

Southwest Neighborhood Park

Biological Technical Report

WBS # P-18010.02.06

PTS # 654348

August 10, 2020

Prepared for:

Development Services Department

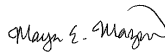
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1 SUMMARY

This report summarizes the biological resources present within the impact area for the proposed Southwestern Neighborhood Park located in the community of Otay Mesa West in San Diego, California. The site is located entirely outside of the MHPA and is surrounded by development. The site is composed of 6.36 acres of non-native grassland (Tier IIIB) and 5.17 acres of disturbed habitat (Tier IV). Amount of impacts to Tier IIIB habitat exceeds significance thresholds; therefore, mitigation is required. Mitigation will occur through payment to the HAF at a ratio of 0.5:1 for a total of 3.13 acres. No significant impacts to sensitive plant and wildlife species or aquatic resources are anticipated.

2 INTRODUCTION

2.1 PROJECT BACKGROUND

The project provides for the design and construction of approximately 11.53 acres of unimproved property. Currently the project is in the pre-design phase and improvements may include park amenities such as: multi-sports field (lighted), multi-purpose courts, children's play area(s), picnic area shelter, parking lots, comfort station, and security lighting. This project will contribute to satisfying population-based park acreage requirements set forth in the City's General Plan in a community currently deficient in population-based parks per the General Plan guidelines.

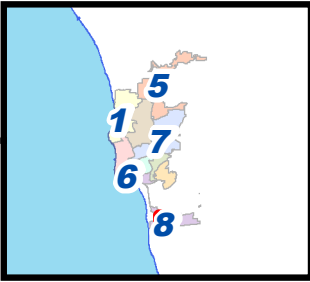
2.2 PROJECT LOCATION

The project is located within City owned parcels at the cross streets of Grove Avenue and 27th Street. The site is undeveloped and outside of the MHPA (Figure 1).

2.3 REGULATORY CONTEXT

The Project would be subject to all City of San Diego biological regulations, as outlined herein, as well as relevant state and federal regulations. A full description of state and federal regulations is included as Appendix A to this report. Note however, that compliance with the City's MSCP plan and implementing regulations (e.g., Biology Guidelines, MSCP Subarea Plan, etc.), would result in conformance with the state and federal endangered species acts for species deemed 'covered' under those plans. If any uncovered species occurred on-site, consultation and permitting through state and federal agencies would still be required. Conformance with all other regulations, such as jurisdictional non-wetland waters regulations, would be required and is separate from the City's permitting process. Conformance with all regulations, state, local and federal, is the responsibility of the Project applicant.

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COMMUNITY NAME: Otay Mesa West
Date: June 12, 2018

COUNCIL DISTRICT: 8

SAP ID: S-15035



3 METHODS

Google Earth imagery and ArcMap software was used to determine which project features had potential for construction activities to impact sensitive resources. CADD files for the project features were converted to GIS files and used to assess impacts. Project boundaries are mapped on Figure 2. This biological assessment was comprised of the following activities:

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

Desktop analysis of the project area was accomplished by completing a California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDDB) search for information within a 0.25-mile radius of the project boundary, San Diego Museum of Natural History rare plant inventory, the United States Fish and Wildlife Service's (USFWS) National Wetland Inventory wetland mapper, and ArcMap to determine presence of biologically sensitive resources that could potentially be impacted by construction. Database search radius was determined based on the large extent of urban development surrounding the site.

Nomenclature for vegetation communities are classified using Draft Vegetation Communities of San Diego County (Oberbauer et al. 2008) and Preliminary Descriptions of the Terrestrial Natural Communities of California (Holland, 1986). The Project Study Area encompasses the Project footprint and a 100 foot buffer.

A site visit was conducted on June 12, 2018 and July 9, 2020. During the field visit plant and animal observations were recorded. Plant names follow Simpson and Rebman (2014), and animal names follow Laudenslayer (1991). Representative photos of the vegetation communities observed can be found in Appendix B.

Table 1. Survey Dates

Survey Type	Biologist	Date	Time	Weather Conditions
General Biological Survey	Maya Mazon	June 12, 2018	8:15am – 3:30pm	70F, 0-2mph, 0% cloud cover, no precipitation
General Biological Survey	Maya Mazon	July 9, 2020	2:00pm – 3:00pm	75F, 1-4mph winds, 3% cloud cover, no precipitation

4 SURVEY RESULTS

4.1 EXISTING CONDITIONS

The project is located within an fenced undeveloped parcel. Grove Avenue comprises the northern border of the site, 27th Street and housing comprises the eastern border, housing comprises the southern border and 25th Avenue and Interstate 5 comprise the eastern border. The project is not within the MHPA or adjacent to the MHPA.

4.2 TOPOGRAPHY AND SOILS

The project is on a slight slope that ranges from approximately 40 to 70 feet above mean sea level (amsl) as determined using the Natural Resources Conservation Service Web Soil Survey. One soil series occur within the project and is described below.

4.2.1 Huerhuero Loam, 2 to 9 percent slope

This soil type has a parent material of calcareous alluvium derived from sedimentary rock and is moderately well draining. The topography for the soil type occurs at two slope grades: 2 to 9 percent slope and 5 to 9 percent slope.

4.3 BIOLOGICAL RESOURCES

4.3.1 Botanical Resources

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

4.3.1.1 *Vegetation Communities*

The survey buffer was composed of developed and ornamental landscape. The site consists of non-native annual grassland and disturbed habitat (Figure 2) and is enclosed by a locked chain link which closes this area to the public. Vegetation community classifications follow City of San Diego Biology Guidelines (2012), flora nomenclature follow Simpson and Rebman (2014), and fauna names follow American Ornithologists' Union (2016) for birds. The project site is not within or adjacent to the MHPA.

4.3.1.1.1 Non-Native Annual Grassland

Non-Native Annual Grassland typically contains 50% or more annual grass species such as brome (*Bromus* spp.), wild oat (*Avena* spp.), ryegrass (*Lolium* spp.) and fescue (*Vulpia* spp.). Other native or non-native species may be present. The Non-Native Annual Grassland within the site is located in the eastern section and a portion on the west side surrounded by disturbed habitat. The vegetation is composed primarily of ripgut brome (*Bromus diandrus*) and wild oat (*Avena fatua*) along with other native and non-native annuals and scattered ornamental trees such as blue gum (*Eucalyptus globulus*) and Peruvian pepper (*Schinus molle*). The area does not appear to be routinely maintenance or disturbed.

4.3.1.1.2 Disturbed

Disturbed areas typically have heavily compacted soils following intense levels of disturbance such as

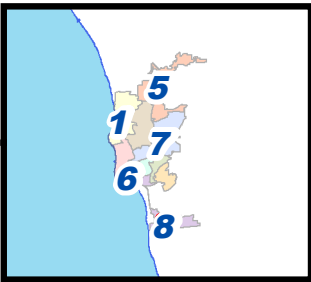
Southwestern Neighborhood Park

grading or agriculture. These areas may contain sparse remnants of native vegetation but are dominated by at least 50% cover of invasive broad-leaved non-native plant species. The Disturbed area within the project is located in the north portion of the project area and extends south through the center of the project site to the southern border where it also extends westward. The vegetation is composed primarily of Russian thistle (*Salsola tragus*) stands in the northern portion and throughout the center of the site, and radish (*Raphanus sativus*) stands with lesser non-native species in the western portion.

4.3.1.2 Fauna

Animal species noted within the Project Study Area were primarily common species typical of urban empty lots and include: cabbage white (*Pieris rapae*), orange skipperling (*Copaeodes aurantiaca*), American crow (*Corvus brachyrhynchos*), lazuli bunting (*Passerina amoena*), lesser goldfinch (*Spinus psaltria*), house finch (*Carpodacus mexicanus*), and Botta's pocket gopher (*Thomomys bottae*).

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Legend

- Project Boundary
- Disturbed Habitat
- Non-Native Annual Grassland Habitat
- Waterway

4.3.1.3 Sensitive Flora

No listed species are present or have a moderate/high potential to occur within or immediately adjacent to the Project Study Area due to the highly urbanized nature of the area. The following two plant species have been historically observed in proximity to the project site as recorded by CNDDDB: San Diego barrel cactus (*Ferocactus viridescens*) and golden spined cereus (*Bergerocactus emoryi*). However, habitat is not present to support these species and if present, would have been observed.

4.3.1.4 Sensitive Fauna

No listed species are present or have a moderate/high potential to occur within or immediately adjacent to the Project Study Area due to the highly urbanized nature of the area. The following two wildlife species have been historically observed in proximity to the project site as recorded by CNDDDB: pallid bat (*Antrozous pallidus*) and coast horned lizard (*Phrynosoma blainvillii*). Very low-quality habitat for pallid bats exists onsite and within the adjacent areas. There are buildings and trees with loose bark to shelter pallid bats and there is grassland within the project site. However, pallid bats prefer open, sparsely vegetated grasslands and the grassland present is overgrown and heavily vegetated. In addition, the most recent historical record in the area is one pallid bat detected in Chula Vista on May 2, 2015 in a barn that has since been replaced by the Living Coast Discovery Center. Since the building replacement no other observations have been recorded (Stokes 2017). Coast horned lizards do occur in grasslands; however, they prefer open areas where they can sun themselves with shrubs for refuge (Jennings and Hayes 1994). The grasslands present are densely vegetated by annual species and do not have any openings and do not contain shrubs. Both of these species have a low potential of occurring.

4.3.2 Jurisdictional Resources

A mapped waterway, as defined by the United States Geological Survey in the National Hydrology Dataset (NHD), is present within the Project Study Area but not within the project site. The waterway is located on the north side of Grove Avenue between a row of ornamental plants and an apartment complex (Figure 2). The waterway is channelized.

4.3.3 Critical Habitat

No critical habitat exists within or immediately adjacent to the Project Study Area.

5 MSCP COMPLIANCE ANALYSIS

The City's CEQA Significance Determination Thresholds (City 2016) are used to establish whether a proposed project may result in a 'significant effect.' A "significant effect" is defined as a "substantial or potentially substantial adverse change in the environment." Impacts to biological resources are evaluated by City staff through the CEQA review process, the ESL Regulations, and the City Biology Guidelines (City 2012), as well as through the review of a project's consistency with the City's MSCP Subarea Plan. For projects within the City or carried out by the City that may affect sensitive biological resources, potential impacts to such sensitive biological resources must be evaluated using the eight significance criteria outlined in the City's CEQA Significance Determination Thresholds (City 2016). Criterion 4-8 are discussed below.

5.1 CONSISTENCY WITH LOCAL POLICIES AND ORDINANCES (CRITERION 7)

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

The project lies entirely outside of the MHPA and is not adjacent to the MHPA. Urban areas, in addition to natural areas, within the project have a potential to support nests for common avian species. Protection of avian species is required under the Migratory Bird Treaty Act and/or the California Fish and Game Code (§3503) under which it is unlawful to "take, possess, or needlessly destroy" avian nests or eggs. Any minor vegetation removal or trimming of vegetation that occurs during the nesting season (January 15 to September 15) that has the potential to support active nests would require standard nest protection measures, as outlined in Avoidance and Minimization Measure 1 (AM-1). The nesting season timeframe includes nesting for raptor species which starts as on January 15.

5.1.1 Wetland Buffers

The project is located approximately 50-feet away from a channelized wetland. A paved road and sidewalk are located directly adjacent to the wetland, between the wetland and project. The project will not encroach into or modify the existing buffer.

5.1.2 General Management Directives (Section §1.5.2)

Section §1.5.2 includes directives that apply to all areas of the City of San Diego's MSCP Subarea Plan. Directives include (1) mitigation, (2) restoration, (3) public access, trails and recreation, (3) litter/trash and materials storage, (4) adjacency management issues, (5) invasive exotics control and removal and (6) flood control. Not all management directives are applicable to this project. Management directives applicable to this project are discussed in the table below and management directives that are not applicable (n/a) have been noted as such.

Table 2. Species Conservation Program General Management Directives

General Management Directives Section 1.5.2 of the MSCP Subarea Plan	Implementation
Mitigation:	
Mitigation, when required as part of project approvals, shall be performed in accordance with the City of San Diego Environmentally Sensitive Lands (ESL) Ordinance and Biology Guidelines	<i>The proposed project will impact 6.36 acres of Tier IIIB habitat. A total of 3.13 acres of mitigation is required for project impacts. Mitigation shall consist of payment into the City of San Diego's Habitat Acquisition Fund (HAF). The payment would be coordinated through City of San Diego Development Services Department and the City of San Diego Environmental staff. The HAF fees would consist of costs per acre as determined by the City of San Diego at the time permits are issued, plus a 10 percent administrative fee.</i>
Restoration: Not Applicable	
Public Access, Trails, and Recreation: Not Applicable	
Litter/Trash and Materials Storage: Not Applicable	
Adjacency Management Issues: Not Applicable	
Invasive Exotics Control and Removal: Not Applicable	
Flood Control: Not Applicable	
MHPA: Multi-Habitat Planning Area; MSCP: Multiple Species Conservation Program.	

5.2 WILDLIFE CORRIDORS AND LINKAGES (CRITERION 4)

Would the proposed project interfere substantially 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?

The Project Study Area is not within or adjacent to MSCP identified wildlife corridors, or lands that can be considered useful to the movement of wildlife. The site is surrounded by development and does not have connectivity to other natural areas.

5.3 CONSISTENCY WITH HABITAT CONSERVATION PLANS (CRITERION 5)

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

The proposed project would not conflict with an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan. Table 2 analyzes how the project will be consistent with the MSCP Subarea Plan.

5.4 EDGE EFFECTS (CRITERION 6)

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

The project is not within or adjacent to the MHPA, therefore, adverse results due to edge effects are not anticipated.

5.5 INVASIVE SPECIES (CRITERION 8)

Would the proposed project result in an introduction of invasive species of plants into a natural open space area?

The project is surrounded by urbanization and development. No adjacent natural open space areas are present; therefore, introduction of invasive species of plants is not anticipated.

6 PROJECT IMPACT ANALYSIS

For projects within the City or carried out by the City that may affect sensitive biological resources, potential impacts to such sensitive biological resources must be evaluated using the eight significance criteria outlined in the City's CEQA Significance Determination Thresholds (City 2016). Criterion 1-3 are discussed in this section. Criterion 1-3 discusses impacts to (1) sensitive plant and wildlife species, (2) Tier I, II, IIIA and IIIB habitat and (3) aquatic resources. The discussion about impacts to each category of resource will be analyzed for direct, indirect and cumulative impacts per the City Biology Guidelines (City 2018). Direct impacts are physical changes in the environment which is caused by and immediately related to the project. An indirect impact is a physical change in the environment which is not immediately related to the project, but which is caused indirectly by the project. Cumulative impacts include both the potential regional (long-term, additive) effects of a project and the ways a project, in combination with other Projects and

conditions in a region, may affect an ecosystem or one of its components beyond the Project limits and on a regional scale.

6.1 IMPACTS TO TIER I, II, IIIA AND IIIB HABITAT (CRITERION 2)

Would the proposed project have a substantial adverse impact on any Tier I Habitats, Tier II Habitats, Tier IIIA Habitats, or Tier IIIB Habitats as identified in the Biology Guidelines of the Land Development manual or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?

Vegetation Communities	Tier Level	Temporary Impacts (acres)	Permanent Impacts (acres)	Mitigation Ratio	Mitigation Required (acres)
Non-Native Grassland	IIIB	0	6.36	0.5:1	3.13
Disturbed	IV	0	5.17	0:0	0
Grand Totals		0	11.53		3.13

Table 3. Project Impacts on Vegetation Communities and Land Types

6.1.1 Direct Impacts

The project is anticipated to permanently impact 6.36 acres of non-native grassland (Tier IIIB) and 5.17 acres of disturbed habitat (Tier IV) for a total of 11.53 acres (Table 3). Impacts to Tier IV is not significant according to the significance thresholds; therefore, impacts to Tier IV habitat does not require mitigation. The amount of impacts to Tier IIIB habitat exceeds significance thresholds; therefore, mitigation is required.

6.1.2 Indirect Impacts

There will be no indirect impacts to Tier I, II, IIIA and IIIB habitat. The area is surrounded by urbanization. Adjacent Tier I, II, IIIA and IIIB habitat is not present.

6.1.3 Cumulative Impacts

Direct impacts will be mitigated through off-site mitigation, there are no indirect impacts and the Project would be consistent with the City of San Diego’s MSCP; therefore, cumulative impacts are not significant.

6.2 IMPACTS TO SENSITIVE PLANTS AND WILDLIFE SPECIES (CRITERION 1)

6.2.1 Direct Impacts

No sensitive plants or wildlife were observed onsite. Species that have historically been observed in the area have a low potential to occur or were not observed. Therefore, there are no anticipated impacts to sensitive wildlife or plants and mitigation is not required.

6.2.2 Indirect Impacts

No sensitive plants or wildlife species were observed onsite or are anticipated to be present in the adjacent area; therefore, impacts to sensitive plant or wildlife species is not anticipated.

6.2.3 Cumulative Impacts

There are no direct or indirect impacts to sensitive plants and wildlife species and the Project would be consistent with the City of San Diego's MSCP; therefore, cumulative impacts are not anticipated.

6.3 IMPACTS TO AQUATIC RESOURCES (CRITERION 3)

6.3.1 Direct Impacts

No aquatic resources or City wetlands are present within the site. A concrete channel is present north of the site and would likely be under the jurisdiction of the Army Corp of Engineers and Regional Water Quality Control Board but the feature will not be impacted by project activities so a permit is not required.

6.3.2 Indirect Impacts

Indirect impacts to aquatic resources may include off-site sedimentation, and transport of toxins to the adjacent waterway. However, with the implementation of appropriate BMPs as outlined in the SWPPP these impacts will be avoided.

6.3.3 Cumulative Impacts

There are no direct or indirect impacts to aquatic resources and the Project would be consistent with the City of San Diego's MSCP; therefore, cumulative impacts are not anticipated.

7 AVOIDANCE AND MINIMIZATION MEASURES

Avoidance and minimization measures are not needed for this project as sensitive resources are not present or adjacent to the Project.

8 MITIGATION MEASURES AND COMPENSATORY MITIGATION

Mitigation is required when direct, indirect or cumulative impacts exceed significant thresholds as indicated in the City's CEQA Significance Determination Thresholds (City 2016).

BIO-1: All direct permanent and temporary impacts to sensitive upland habitats and City wetlands will be mitigated consistent with City Guidelines (see related discussion in Chapter 7).

- *Permanent and temporary impacts to sensitive upland habitats [Non-Native Grassland Tier IIIA] will be mitigated at a 0.5:1 ratio with the purchase of credits from the City of San Diego's Habitat Acquisition Fund (HAF) per San Diego Municipal Code § 143.0141(a)(1)(C). This will result in 3.13 acres of mitigation credit being purchased for this project. HAF monies are used to purchase lands within the MHPA and are collected by the City's Facilities Financing Division. The City currently charges \$35,000 per acre purchased plus a 10% administration fee; however, note that the fee is revised periodically and may be different at time of payment than the amount noted herein. Mitigation through the HAF was chosen because the site is isolated as it is surrounded by urbanization and is small (less than 5 acres). The current habitat is low quality non-native grassland and is not capable of progressing into a more complex and diverse habitat due to isolation from adjacent quality habitat. This site is not accessible to a majority of sensitive wildlife species due to the extent of urbanization that surrounds it. This area may occasionally be used by avian and bat species as foraging habitat or temporary fly over refuge but does not have potential for long term use by wildlife.*

9 REFERENCES

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APPENDIX A: Regulatory Language.

Regulatory Setting

3.3.1.1 Regulatory Framework

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

a. Federal Regulations

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

The federal Endangered Species Act (ESA) provides the legal framework for the listing and protection of species (and their habitats) that are identified as being endangered or threatened with extinction. Actions that jeopardize endangered or threatened species and the habitats upon which they rely are considered 'take' under the ESA. Section 9(a) of the ESA defines 'take' as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct." The ESA is administered by the USFWS.

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

b. State Regulations

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

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

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

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

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

c. Local Regulations

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

The City’s Biology Guidelines (2012) were formulated to aid in the implementation and interpretation of the ESL Regulations, San Diego Land Development Code (LDC), Chapter 14, Division 1, Section 143.0101. Section III of the Guidelines (Biological Impact Analysis and Mitigation Procedures) also serves as standards for the determination of impacts and mitigation under CEQA. The ESL defines sensitive biological resources as those lands included within the MHPA as identified in the City’s MSCP Subarea Plan (City of San Diego 1997), and other lands outside of the MHPA that contain wetlands; vegetation communities classifiable as Tier I (rare uplands), II (uncommon uplands), IIIA (common uplands) or IIIB (common uplands); habitat for rare, endangered, or threatened species; or narrow endemic species.

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

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

3.3.1.2 Sensitivity Criteria

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

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

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

3.3.2 Sensitive Vegetation Communities

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

APPENDIX B: Site Photographs

SITE PHOTOGRAPHS



Photo 1. This photo shows Non-Native Annual Grassland facing south.



Photo 2. This photo shows Non-Native Annual Grassland facing west.



Photo 3. This photo shows the Disturbed and Non-Native Grassland Habitat.