

INDIVIDUAL BIOLOGICAL ASSESSMENT REPORT

Site Name/Facility: Industrial Court. Channel Section 01 of 01

MSWSMP Map No.: 06a

Date: 9 July 2010

Biologist Name/Cell

Phone No.: W. Larry Sward/619.992.4170

Instructions: This form must be completed for each storm water facility identified in the Annual Maintenance Needs Assessment report and prior to commencing any maintenance activity on the facility. The Existing Conditions information shall be collected prior to preparing of the Individual Maintenance Plan (IMP) to assist in developing the IMP. The remaining sections shall be completed after the IMP has been prepared. Attach additional sheets as needed.

EXISTING CONDITIONS

Survey Methods and Date:

Visually inspected entire facility by walking along the north side of channel for the area east of Sorrento Valley Road. Vegetation west of Sorrento Valley Road at the outfall structure was inspected from Sorrento Valley Road. Vegetation was mapped and dominant species were noted. The potential for sensitive species was assessed. Date of survey: 23 June 2010

Biological Resources:

Stream Type: Perennial ☒ Intermittent ☐ Ephemeral ☐

This storm water facility contains minimal biological resources. The facility is a gunite lined channel east of Sorrento Valley Road and an outfall structure west of Sorrento Valley Road. Native vegetation is limited to 2 patches of freshwater marsh (FWM) (0.01 acre) that have become established on sediment that has accumulated in the facility, and 0.04 acre of southern willow scrub (SWS) at the outlet structure. Cattail (*Typha* sp.) is the dominant plant species within the FWM and arroyo willow (*Salix lasiolepis*) is the dominant species in the SWS. The landscape position of this FWM on top of concrete, is unnatural. No native upland vegetation is located within the proposed maintenance area. The land adjacent to the facility is developed with industrial uses, roadway, and/or railroad tracks. As a result, the storm water facility has very limited wildlife value. No sensitive plants or animals were observed during the survey nor are any expected occur given the limited vegetation and adjacent development. Similarly, the facility does not serve as an important wildlife corridor.

An updated vegetation map is provided as an attachment to this form.

This site was subject to emergency maintenance on 12 February 2010. A Biology Site Assessment Report (Storm Drains Section Handbook, Section 2.8.3) was filed as part of this maintenance. As documented in that report, 0.05 acre of FWM was removed from the concrete lined channel east of Sorrento Valley Road.

Jurisdictional Areas:

U.S. Army Corps of Engineers

Wetland Waters of the U.S. (WUS): 0.01 acre of FWM; 0.04 acre SWS

Non-wetland WUS: 0.21 acre of concrete lined channel

California Department of Fish and Game/City of San Diego:

Wetlands: 0.01 acre of FWM; 0.04 acre SWS

Streambed/Unvegetated Waters: None

Sensitive Plant Species Observed: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, what species were observed and where?	Sensitive Animal Species Observed/Detected: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, what species were observed/detected and where?		
Is there moderate or high potential for listed animal species to occur in or adjacent to the impact area? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, which species (check all that apply): <table style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Least Bell's vireo <input type="checkbox"/> Southwester willow flycatcher <input type="checkbox"/> Arroyo toad <input type="checkbox"/> Coastal California gnatcatcher <input type="checkbox"/> San Diego fairy shrimp </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Riverside fairy shrimp <input type="checkbox"/> California least tern <input type="checkbox"/> Light-footed clapper rail <input type="checkbox"/> Western snowy plover <input type="checkbox"/> Other: _____ </td> </tr> </table>		<input type="checkbox"/> Least Bell's vireo <input type="checkbox"/> Southwester willow flycatcher <input type="checkbox"/> Arroyo toad <input type="checkbox"/> Coastal California gnatcatcher <input type="checkbox"/> San Diego fairy shrimp	<input type="checkbox"/> Riverside fairy shrimp <input type="checkbox"/> California least tern <input type="checkbox"/> Light-footed clapper rail <input type="checkbox"/> Western snowy plover <input type="checkbox"/> Other: _____
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Could work be conducted during the avian breeding season (January 15 – August 31) without the need for pre-construction nesting surveys: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Pre-construction nesting surveys are necessary to ensure no impacts to avian species occur pursuant to the Migratory Bird Treaty Act. If no nesting birds are present, construction may occur in the breeding season. If yes, provide justification:			
Is it anticipated that maintenance activities would generate noise in excess of 60 dB(A) L_{eq}: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			
Biological Resource Conditions Relative to Original Survey Conducted for MSWSMP Final Program EIR (May 2010) (vegetation communities present, including adjacent uplands; general habitat quality/level of disturbance): The biological resources associated with this storm water facility are essentially the same as recorded in the original surveys conducted for the Program EIR. At that time, this facility was characterized as a concrete channel with scattered patches of FWM located on accumulations of sediment and SWS growing over and near outlet structure.			
MAINTENANCE IMPACTS			
<u>Maintenance Methodology (based on IMP)</u> Maintenance will reflect Method 1, as described in the Master Plan. A dozer or bobcat will be lowered into the channel from a parking area along the east side of the drainage near Sorrento Valley Road. This equipment will excavate sediment and associated vegetation starting at the inlet near Sorrento Valley Road and extending approximately 900 feet upstream. Sediment and vegetation will be pushed to a centralized location within the facility and removed by a Gradall operating from the bank of the facility. Material removed by the Gradall would be placed in a staging area within an adjacent parking lot where it will be loaded onto a dump truck and taken to an appropriate disposal site.			
<u>Vegetation Impacts:</u> <u>Wetland</u> 0.01 acre of FWM and 0.04 acre of SWS <u>Upland</u> None			

Jurisdictional Impacts:

U.S. Army Corps of Engineers

Wetland Waters of the U.S. (WUS): 0.01 acres of FWM and 0.04acre of SWS

Non-wetland WUS: 0.21 acres of concrete lined channel.

California Department of Fish and Game/City of San Diego:

Wetlands: 0.01 acres of FWM and 0.04 acre of SWS

Streambed/Unvegetated Waters: None

Is there moderate or high potential for listed animal species to be impacted? Yes ☐ No ☒

If yes, which species (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Least Bell's vireo | <input type="checkbox"/> Riverside fairy shrimp |
| <input type="checkbox"/> Southwester willow flycatcher | <input type="checkbox"/> California least tern |
| <input type="checkbox"/> Arroyo toad | <input type="checkbox"/> Light-footed clapper rail |
| <input type="checkbox"/> Coastal California gnatcatcher | <input type="checkbox"/> Western snowy plover |
| <input type="checkbox"/> San Diego fairy shrimp | <input type="checkbox"/> Other: _____ |

MITIGATION

Applicable Maintenance Biological Protocols (list the applicable maintenance protocols based on the biological resources occurring or likely to occur on site --include any special protocols required):

As all of the vegetation within the storm water facility is to be removed and there are no adjacent resources, no biological protocols need be included in the IMP.

Applicable PEIR mitigation measures:

The following mitigation measures must be carried out by the City as part of the proposed maintenance: MM 4.3.5 (requires compensation for FWM), MM4 3.8 (requires City approval of monitoring biologist), MM 4 3.14 (requires a pre-maintenance meeting with contractor and biologist), MM 4 3.15 and 18 (requires a pre-maintenance surveys for sensitive birds), MM 4.3.20 (requires removal of invasive plants prior to beginning maintenance), and MM 4.3.32 (requires avoidance of nesting birds not covered by MSCP).

Environmental Mitigation Requirements (including wetland enhancement, restoration, creation, and/or purchase of wetland credits in a mitigation bank; off-site upland habitat acquisition/payment into the City's habitat acquisition fund):

Corps Jurisdictional Areas:

None required with NWP #43

CDFG Jurisdictional Areas

This IBA is 1 of 2 initial submissions under the City's Storm Water Management Program. Thus there is little precedence for what is necessary or appropriate mitigation for impacts to wetland vegetation in an unnatural landscape position (i.e., on sediment accumulated within a concrete lined drainage structure). For these reasons, the mitigation for these impacts will be determined in consultation with CDFG.

City Wetlands

Pursuant to the thresholds in the City's Environmentally Sensitive Lands Ordinance, impacts of 0.01 acre and greater requires mitigation. Using the ratio of 1:1 defined in the Master PEIR, the maintenance would require enhancement, restoration or creation of 0.05 acre of FWM. It is also noteworthy that the City's Biology Guidelines contained within the Land Development Code state that "Areas that contain wetland vegetation, soils or hydrology created by human activities in historically non-wetland areas do not qualify as wetlands" An inspection of historical aerial photos revealed that the parts of this facility may be a historical wetland features and thus would be regarded as a wetland by the City. However, for the 2 reasons stated for the mitigation requirements for CDFG, mitigation for these impacts will be determined in consultation with the

City.
<u>Mitigation Description/Location:</u> To be determined. If mitigation is deemed necessary and appropriate, the FWM impacts associated with this maintenance activity would be located within the Peñasquitos Creek watershed.
ADDITIONAL COMMENTS OR RECOMMENDATIONS
None.

SITE PHOTOS Map 6a Industrial Court



PHOTO NOTES:

1. Concrete trapezoidal channel with freshwater marsh and unvegetated channel. Looking northeast from Sorrento Valley Road. 23 June 2010.



PHOTO NOTES:

2. Concrete trapezoidal channel with freshwater marsh and unvegetated channel. Looking southwest from upper end of channel. 23 June 2010.



PHOTO NOTES:

3. Outlet structure with southern willow scrub. Looking west from Sorrento Valley Road. 23 June 2010.

PHOTO NOTES: