey Protocol and Mitigation Guidelines. April.

California Department of Fish and Game. 2012. Staff Report on Burrowing Owl Mitigation. March 7.

1995. Environmental Services Division. Staff Report on Burrowing Owl Mitigation. October 17. 8pp. plus attachments.

California Department of Fish and Wildlife. 2020. Special Animals List. July. https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109406&inline

California Native Plant Society, Rare Plant Program. 2020. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Website http://www.rareplants.cnps.org

City of San Diego. 2018. Land Development Code Biology Guidelines. Adopted September 1999. Last amended February 1, 2018 by Resolution No. R-311507. https://www.sandiego.gov/sites/default/files/amendment_to_the_land_development_manual_biology_guidelines_february_2018_-_clean.pdf

2017. Final City of San Diego Vernal Pool Habitat Conservation Plan. October.

2014. Otay Mesa Community Plan Update. March 11. https://www.sandiego.gov/sites/default/files/otaymesa.pdf

1997a. Multiple Species Conservation Program. City of San Diego MSCP Subarea Plan. March.

1997b. City of San Diego MSCP Implementing Agreement Documents.

Crother, B.I. 2008. Scientific and Standard English Names of Amphibians and Reptiles of North America North of Mexico, with Comments Regarding Confidence in Our Understanding. Sixth Edition. Society for the Study of Amphibians and Reptiles. Herpetological Circular # 37. January.

Environmental Laboratory. 1987. Corps of Engineers Wetlands Delineation Manual. Technical Report Y-87-1. U.S. Army Engineer Waterways Experiment Station, Vicksburg, Mississippi. 100 pp. with Appendices.

Hickman, J.C., ed. 1993. The Jepson Manual: Higher Plants of California. University of California Press, Berkeley, 1400 pp.

Holland, R.F. 1986. Preliminary Descriptions of the Terrestrial Natural Communities of California. State of California, The Resources Agency. 156 pp.

Jones, J.K., D.C. Carter, H.H. Genoways, R.S. Hoffman and D.W. Rice. 1992. Revised Checklist of North American Mammals North of Mexico. Occasional Papers of the Museum, Texas Tech University 80: 1-22.

Oberbauer, T., M. Kelly, and J. Buegge. 2008. Vegetation Communities of San Diego County. Based on "Preliminary Descriptions of the Terrestrial Natural Communities of California," R.F. Holland, 1986. 73 pp.

U.S. Army Corps of Engineers. 2008. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0). Eds. J.S. Wakely, R.W. Lichvar, and C.V. Noble. ERDC/EL TR-08-28. Vicksburg, MS: U.S. Army Engineer Research and Development Center.

U.S. Fish and Wildlife Service. 2014. Quino Checkerspot Butterfly Survey Protocol. February 21.

10.0 PREPARER'S QUALIFICATIONS/CERTIFICATIONS

Greg Mason, Principal/Senior Biologist, Alden Environmental, Inc.

Summary of Qualifications

Mr. Mason is the Principal and Senior Biologist at Alden Environmental, Inc. He has over 20 years' experience working in the environmental field and has participated in hundreds of projects in San Diego County. His experience includes oversight of large- and small-scale mitigation compliance programs, including habitat restoration, sensitive species surveys, vegetation mapping, wetland delineations, construction monitoring, impact analysis, report preparation, project permitting, and project management. He has worked extensively with both public and private clients, in coordination with federal, state and local regulatory staff, in the implementation of mitigation and monitoring programs in the field. He assists clients in obtaining aquatic resources permits including U.S. Army Corps Section 404 Permits, RWQCB Section 401 Certifications, and CDFW 1600 Streambed Alteration Agreements. Through his permitting work, Mr. Mason also facilitates the Section 7 consultation process with the USFWS and negotiates conservation measures. Mr. Mason is permitted by the USFWS to conduct presence/absence surveys for Quino checkerspot butterfly; San Diego, Riverside, vernal pool, Conservancy, and longhorn fairy shrimps; and vernal pool tadpole shrimp throughout the range of each species, and is also authorized to conduct dry season fairy shrimp analysis, identification, and culturing.

Education

Bachelor of Science, Natural Resources Planning & Interpretation, Humboldt State University, 1992

Registrations/Certifications/Licenses

- USFWS Threatened/ Endangered Wildlife Species Permit (quino checkerspot butterfly; San Diego, Riverside, vernal pool, Conservancy, and longhorn fairy shrimps; and vernal pool tadpole shrimp)
- USFWS authorized for dry season fairy shrimp analysis, identification, and culturing
- CDFW Scientific Collecting Permit SC-007619
- County of San Diego, Approved Biological Consultant and Approved Revegetation Planner

Professional Affiliations

- California Native Plant Society
- Returned Peace Corps Volunteer Association