Environmental Impact Report

Project No. 31245
SCH No. 2004031041

SUBJECT: Brush Management Revisions to the Land Development Code and Federal Grant from the Office of Emergency Services (OES), Federal Emergency Management Agency (FEMA) COUNCIL APPROVAL to allow for revisions to the Municipal Code Chapter 12, Article 2, Division 4 to modify the requirements of brush management and revisions to the Municipal Code Chapter 4, Article 4, Division 3, Section 44.0307, et seq., to allow goats for thinning in zone two brush management areas, pursuant to the recommendations of the Fire Chief as a result of the 2003 Cedar fire. The project proposes a City wide 100 foot brush management zone consisting of 35' of Zone One and 65' of Zone Two. Project implementation on City property is proposed to be initially funded by a grant from the Office of Emergency Services (OES), Federal Emergency Management Agency (FEMA), which is being applied for by the City of San Diego Park and Recreation Department. The project is located within the City of San Diego, public and private lands and includes the City of San Diego Multi-Habitat Planning Area (MHPA). Applicant: City of San Diego, Fire-Rescue Department.

CONCLUSIONS:

This Draft Subsequent Environmental Impact Report/Environmental Assessment (SEIR/EA) addresses the potential impacts resulting from, or related to, revising the brush management regulations contained in Municipal Code Chapter 12, Article 2, Division 4. The current brush management regulations in the Land Development Code (LDC) were developed in conjunction with the Multiple Species Conservation Program (MSCP). The regulations were approved by City Council in November 1997 and by the California Coastal Commission in November of 1999. They were made effective with the entire Land Development Code on January 3, 2000. Specifically, the SEIR/EA addresses public (including Right-Of-Entry Permits) and private activities that would implement the ordinance on existing developed property; not for undeveloped property.

The primary focus of the 1997 changes was to simplify regulations, to improve predictability, to make them more enforceable, and to coordinate brush management requirements with the City's goal to preserve environmentally sensitive habitat. Changes to the regulations included replacement of the complex three zone system of brush management of varying widths (50' to 110') based upon classifications of fire severity with a two zone system based upon the location of the property's location west or east of Interstate 805 and El Camino Real. The dividing line of Interstate 805 and El Camino Real was selected based upon analysis of historical fire data in and outside areas of climatic coastal influence. However, analysis of the Cedar Fire indicates that if the Santa Ana winds had continued, it is likely that the fire could have burned all the way to the ocean. The climatic coastal influence would not have been a factor in this event. This has prompted the Fire-Rescue Department to re-evaluate the current distinction and propose a single citywide brush management system.
Brush Management Zone One is the area adjacent to structures and consists of pavement and permanently irrigated ornamental plantings. Brush Management Zone Two is an area of native plant material thinned to reduce fuel load. The width of Zone One currently varies from 20 feet to 40 feet west of Interstate 805 and El Camino Real, and 30 feet to 45 feet east. Zone Two currently varies from 20 feet to 30 feet west of Interstate 805 and El Camino Real, and 40 feet to 50 feet further east.

Current brush management regulations in the Land Development Code (LDC) were developed in conjunction with the MSCP. Since the adoption of the MSCP in 1997, brush management zone one associated with new development has been located within the development footprint and is not allowed within the MHPA. With the proposed revisions to the LDC, zone one would be increased to thirty-five feet. For some existing structures, zone one may not be able to expand to thirty-five feet without impacting native habitat. In lieu of expanding zone one into native habitat, the proposed code amendments would increase the width zone two one foot for every one foot of zone one that could not be provided, unless the Fire Chief approved a modification on a case-by-case basis.

In light of the size and severity of the Cedar fire, and other wildfires in October of 2003, the Fire Chief is recommending a City wide 100 foot brush management area consisting of 35 feet of Zone One and 65 feet of Zone Two. In addition, it is proposed that Zone Two would be expanded accordingly to achieve 100 feet of brush management where Zone One is less than 35 feet from existing structures. A standard 100 foot brush management zone would allow for a greater defensible space against impending fire.

Under the existing Municipal Code § 142.0412(i), the Fire Chief has the ability to enforce modification to the brush management regulations for purposes of fire protection on a case-by-case basis. As a result of the Cedar Fire, the Fire Chief is recommending implementation of the 100 foot city wide brush management regulations on a volunteer basis, until the proposed revisions to the brush management regulations can be considered for adoption by City Council. In the Coastal Zone, final adoption of the proposed revisions would require approval by the California Coastal Commission to modify the City’s Local Coastal Program.

Project implementation on City property would initially be partially funded by the Office of Emergency Services (OES), via a Federal Emergency Management Agency (FEMA) grant that is currently being applied for by the City of San Diego Park and Recreation Department. Based on the results of the Initial Study and the proposed use of FEMA funds, EAS the Environmental Analysis Section (EAS) has determined that a joint SEIR/EA shall be prepared and circulated for public review in accordance with the National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) to tier off of the Land Development Code EIR, LDR No. 96-0333, Sch No. 96081056. The SEIR/EA shall adequately address and analyze potential impacts in the areas of: Land Use, Biological Resources, Hydrology/Water Quality, and Neighborhood Character/Aesthetics.

Implementation of the proposed Mitigation, Monitoring and Reporting Program (MMRP), which is included in this SEIR/EA, would reduce all of the environmental effects of the project, except land use and biological resources, to below a level of significance. The evaluation of
Environmental issue areas in this SEIR/EA concludes that implementation of the Project would result in significant impacts to the following issue areas: land use and biological resources, related to non-covered species located outside the MHPA. The significant impacts associated with these issue areas are significant and unmitigated. The project does not propose any mitigation measures in the form of a Mitigation Monitoring and Reporting Program (MMRP), as can be partially mitigated to below a level of significance through mitigation measures outlined in the SEIR/EA and Mitigation Monitoring and Reporting Program (MMRP). The Project would not result in significant impacts or contribute to significant cumulative impacts to: land use, geology/soils, hydrology/water quality, air quality, aesthetics, agricultural resources, hazards and hazardous materials, mineral resources, population/housing, public services, recreation, or utilities/services systems therefore, no mitigation is required for these issue areas.

**Significant Unmitigated Impacts:**

The significant impacts identified in the SEIR/EA could be partially mitigated to below a level of significance through mitigation measures outlined in Section V.B of the SEIR/EA and Mitigation Monitoring and Reporting Program (MMRP), however the applicant has not agreed to these measures. Therefore, impacts associated with land-use and biological resources, related to non-covered species located outside the MHPA, would remain significant and unmitigated.

**Alternatives for Significant Impacts:**

Alternatives that would avoid and/or reduce significant direct impacts are as follows:

**No Project Alternative.** Pursuant to CEQA, the No Development Alternative, the existing brush management zones would remain in effect. Current brush management regulation state that the width of zone one varies from twenty feet to thirty-five feet west of Interstate 805 and El Camino Real, and thirty feet to forty-five feet on the east. Zone two currently varies for twenty feet to thirty feet west of Interstate 805 and El Camino Real, and forty feet to fifty feet on the east.

In the absence of implementing any of the activities associated with the proposed brush management revisions, none of the environmental impacts described in Section V would directly occur.

**No Action Alternative.** NEPA requires that the No Action Alternative be described. The No Action Alternative assumes that there would be no federal funding available for the implementation of the brush management revisions within City owned open space areas and as a result, no federal action to approve. The proposed brush management revisions could still be implemented by the City; however, funding would need to be acquired from different sources. This alternative would not achieve the objectives of the project of providing additional defensible space from structures to vegetation because the City does not have alternative sources of funding for the project.
Clear and Re-plant zone two Alternative. Under Alternative 4 this alternative complete clearing would occur in zone two and would be re-planted with low height native or naturalized plant types. Proper planting protocol would be to lightly scarify the soil surface before planting for better seed/soil contact. Temporary irrigation would be installed for a period of up to two years for plant establishment. The assumption associated with this alternative is that the irrigation would not be installed or monitored properly thereby allowing runoff to occur down slope of zone two. This can be substantiated by evidence that irrigation runoff is the primary source of water in City drainages during the summer.

Under this alternative, significant impacts to biological resources in zone two would not occur as the habitat being replaced would be native or naturalized, non-invasive and low-growing. Potentially significant impacts to the habitat down slope of zone two could result from irrigation runoff from the temporary irrigation lines. This would include the establishment of plant types that thrive in wetter soil conditions as a result of the runoff. In addition, impacts to sensitive species, i.e. gnatcatcher would remain significant as the existing habitat would be completely removed.

The clear and re-plant alternative would utilize temporary irrigation for a period of up to two years to allow plant establishment in zone two. Based on the assumption noted above, monitoring of irrigation is not anticipated and would therefore create a significant impact to soil erosion down slope of zone two due to runoff from the temporary irrigation lines. Potentially significant impacts associated with water quality would also occur from the runoff which carries silt and sediment down slope and could potentially impact any off-site water body. Impacts associated with erosion and water quality would be considered significant and unmitigated.

Increasing Building Regulations Alternative. Under this alternative, proposed changes to the building regulations would occur thereby reducing the need for increased brush management zones. Revisions to the building regulations could include fire walls which would be constructed at the boundary between zone two and open space. Additional building regulations could include alternative architectural features for structures where brush management would normally be required.

While the proposed project allows development features as an alternative to or in addition to reduced brush management zones, under this alternative there would be no impacts to biological resources or sensitive species because brush management would not occur. The building regulations would reduce the fire hazard to structures and the habitat on site would remain undisturbed. This alternative would require that increased building regulations be implemented and would not give citizens the choice of either providing zone two brush management or providing alternative architectural features to structures as is the case with the current regulations. No impacts to hydrology/water quality/erosion or neighborhood character/aesthetics would result from this alternative.
MITIGATION, MONITORING AND REPORTING PROGRAM INCORPORATED INTO THE PROJECT:

In an effort to reduce or avoid those impacts identified as potentially significant with implementation of the proposed project to below a level of significance, the following mitigation measures have been incorporated into Brush Management Revisions to the Land Development Code and Federal Grant from the Office of Emergency Services, FEMA Project.

Biological Resources: The thinning and pruning of sensitive habitat would be done at any time of the year and there would be no restrictions during the breeding season. This would result in significant impacts to sensitive species, specifically the California gnatcatcher. Impacts associated with the California gnatcatcher could be reduced to below a level of significance by acquiring an amount of acreage, approximately 198 acres per Table V.1-4 in the Biological resources section, of equal gnatcatcher habitat over a time period to be determined by the City Manager, or by restricting timing of thinning activities outside the gnatcatcher breeding season. This mitigation has not been agreed to by the applicant.

Limiting brush management activities within the MHPA, would mitigate impacts to gnatcatchers to below a level of significance, and is proposed by the applicant. Brush management activities would be limited to occur outside of the California gnatcatcher breeding season (March 1 – August 15). Since brush management activities will be limited, direct impacts to gnatcatcher nests would not be significant; therefore, mitigation is not required.

In order to mitigate significant impacts to non-covered species located outside the MHPA, a mitigation measure biological resources as a result of the establishment of invasive species in brush management zone two and possibly down slope, the land development code EIR identified that mitigation would be required to the same extent as brush management zone 1, based on the mitigation ratios per habitat type identified in the City of San Diego Biology Guidelines. This mitigation however, is not proposed.

Chris Zirkle
Assistant Deputy Director
Development Services Department

May 25, 2004
Date of Draft Report

September 23, 2004
Date of Final Report

Analyst: Krebs Black
PUBLIC REVIEW:

The following individuals, organizations, and agencies received a copy or notice of the draft SEIR/EA and were invited to comment on its accuracy and sufficiency:

Federal Government

U.S. Naval Facilities Engineering Command, Environmental Planning Division (12)
Marine Corps Air Station, Miramar (13)
U.S. Environmental Protection Agency (19)
U.S. Fish and Wildlife Service (23)
U.S. Department of Agriculture (25)
U.S. Army Corps of Engineers (26)
Federal Emergency Management Agency, Office of Emergency Services

Native Americans

Ron Christman (215)
Louie Guassac (215A)
Kumeyaay Cultural Repatriation Committee (225)
Native American Distribution (225 A-R)*

State of California

California Department of Transportation (31)
California Department of Fish and Game (32)
California Integrated Waste Management Board (35)
California Environmental Protection Agency (37)
California Department of Parks and Recreation (40)
Resources Agency (43)
California Regional Water Quality Control Board (44)
State Clearinghouse (46)
California Coastal Commission (47)
Native American Heritage Commission (222)

County of San Diego

Department of Planning and Land Use (68)
County Water Authority (73)
Hazardous Materials Management Division (75)

City Government

City of San Diego:
Mayor Murphy
Councilmember Peters, District 1
Councilmember Zucchet, District 2
Councilmember Atkins, District 3
Councilmember Lewis, District 4
Councilmember Madienschein, District 5
Councilmember Frye, District 6
Councilmember Madaffer, District 7
Councilmember Inzunza, District 8
Development Services Department (78, 78A)
Engineering & Capital Projects Department (86)
Historical Resources Board (87)
Library Department (81)
Metropolitan Wastewater Department
Park and Recreation Department, Ann Hix, Deputy Director, MS 804A
Fire-Rescue Department, Samuel Oates, Fire Marshall, MS 603
Planning Department - MSCP (MS 5A)
Police Department
Real Estate Assets Department (65)
Transportation Department
Water Department, Nicole McGinnis, MS 501
Community Forest Advisory Board (90)
Wetlands Advisory Board (171)
Otay Mesa/Nestor Community Service Center (236)
Clairemont Community Service Center (247)
Golden Hill Community Service Center (251)
Mid-City Community Service Center (295)
Navajo Community Service Center (337)
Carmel Valley Community Service Center (34A)
North Park Community Service Center (365)
Peninsula Community Service Center (389)
Rancho Bernardo Community Service Center (399)
San Ysidro Community Service Center (435)
Scripps Ranch Community Service Center (442)
Central Community Service Center (451)
Market Street Community Service Center (45A)
College/Rolando Community Service Center (45A)
Tierrasanta Community Service Center (460)

City of Chula Vista (94)
City of Del Mar (96)
City of El Cajon (97)
City of Escondido (98)
City of Imperial Beach (99)
City of La Mesa (100)
City of Lemon Grove (101)
City of National City (102)
City of Poway (103)
City of Santee (104)
City of Solana Beach (105)
Other Organizations and Interested Individuals

University of California, San Diego (134)
San Diego Association of Governments (108)
San Diego Unified Port District (109)
San Diego Transit Corporation (112)
San Diego Gas and Electric (114)
Metropolitan Transit Development Board (115)
San Dieguito River Park (116)
Del Mar Union School District (119)
Poway Unified School District (124)
San Diego Unified School District (125, 132)
Solana Beach School District (129)
South Bay Unified School District (130)
San Diego Apartment Association (152)
Building Industry Federation (158)
San Diego River Park Foundation (163)
California Native Plant Society (170)
Sierra Club (165, 165A)
San Diego Audubon Society (167)
San Diego Regulatory Alert (174)
Center for Biological Diversity (176)
Endangered Habitats League (182)
Surfrider Foundation (183)
Dave Potter, Community Planners Committee (194)
Jerry Schaefer, Ph.D. (208A)
South Coastal Information Center, San Diego State University (210)
San Diego Historical Society (211)
San Diego Archaeological Center (212)
San Diego Natural History Museum (213)
Save Our Heritage Organization (214)
San Diego County Archaeological Society (218)
Otay Mesa/Nestor Community Planning Group (228)
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Janay Kruger (233)
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Mission Bay Park Committee (320)
League of Conservation Voters (322)
Citizens Coordinate for Century III (324A)
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Mission Hills Association (327)
Mission Valley Community Council (328C)
Friends of the Mission Valley Preserve (330)
Mission Valley Unified Planning Organization (331)
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Friends of Adobe Falls (335)
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San Carlos Area Council (338)
Mission Trails Regional Park Citizens Advisory Committee (341)
Carmel Mountain Ranch Community Council (344)
Carmel Valley Community Planning Board (350)
Carmel Valley Trail Riders Coalition (351)
Carmel Mountain Conservancy (254)
Arroyo Sorrento Homeowners Association (356)
Los Penasquitos Canyon Preserve Citizens Advisory Committee (360)
Del Mar Mesa Community Planning Board (361)
Greater North Park Planning Committee (363)
Burlingame Homeowners Association (364)
North Park Community Association (366)
Ocean Beach Planning Board (367)
Ocean Beach Town Council, Inc. (367A)
Old Town Community Planning Committee (368)
Pacific Beach Town Council (374)
Pacific Beach Community Planning Committee (375)
Crown Point Association (376)
Rancho Penasquitos Community Council (378)
Torrey Pines Association (379)
Rancho Penasquitos Planning Board (380)
Friends of Los Penasquitos Canyon Preserve, Inc. (382)
Rancho Penasquitos Town Council (383)
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Rancho Bernardo Community Planning Board (400)
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Carmel Mountain Conservancy (408)
The San Dieguito Lagoon Committee (409)
San Dieguito Planning Group (412)
San Dieguito River Park Citizens Advisory Committee Project Review Committee (415)
Friends of San Dieguito River Valley (419)
San Dieguito River Valley Conservancy (422)
San Dieguito River Park Joint Powers Authority (425A)
San Pasqual-Lake Hodges Planning Group (426)
San Ysidro Planning and Development Group (433)
United Border Community Town Council (434)
Beeler Canyon Conservancy (436)
Scripps Ranch Community Planning Group (437)
Miramar Ranch North Planning Committee (439)
Scripps Ranch Civic Association (440)
Skyline/Paradise Hills Planning Committee (443)
Sorrento Hills Community Planning Board (444A)
Southeastern Development Corporation (448)
Southeastern San Diego Development Committee (449)
Encanto Neighborhoods Community Planning Group (449A)
Central Imperial Redevelopment Project Area (452)
College Area Community Council (456)
Malcolm A. Love Library (457)
Tierrasanta Community Council (462)
Murphy Canyon Community Council (463)
Mission Trail Regional Park, Citizens Advisory Committee (465)
Copies of the draft SEIR/EA, the Mitigation Monitoring and Reporting Program and any technical appendices may be reviewed in the office of the Land Development Review Division or purchased for the cost of reproduction.

RESULTS OF PUBLIC REVIEW:

( ) No comments were received during the public input period.

( ) Comments were received but the comments do not address the accuracy or completeness of the environmental report. No response is necessary and the letters are attached at the end of the EIR.

(X) Comments addressing the accuracy or completeness of the EIR were received during the public input period. The letters and responses follow.
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<tr>
<th>Author of Comment Letter</th>
<th>Date of Letter</th>
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<th>Comment Numbers</th>
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<tr>
<td>Joint Letter from U.S. Fish and Wildlife Services and the California Department of Fish and Game: O'Rourke, Theresa and Chadwick, Donald</td>
<td>7/8/2004</td>
<td>A</td>
<td>A-1 through A-57</td>
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<td>California Coastal Commission: Sarb, Shelyn</td>
<td>7/6/2004</td>
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<td>B-1 through B-10</td>
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<td>Local Organizations:</td>
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<td>Building Industry Association of San Diego County: Molyo, Scott</td>
<td>7/8/2004</td>
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<td>C-1 through C-10</td>
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<td>Joint Letter from Center for Biological Diversity; Endangered Habitats League; Friends of Los Penasquitos Canyon; Friends of Rose Canyon; San Diego Audubon Society; San Diego Chapter; California Native Plant Society; San Diego Chapter Sierra Club:</td>
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<td>City Heights Area Planning Committee: Sprague, Michael</td>
<td>7/6/2004</td>
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<td>Community Forest Advisory Board: Hughes, Nancy J.</td>
<td>6/14/2004</td>
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<td>Friends of Sunset Cliffs: Reddour, Dedi</td>
<td>7/9/2004</td>
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<td>San Diego County Archaeological Society: Royle, James W.</td>
<td>7/10/2004</td>
<td>J</td>
<td>J-1 through J-3</td>
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<td>Sema Mesa Planning Group: Moore, Cindy</td>
<td>7/7/2004</td>
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<td>Tecolote Canyon Citizens Advisory Board: Biddle, N., Eloise</td>
<td>7/15/2004</td>
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<td>Uptown Community Planning Committee: Gardner, David</td>
<td>8/10/2004</td>
<td>N</td>
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<td>Burkart Environmental Consulting: Burkart, Brad</td>
<td>7/4/2004</td>
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<td>O-1 through O-49</td>
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<td>Fege, Anne S.</td>
<td>7/9/2004</td>
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<td>Wilson, Andrew</td>
<td>7/8/2004</td>
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<td>S-1 through S-3</td>
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<td>Letter Received After Close of Public Review Period</td>
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Dear Mr. Rump:

The U.S. Fish and Wildlife Service and the California Department of Fish and Game (collectively the "Wildlife Agencies") have reviewed the above-referenced Draft Subsequent Environmental Impact Report/Environmental Assessment for Urban Management Revisions to the Land Development Code and Permitted Uses from the Office of Emergency Services, Federal Emergency Management Agency (SCRM - 071016-01).

We have also reviewed the January 21, 2004, City Manager's Report regarding the proposed revisions, and the March 9, 2004, letter from the City of San Diego's (City) Development Services Department to the City's Fire-Rescue Department regarding the scope of work for the SHE/EA, and received the January 30, 2004, recording of the staff report, public testimony, and City Council deliberations on the proposed building code revisions for buildings adjacent to high fire hazard areas. In addition, we met with Ms. And Mr. Keith Childs of the City on January 9, 2004, to learn about the proposed brush management revisions, and the Department wrote a comment letter (April 2, 2004) on the Notice of Preparation (NOP) of this SHE/EA.

The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act, Sections 21061 and 21061, respectively. The Department is responsible for the conservation, protection, and management of the state's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act and other sections of the Fish and Game Code. The Department also administers the Natural Community Conservation Planning program. The primary concerns and

1. The City proposed to Land Development Code 0711.22.4 to revise the Land Development Code 1.05.4, including the brush management regulations, that were adopted in 1997 with the SCRM.
mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, endangered fish, and endangered mammals and plants occurring in the United States. The Service is also responsible for administering the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 et seq.).

**Existing Conditions**

The current brush management regulations were developed in conjunction with the City’s Multiple Species Conservation Program (MSCP). Under current regulations of the MSCP, brush management Zone One is the area adjacent to structures and consists of overgrown and perennially established noncommercial plantings. Brush management Zone Two is an area of invasive plant material trimmed by 36 percent plant cover to reduce fire load. The width of Zone One varies from 20 to 40 feet west of Interstate 805 and El Camino Real, and 30 to 45 feet east of the intersection. Zone Two varies from 20 to 30 feet west of the intersection, and 40 to 50 feet east of it. For another way, Zone One and Two have a combined range of 40 to 70 feet west of Interstate 805 and El Camino Real, and 70 to 95 feet east of the intersection.

Currently, brush management in Zone Two occurs on 3,753 acres within the City. Of these, 1,222 acres are private land, and 2,531 acres are on public land. Of the 3,753 acres, 2,926 acres within the City’s Multiple Species Conservation Program (MSCP) Multiple Habitat Preservation Area (MHPA) ( embracing, Chief Kane, City MSCP, June 30, 2004).

The City’s Parks and Recreation Department (PRD) manages approximately 22,600 acres of open space, much of which is in the MHPA. This open space includes 220 linear miles of urban-wildland interface. The PRD is responsible for maintaining brush management in city-owned open space areas within the City, including Zone Two.

**Proposed Project**

The City’s Fire-Remote Department is proposing revisions to the brush management regulations in response to the fire in the City and the County of San Diego in October of 2003, and pursuant to the recommendations of the Fire Chief. The purpose is to allow for a greater defensible space around buildings. The proposed revisions would entail establishing a 160-foot-wide brush management area consisting of 85 feet in Zone One and 55 feet in Zone Two throughout the City. The City would have a 15- to 45-foot expansion of Zone Two, depending on the existing width per the current requirements. In addition, Zone Two would be expanded by 1 foot for every foot by which Zone One falls short of 30 feet. Existing requirements allow for the creation of Zone Two by 15 feet per 1 foot of increase in Zone One. The proposed revisions would limit this to a minimum reduction of 30 feet of Zone Two. Brush management activities by the City would likely occur every two to three years.

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2 The City’s project of the MSCP’s 15,431 acres includes approximately 47,319 acres of open space within the City boundaries and additional City-owned lands. Approximately 63 percent (29,628 acres) of the 47,319 acres within the City are not to be disturbed for agricultural purposes, including 71 percent of the nonagricultural recreation area and 77 percent of the habitat within the reach.
Project Objectives

The three objectives of the proposed actions, as presented in the SEIR/EA are to:

a. complete in a timely and comprehensive manner the project to address brush management regulations;

b. identify and implement efficient, effective, and environmentally sensitive means to accomplish the revised brush management Zones One and Two; and

c. provide for effective and environmentally sensitive long-term maintenance of brush management rules in open space, private lands, and other environmentally sensitive lands.

Alternatives

In addition to the proposed action and the no-project alternative, the SEIR/EA described the following alternatives: (a) the no-action alternative which assumes that there would be no federal funding available to the City for brush management within the open space it manages, thereby reducing the amount of brush management the City would be able to conduct; (b) the same and revised Zone Two alternative which assumes complete clearing of Zone Two and replanting with low-growing native plants; and (c) an alternative involving exceeding the building code regulations so they pertain to fire protection in high fire hazard areas. Alternatives that the City considered but rejected are (a) education/training, and (b) prescribed burning.

Impacts/Mitigation

The SEIR/EA indicates that the proposed brush management revisions would result in an additional City-wide impact of approximately 2,200 acres within Zone Two. Of this total, an estimated 715 acres would be within the MIPA, which represents an approximately 136 percent increase over the current annual coverage of Zone Two within the MIPA. The 715 acres of impact includes 46 acres of Tier I habitat, 132 acres of the Huhns, 223 of Tier II habitat, and 155 of Tier IV habitat. Of the 715 acres, 242 are within the core biotic resource areas and linked habitats, and of which 198 are coastal scrub habitat (Philornis californica), paloverde (Anabasis farnesiana) and sage scrub habitat (in Tier I). In addition, the SEIR/EA indicates that the proposed project would result in the loss of five of 377 occurrences of gnatcatcher in the MIPA within the City.

The SEIR/EA indicates that the impact analysis in the MSCP EIR/Environmental Impact Statement (EIS) reflected accounted for any potential project-related impacts on sensitive configurations, structural diversity, and habitat structures of the MIPA. The SEIR/EA concludes that conservation of covered species would be maintained and there would not be a significant increase in the likelihood that an uncovered species will meet the criteria for listing under either the federal or state Endangered Species Act. However, the SEIR/EA concludes that implementation of the proposed brush management revisions would result in significant impacts.
a. land use;

b. biological resources;

c. gnat catchers, where the brush management activities are conducted within the MHEP during the gnat catcher breeding season;

d. TEC, ML, and MPA and MHEP include within Zone One and Zone Two and

e. erosion option.

In addition, cumulative impacts related to biological resources are considered to be significant and mitigated. Though the SRIRCA identifies measures to mitigate the impacts of these significant impacts, the City does not propose to implement any of the mitigation measures.

Because the SRIRCA concludes that the proposed action would result in significant environmental effects, the Federal Emergency Management Agency (FEMA) should prepare an EIS as required by the National Environmental Policy Act. In addition, the action as proposed may affect listed species. Therefore, FEMMA should initiate Section 7 consultation to fulfill its obligations under the ESA.

Of particular concern to the WILDC Agencies are the effects of the proposed brush management activities on the MSCP and MHEP. The proposed activity conflicts with specific requirements (e.g., regarding clearing during the avian breeding season and loss of habitat within the MHEP) in the City's permit for the MSCP. Pursuant to the City's permit for the MSCP, clearing should occur outside the breeding season as indicated in Tables 3-5 of the MSCP Plan and condition 3 of the permit, and any unavoidable loss of habitat in the MPMA should be fully mitigated. If these two requirements are not included for implementation in the revised and/or final FEMMA, we will not be able to evaluate how the proposed activities affect current permit for the MSCP. Because of the severity of the project-related impacts and the difficulty of mitigating such impacts, we strongly urge the City to consider strengthening the building code to protect structures in high fire hazard areas sufficiently to avoid and/or minimize the need for additional brush management.

We realize that CEQA allows CEQA lead agencies to make statements of overriding considerations that advance environmental effects may be considered "acceptable" in situations where the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects (CEQA Guidelines, section 15068(a)). The City may develop a statement of overriding considerations for this SRIRCA that satisfies CEQA. However, for the reasons given above, it would be difficult to provide adequate mitigation for such a statement to demonstrate that the project-related impacts on the MSCP and MHEP would be "acceptable." Furthermore, it would be improper for the City to use a statement of overriding considerations to justify lack of adequate enhancement of the existing
human management programs, particularly without relying first to establish a reliable source of funding to underwrite the costs of enforcement. In addition, given the uncertainty regarding the project-related potential impacts to biological resources, we question how the above project objectives on §7 and §1.4 would be addressed.

Our detailed concerns on the proposed brush management programs are enclosed. The Wildlife Agency appreciates the opportunity to comment on this SFERA. The Department finds that the implementation of the proposed brush management program would not be a violation of any existing or future environmental laws, including the California Fish and Game Code. Please contact Lydia Lee, SFERA of the Department (209) 467-6316 or Ben House of the Service at (209) 467-5443, or if you have any questions or comments regarding this letter.

Sincerely,

[Signature]
Assistant Field Supervisor
U.S. Fish and Wildlife Service

[Signature]
G. Michael Brown
Fish and Wildlife Programs Manager
California Department of Fish and Game

[References]
1. Alexander Avrajo, Federal Emergency Management Agency, Office of Emergency Services, San Diego, California Department of Fish and Game, County of San Diego, City of San Diego Planning Department, San Diego Parks and Recreation Department, San Diego County, City of San Diego, County of San Diego, California Department of Fish and Game, San Diego County, California Coastal Commission, State Resource Agency.
The Department's NOP letter emphasized that the SEIR/EA shall consider and verify that all requirements and conditions of the MSCP/ES plan and associated implementing agreement would be met if the proposed brush management revisions were approved and implemented. The NOP letter also indicated that the discussions in the SEIR/EA about the project-related loss of habitat within a MHPA should (a) thoroughly address the assumptions that were made regarding the protection of MSCP-listed species, (b) include full consideration of the reduction of impacts from brush management activities by revisions to the building code, and (c) discuss how the City would compensate for the loss of sensitive habitats within the MHPA, the net loss of habitat within the MHPA, and the potential impacts on MSCP-listed species. The SEIR/EA must incorporate information regarding the above-discussed issues in a manner that is consistent with the requirements of the MSCP as described in the DCP. However, as noted in section 2.3, potential project impacts associated with habitat loss due to establishment of invasive species remain significant but mitigated with an update to the MHPA by implementation of the MSCP. As described in the DCP, however, non-native species located outside of the MHPA would still be considered significant impacts. Additionally, please note that potential impacts to the California Quail located during nesting season have been mitigated to a level of significance through mitigation of reference impact that provides habitat activities outside of the sensitive breeding season.

We appreciate the efforts of the City in preparing the SEIR/EA under the pressures of emergency conditions. However, because the Uniform Fire Ordinance defines the Fire Marshall's authority to implement the required changes administratively, there is no emergency relative to a need to adopt the proposed revisions or some variation thereof. Rather, the emergency is in the need to enforce (a) the proper implementation of the existing brush management requirements by the City (in City-owned open space) and by private parties, and (b) the recent building code revisions (e.g., requirement of certain "A" roofing assemblies, prohibition on wood shakes and wood shingles). The January 21, 2004, City Manager's directive noted.

The MSCP sections are discussed in Section 2.3 of the SEIR/EA.

The discussion incorporates reference to the MSCP 203/205 (LDE No. 93-1137; SCH No. 92-01-173) which assumed that analyzed a 200-year flood impact area and assessed brush management impacts in the area (MSCP B-0203 pg 4.3-15). As such, all discussions in the MSCP B-0203 regarding covered species are also included in the current SEIR/EA by reference. A potential reduction of brush management impacts via revisions to the building code is analyzed as a project alternative under the heading of "project alternatives." Because potential MHPA habitat and covered species impacts were deemed less than significant, no compensation/mitigation is required for those resources.
We note that the January 21, 2004, City Manager's Report regarding the proposed revisions, stating, "the State and Federal Wildlife Agencies appear amenable to the changes in the brush management regulations in preliminary discussions." At the meeting on January 22, 2004, we discussed about how the proposed revisions would affect the assumptions regarding the area that is to be managed under the MSEPA. Because the estimates of the potential impacts on the area within the MSEPA and on several species were not yet available, it was not possible for the Wildlife Agencies to evaluate the proposed revisions at that meeting. Therefore, while we understood the need for the 100-foot wide brush management area, we made no conclusions regarding the proposed revisions' implications for the MSEPA. Upon the review of the SEEREA, we are concerned about the adoption of the proposed within the Zones One and Two without adequate analysis of the their biological implications, and without mitigation.

Recommendation:

The Wildlife Agencies recommend that the City review the SEEREA to provide the information requested in our comments below, and reconsider it for additional public review. The additional information should be included in a revised SEEREA (CEQA Section 15063.5) or in the current and future SEEREA. It is made available for review in the future and commenting agencies prior to approving the project (CEQA Section 15064). The public review period should be a minimum of 30 days.

2. Proposed Widows for Zones One and Two - Eligibility

The Wildlife Agencies acknowledge the need to provide an adequate defensible space against encroaching fire, and that the proposed 100-foot wide brush management area is consistent with the Memorandum of Understanding, dated February 26, 1997, among the Wildlife Agencies, the California Department of Forestry, San Diego County Fire Chiefs' Association, and the Fire District's Association of San Diego County. However, it is not clear how the proposed widths of Zones One and Two were determined. Specifically, the reasons for the disparity between the proposed widths of the two zones are not apparent, and it is unclear why Zone One, which is outside of the MSEPA, is proposed to be the narrower of the two zones.

Recommendations:

2. We recommend that the principal author of the SEEREA explain the reasoning behind the proposed zone widths.
expanded Zone Two areas. As in animals, coastal ocean water is just one of several species that warrant more thorough analysis. This was especially conducted.

b. Page 49 of MSCP Surface Plan states, Zone Two "may be located at the MIPA...except when marine wildlife concerns require it to be located outside of the MIPA." In a discussion about wildlife concerns, the SEIR/EA states, "These concerns are not specific and are not directed at any particular marine species, but instead impact management, such as coastal, offshore, marine and land-based activities." However, the SEIR/EA does not provide any analysis of whether, or where, the proposed revisions would expand scope Zone Two areas, or locate future Zone Two areas, without wildlife concerns within the MIPA and how this would be addressed.

c. We believe that the project-related impacts on the MIPA and the species it supports are under-evaluated. The impact analysis conducted for the SEIR/EA encompassed existing brush management zones or areas that are suitable, and known for which the SEIR/EA stated guiding principles (native species, marine resources, City species, MSCP, from 11, 2004). However, this analysis did not include future project-related brush management areas, the estimates in the SEIR/EA of the species lists of the areas do not reflect the full project-related impacts on habitats within the MIPA and the species it supports (e.g., 2005, octer).

A-13

Recommendations

a. The revised and final SEIR/EA should identify the MSCB covered species and protected sensitive species that are likely to occur within the proposed Zone Two areas, and provide a thorough analysis of the potential project-related impacts on these species.

b. We assume that implementation of the proposed revisions would continue to extend Zone One to areas outside of the MIPA to be consistent with the MSCP Surface Plan (page 49 of the Surface Plan). The revised and final SEIR/EA should clarify whether there is no impact, if it is deemed, the impact analysis should be revised to include the impacts from Zone One extending into the MIPA.

c. The revised and final SEIR/EA should provide an analysis of locations where the proposed revisions would expand existing Zone Two areas, or locate future Zone Two areas, or additionally Zone Two areas, or the revised and final SEIR/EA should outline this extension. Probability, the proposed revisions should be modified to reflect that Zone Two areas are not to occur within coastal wildlife corridors and the revised and final SEIR/EA should outline this extension.

d. We appreciate that it is impossible to quantify potential future impacts. However, the revised and final SEIR/EA should discuss the fact that the project-related impacts would extend beyond the expansion of the current brush management areas, and, if possible, provide estimates of the additional acreage and species that would be directly affected. This discussion should include potential expansion of sensitive species beyond the proposed brush management (Figure 6). Preferably, what
The revised final SR/EIA should also address the potential for additional impacts not currently included in the final SR/EIA. If the impacts are not addressed, they should be quantified and a statement of the significance of the conclusion should be included.

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The revised final SR/EIA should also address the potential for additional impacts not currently included in the final SR/EIA. If the impacts are not addressed, they should be quantified and a statement of the significance of the conclusion should be included.
Each has its own set of preservation goals, and it is estimated that approximately 29% (54,000 acres) of the MIFP area could be subject to edge effects depending on how well the local jurisdictions implement their own management guidelines and land use planning tools. These edge effects could adversely impact nearby species, the habitat, and the health of the preserve. The impact is regarded as insignificant. [City of San Diego, 1996, page 4.3.159 - the analysis of significance for the MIFP Scenario (i.e., the proposed project for the MSCP).]

b. Direct impacts to coastal species, threatened species, and sensitive vegetation

A similar situation would result from the edges of the preserve, edge effects from the adjacent land use, and increased development pressures outside the preserve. These impacts are considered significant. [City of San Diego, 1996, page 4.3.159 - the analysis of significance for the MIFP Scenario, in the section for the City's MSCP Heritage Plan.]

c. "These impacts would be mitigated through implementation of the guidelines and outcomes identified in the City of San Diego Heritage Plan and the City's MSCP [Regional Protection Ordinance] to a level below significant." [City of San Diego, 1996, page 4.3.193 - the discussion of mitigation for the MIFP Scenario, in the section for the City's MSCP Heritage Plan.]

The MSCP [Regional Protection Ordinance] that guides the RPO and identifies actions in the City's Heritage Plan and MSCP must be consistent with the MSCP [Regional Protection Ordinance] and the City's Heritage Plan. Two of which addresses brush management and invasive species - Sections 1.4.2 and 1.5.2 (City of San Diego, 1996, page 4.3.193 and 194).

Discussion

The 200-foot buffer for edge effects was based on the understanding of the impacts on the MIFP at the urban-wildland interface at the time the SEIR/EIS for the MSCP was prepared. The implementation of the proposed resolution would result in an approximately 156 percent increase of Zone Two within the MIFP at the urban-wildland interface, plus the increase unaccounted for (approximately 40 percent). This would significantly expand the area both directly and indirectly (e.g., edge effects) affected by brush management in the already biologically vulnerable area, relative to what was contemplated during the preparation of the SEIR/EIS. The study area in these areas, as well as the brush management practices in these areas, may be affected by the proposed buffer for the MSCP. The study areas in these areas, as well as the brush management practices in these areas, may be affected by the proposed buffer for the MSCP.

Based on the analysis presented in the SEIR/EIS, it is evident that both the 200-foot buffer around the preserve boundary was intended for analysis of edge effects only, and not for impacts within the boundary. The analysis was conducted in the following manner:

- We considered the impacts resulting from activities associated with brush management within Zone Two, as the impacts do not impact outside of Zone Two.

A-22 Refer to comment A-12. The brush management regulations previously imposed a smaller portion of the 200-foot buffer and analyzed, the certified MSCP [Regional Protection Ordinance] addressed similar impacts, including the management of a small buffer, within a 200 MSCP buffer area. The proposed resolution is consistent with the 1997 USFWS and CBP Memorandum of Understanding which allowed 40 feet of brush management. Subsequent changes to the brush management regulations were evaluated in the LUC EIR. This SEIR/EIS is consistent with the findings of the LUC EIR.

A-23 Refer to comment A-12.
Subject within the buffer management footprint and the surrounding area, and direct disturbance of wildlife within these areas. As such, the 200-foot-wide buffer used in the MSCP HUMES for the transit analysis of refer eighth is not applicable to the direct impacts of brush management, though it may be applicable to the indirect impacts of brush management (e.g., establishment of invasive plant species; comment 5) in the areas of Zone Two proposed to be widened. It is unreasonable to call the 200-foot strip a buffer from edge effects if it experiences direct impacts from on-going activities.

b. Even if the application of the 200-foot wide buffer was acceptable in this instance, it is clear that brush management-related impacts on biological resources within the buffer are not being mitigated per the City’s requirements. The presence of invasive exotic plant species at the urban-wildland interface throughout the City, including brush management areas within the MEBPA, continue lack of conformance with the City’s requirements, including the brush management regulations (comment 8), by both the City and public lands and private parties (e.g., lack of enforcement by the City). Absent conformance with these requirements, the City cannot demonstrate that the actual impacts within the 200-foot wide area, much less future impacts, would be mitigated to a level less than significant. The author’s premit conditions render the application of the 200-foot wide buffer inadequate.

Brush management in Zone Two is currently considered ‘impact neutral’ for the purposes of determining habitat mitigation needed for projects for which the City issues discretionary permits. However, even with the 200-foot buffer for edge effects, the browsing area within Zone Two was based on the understanding of the related impacts on the MEBPA at the urban-wildland interface at the time the HUMES for the MSCP were prepared. It was also based on a commitment to the preservation of a specified number of trees. In addition, the non-agent species cannot be applied to brush management area in an adjacent to pacheco Preserve within the MEBPA, if the brush management occurs during the September breeding season, as was it applied to ensure that the plants would not be used as habitat or feeding ground by the brush management regulations. The biologically driven approach to allow a continuation of the impact neutral status would be to, minimally, (i) document that there is no net loss of habitat within the MEBPA, and (ii) apply the usual prohibition required by the MSCP, and (iii) enforce the weed control within Zone Two already required.

Conclusions and Recommendations

r. The SERRA currently lacks sufficient information for the WILDLIFE Agency to concur with the City’s conclusion that (i) the conservation of covered species would be maintained; (ii) there would be a significant increase in the likelihood that an invasive species will meet the criteria for listing under either the federal or state Endangered Species Act, and (iii) the configuration of the MEBPA would remain unchanged. Particularly considering that the implementation of the proposed revisions will significantly increase Zone Two within the MEBPA at the urban-wildland interface, which would result in a net loss of habitat within the MEBPA. We therefore recommend that the reinstatement and/or final SERRA substantiate these conclusions.

A-24 Pursuant to the MSCP Biological Opinion (1997) ‘general indirect effects’ section, “The biological integrity of habitats adjoining development can be diminished by adverse effects of noise, lighting, exotic plant and animal invasion, disturbance, pollution, predation, parasitism, disturbance from human activities, pesticides, fuel and other factors”.

A-25 Prior to the adoption of the MSCP, there was no formal requirement to move non-habitat management areas to the non-habitat management areas, only the discretion to require moving of areas that were adjacent to natural areas and which were disturbed and required to be reorganized. Therefore, the MSCP was adopted without the assumption that these non-habitat management areas would be improved.

A-26 Prohibition of brush management activities during the California Condor critical habitat has been added to the proposed code change in 8122.06(2)(b)(1) as follows: “Brush management activities are prohibited within critical habitat from March 1 through August 31.” The MSCP is committed to meeting its habitat conservation goals. As noted in comments A-25, impacts associated with invasive species were determined to be significant. Refer to comment A-25.

A-27 Refer to comment A-12.
We do not consider the City's conclusion that the project-related potential impacts would be unlikely to affect the structural diversity within the MHPA, and that the habitat interface of the MHPA would remain unaffected. The project-related potential SERA impacts should be addressed in those scenarios, considering that both the structural diversity and the habitat interface within the area of direct and indirect project-related influence would experience significant negative impacts.

The project-related potential SERA impacts should be addressed in those scenarios, considering that both the structural diversity and the habitat interface within the area of direct and indirect project-related influence would experience significant negative impacts.

Based on the recommendations above, we recommend avoidance measures for MSCP-identified species, and mitigation for the identified impacts to the MHC and the environment in a manner that maintains the density and structural integrity of the presence. If necessary, the plan of protection with the MHPA would significantly alter or preclude, and may warrant modification of the City's approach for rare species under the MSCP. We recommend that the re-identified and/or identified SERA clarify what mitigation measures will be taken.

5. Impacts on the Greater Area Should be Avoided or Mitigated

Information on the SERA

According to the SERA, implementation of the proposed revisions would affect 115 acres of intact estuarine habitat, and 95% of 315 acres not included in the MHPA within the City. However, the SERA also indicates that the database used to estimate the impacts on the greater area encompasses data over a comprehensive survey of all lands in the City of San Diego, that only 15% of habitat varies annually, and that the true impacts to individual habitats cannot be assessed.

The SERA indicates that brush management in Zone Two is currently allowed year-round within the MHPA. However, private properties within the MHPA are currently allowed to conduct brush management activities within Zone Two to address the environmental concerns for the greater area. The SERA states, "If the brush-management activities within the MHPA cannot be conducted outside of the peak fire season, then the impact is consistent with significant." Nevertheless, the City proposes to allow brush management within the MHPA during the fire season.

7 The 317 acres were not considered in the City's report on the total 1,893 acres impacted by a fire. As such, the City's conclusion that the impacts would be consistent with significant may not be accurate.

8 We understand that the City's current regulations do not specifically state this, but the City has proposed to allow brush management within the MHPA during the fire season.
Brush management activities would likely occur every one to three years and last for one to two days. Hand tools and small mechanical tools, such as weed whackers, would be utilized.

The principal concern relating brush management during the quail breeding season is the loss of vegetation. In addition, both noise and activity impacts set disturbance levels that could result in nest abandonment for periods long enough to affect eggs or young through chilling, predation, or starvation. The SEIR/EA does not address the direct destruction of nests and eggs. "Due to the short duration of the work and localized activities associated with brush management, none of the habitat changes identified as major, it is not anticipated that a significant noise impact would occur during the breeding season of sensitive species."

The SEIR/EA identifies the following measures to mitigate the potentially significant project-related impacts to the grayshrike.

- Depots associated with the California grayshrike would be reduced to below a level of significance by acquiring an amount of acreage, approximately 50 acres, of equal-value grayshrike habitat over a time period to be determined by the City Manager.

- Mitigation is also available in the form of requiring a qualified biologist prior to commencing brush management activities to survey the project site for grayshrike nests.

However, the City does not propose to carry out these, nor any other measures, to mitigate the potential project-related impacts on the grayshrike, nor does the SEIR/EA provide an explanation as to why, other than that the applicant, the Fire Rescue Department, has not agreed to such mitigation.

**Discussion**

In addition to the uncertainty of the project-related impacts on grayshrike reflected by the SEIR/EA, and the already-discussed problems with the methodology used to estimate the loss (Appendix D), it appears that the estimate of impact on grayshrike occurrence does not account for the potential loss of or effects on grayshrike habitat adjacent to Zone Two. This habitat would be subject to negative indirect effects of brush management conducted during the breeding season.

Regarding brush management within the MHPA during the grayshrike breeding season, it is infeasible for brush management activities not to comply with the requirements with which all other projects must comply. The MSCP states, "The clearing of occupied (grayshrike) habitat within the city's MHPAs and within the County's Biological Resource Conservation Areas may occur between March 1 and August 15th (entry for the grayshrike in Table 7-3 of the MSCP Plan).

Regarding disturbance from noise and visual impacts (the latter is not addressed by the SEIR/EA) associated with brush management activities during the grayshrike breeding season, we assume that the description in SEIR/EA of brush management practices reflects...
the City's procedures. This does not necessarily reflect the methods used by others who conduct harvest management. Therefore, we do not agree with the conclusion in the SEIR/EA that the impacts on 15% of the harvest habitat would be significant and should be mitigated.

b. The revised harvest plan and final SEIR/EA should prohibit harvest management within the MPA during the breeding season (again, see Table 3-5 of the MSCP Plan), and should modify the proposed harvest to reflect this prohibition (e.g., ensure necessary by harvesters). Therefore, the revised harvest plan and final SEIR/EA should explain how the City will inform members of the public who conduct harvest management of the locations of the MPA, whether it's within their zone two, and how this information would also be communicated to the land they harvest.

c. The entry for the harvest in Table 3-5 of the MSCP Plan, states: "Amen specific management directives (ASMs) must include measures to reduce edge effects and avoid disturbance during the nesting period, as well as measures to reduce the potential for habitat degradation, and management measures to maintain the improve habitat quality including vegetation management." The final SEIR/EA should address this requirement as it relates to the areas that the proposed harvest would affect (e.g., San Clemente Canyon), and should establish a schedule for the development of the ASMS. These ASMS should be reviewed by the WMPA Agency prior to finalization, and their implementation should be complete prior to the date that the proposed harvest becomes effective, and they should be implemented concurrently with the activities they are intended to address.

d. **Invasive Exotic Plant Species [Look at Adequate Enforcement]**

a. Previous comments have been added to the harvest impacts from harvest management. The results of the City's Invasive Management Evaluation (City's Evaluation) conducted for the SEIR/EA indicate that eight of the 26 sites observed had less than 30% cover of exotic plant species (Invasive Management Evaluation / Biological Technical Report - Appendix II). This bears out the common knowledge that those managed areas are highly susceptible to being invaded by exotic plant species, even if the surrounding vegetation is healthy.
The prevalence of invasive exotic species in brush-managed areas poses several biological problems. These include alteration of ecosystem functions such as nutrient cycles, hydrology, and wildlife frequency, outcompeting and exclusion of native plants (i.e., habitat type change) and animals, which results in reduced biological diversity, hybridization with native plants, and supporting new invasive animals, fungi, and microbes. Restoring native species must be seriously considered as a long-term strategy to achieve this goal. For example, the California Native Plant Society indicates that 11% of the state's native plant species are experiencing threats from invasive weeds (Rosengarten et al., 2003). Establishment of invasive species also increases the potential for progression of invasion into adjacent native habitats, and, therefore, the availability of propagules to travel and to establish in more distant habitats. We are concerned that the proposed project in this zone will likely cause the spread of invasive species both within the proposed project area and surrounding habitat. This would effectively increase the risk of loss of native plants and the affected area with the proposed project area. Thus, it would effectively increase the risk of loss of native plants and the affected area with the proposed project area.

A-37

This comment is consistent with the SCE/EA, which includes potential non-native species in the species at the project site, a significant project impact.

A-38

Comment added. Refer to comments A-35 and A-37. The MSCP IR/IA analyzed a 200-foot buffer area and the proposed confine would allow brush management activities only within the first 15 feet of the buffer area.

A-39

This comment addresses the merits of the project, not the security or adequacy of the SCE/EA. No response is required.
A-40

This example addresses the merits of the project, not the accuracy or adequacy of the SEIR/EIA. No response is required.

A-41

The SEIR/EIA recommends on how brush management would be implemented is described on page 91-6 of the SEIR/EIA. The language in the revised alternative section has been revised for consistency. City staff provided a Waste Impact Analysis on assumptions of prairie characteristics. However, in this case, alternative vegetation leads staff to make reasonable assumptions based on field data, which would continue, thus satisfying 15164.60.

A-42

This example addresses elements of the project, not the accuracy of adequacy of the SEIR/EIA. No response is required.

A-43

Refer to page 9.3-35 within the Final SEIR/EIA. The SEIR/EIA does not describe impacts due to wood fragment dispersal or over 200 brush managed acres. This category is still called out as "significant" in the Final SEIR/EIA, however, consistent with the LPC DIS, the impact is reclassified by MSCP implementation (except for impacts to non-wooded areas outside the MSCP).

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1. The City's current brush management regulations require that Zenu One shall be managed using a barrier to provide firebreaks, as per the City's current brush management regulations, does not exist. The assumption is valid because it directly relates to existing conditions. However, because the existing conditions are complex, they should not serve as a frame of reference for evaluating impacts from the proposed project.

2. The SEIR/EIA indicates that the project includes a proposed code amendment to allow June 1st for painting of materials, and that the impact analysis included impacts from this code change. The proposed code change does not require the use of paint, so it is apparent that the impact analysis in the SEIR/EIA includes impacts from the use of paint. The impact in question is proposed by the petitioner in 1997 (N.G.A. 2004). According to the SEIR/EIA, when the City modified the brush management regulations in 1997, one of the purposes of the modifications was to make the regulations more enforceable. It appears that enforcement is being increased.

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possibly extend, spread (e.g., by root, seeds) of invasive plant species from one brush management area to the next and cause potential degradation of water quality from bacteria in the ponds’ base water and impacts on native monarch plant species.

2. The EIR requires the mitigation for impacts from invasive species, stating, “In order to mitigate significant impacts to biological resources as a result of the establishment of invasive species in brush management areas that are not currently regulated by the MPA, the City of San Diego has implemented a program that includes the use of mitigation measures to reduce the impact of invasive species on the environment.” The mitigation measures include the use of herbicides, mechanical removal, and biological control measures. This mitigation, however, is not currently feasible. We agree with this mitigation measure, even though brush management in Zone Two is not currently considered a significant impact for the purposes of determining the habitat mitigation needed for projects for which the City issues development permits. As discussed previously, the proposed revisions are not currently feasible (comment 4).

Recommendations

a. We recommend that the City retain its existing regulations regarding brush management by maintaining the invasive species within the MPA and providing ongoing monitoring of the brush management regulations on both private and City-owned land. This decision is consistent with the City’s brush management regulations and will ensure that the City will continue to maintain high standards of habitat management within the MPA.

b. To achieve this goal, we recommend that the City retain its existing regulations regarding brush management. This decision is consistent with the City’s brush management regulations and will ensure that the City will continue to maintain high standards of habitat management within the MPA.

Comment noted. Refer to comment A-23.

A-45

Comment noted.
A-45. The final EIR/EPA should address the fact that many exotic species that establish in the brush management areas are not or more unfavorable than the native species they displace.

8. The proposed revisions include the following changes to the proposed text and includes text as proposed addition: "Zone Two shall be maintained on a regular basis by pruning and thinning plants, controlling weeds, and maintaining any temporary irrigation systems until plantings are established, and by removing hazardous vegetation growing after establishment."

A-47. We recommend that (i) this revision be worded in such a way that it is clear that the wood control must be ongoing and not only "until plantings are established," and (ii) the revisions better reflect the requirements in Sections 14.3 and 15.2 of the MSDF Standard Plan regarding invasive species.

A-48. The evaluated underfinal EIR/EPA should include proposed language for the code amendment pertaining to the use of streets for brush management, and specify the section of the municipal code to be amended. The evaluated underfinal EIR/EPA should provide a discussion of the impacts from using streets for brush management, particularly if streets will be altered for situations adjacent to the MSDF, the discussion should specifically address how streets would be controlled to ensure MSDF safety.

i. don't allow the vegetation to the side;
ii. don't trim beyond the required 50 percent vegetation, part the code;
iii. restrict their pruning to prunes over 15 inches in height, part the code;
iv. don't damage narrow-stemmed species; and
v. don't spread invasive species from one site to other sites.

7. Alternative Analysis

a. The EIR/EPA indicates that the alternative involving chemically and green planting Zone Two with low height native plant species would not result in significant biological impacts. However, it also identifies potential significant impacts on habitat development at Zone Two from irrigation runoff from these temporary irrigation lines, potential type change of habitat configuration, and significant impacts on the vegetation as a result of the loss of open habitat. This evaluation underfinal EIR/EPA should reflect that the proposed type change of the cleared and planted area itself would be a significant impact, as would potential loss of native plant species, both of which would require mitigation.

b. Regarding the alternative involving strengthening the building code regulations as they pertain to fire generation in high fire hazard areas, the EIR/EPA indicates that such revisions would eliminate the need for increased brush management zones. Consistent with the Department's NOP letter, we support this alternative, particularly for structures that would be required to be managed within or adjacent to the MSDF. For such structures, we recommend that structural and material alternative be the first line of defense against fire, rather than increased brush management. That is, structural design and materials that reduce the need for brush management, should be employed first, and then brush management requirements determined. For new construction, structural and

A-49. All sites were assumed to be included with invasive species. In fact this concern noted that the alternative would not substantially reduce biological impacts. The alternative has been moved to the "Alternate Considered but Not Rejected" section of the Final EIR.

A-50. This concern addresses the impact of the project on the security or adequacy of the EIR/EPA. No response is required.
material alternatives should be considered. As in existing structures, the building code should be revised to require that certain features of structures at the line-of-sight interface be upgraded to meet the revised building codes. We applaud the City Council for adopting building code revisions that require Class "A" roofing assemblies and prohibit the use of wood stables and wood bales. We urge the City Council to further strengthen the building code revisions to optimize the protection of structures in high hazard areas. We understand that, in many cases, such revisions would not eliminate existing brush management needs. However, they should greatly minimize the need for, and the serious biological impacts associated with, extensive brush management activities, and particularly the proposed widening of Zones One and Two.

As discussed previously, the objective of the current brush management regulations is to reduce the need for action that would reduce the need for that enforcement. The already approved revisions to the building code and the further strengthening of the building codes would reduce the need for action that would meet the City's brush management operational costs in Zones Two, Three, and Four. The revised and final SEIR/EA should thoroughly address the issues of costs and economic levels of effort to meet the City's brush management regulations and building codes to achieve protection from fire in urban wildland interfaces.

8. Alternative Modifications to Proposed Brush Management Revisions

We applaud the following suggested modifications to the proposed revisions to those already recommended. Suggested deletions are struck out, and suggested additions are underlined.

a. One of the assumptions used in the preparation of the SEIR/EA is that no impacts to wetlands would occur. The proposed revisions state, 'No brush management is required in areas containing wetland vegetation.' This language is in conflict with the section entitled 'Zone Two Requirements.' We recommend that the statement be placed instead at the end of section 142.04.12(b), so that it is clear that the statement applies to both Zones One and Two. In addition, we recommend that the revisions provide a brief explanation regarding what constitutes wetlands (e.g., refer to Table 2 in the Biology Guidelines) and indicate whether it is within wetlands. This is an important issue as the City is currently proposing brush management that may impact wetlands (e.g., Central Coast development in the Tijuana River Valley).

b. Section 142.04.12(b) allows the Fire Chief to modify the brush management requirements under certain conditions. We recommend that this section allow for the widening of Zones One and Two beyond the respective proposed 35 and 60 feet. In addition, the SEIR/EA states, "the LDC [Land Development Code] allows for alternative compliance to brush management for the benefit of environmental features that can be included as permit conditions for projects requiring a development permit." If section 142.04.12(b) is intended to include this provision in the LDC, the language should be modified to make it more apparent.
To be consistent with the City's MSIP Surface Plan, the proposed revisions should be
modified to clarify that Zone One must be outside of the MSIP.

- The City of La Jolla's Code requires property owners to remove all dead, overgrown, or
  diseased vegetation, plants, and trees within 100 feet of any structure (City of La Jolla
  MSIP). The County has noted that the City's Ordinance 4917 mandates the removal of
  similar vegetation, while remaining consistent with the prohibition on
  flammability standards with Zone One at a maximum combined width of 10 feet for
  Zones One and Two.

Section 142.04(2), Table 141.04A, new B2. All existing or proposed lots within
open space, park areas, and undeveloped public or private land containing native
or non-native vegetation, unless those containing environmentally sensitive lands are
within 100 feet of an existing or proposed flammability structure.

Section 142.04(2). The section states, "Both Zone One and Zone Two shall be
allowed off the subject property at the request of the subject property owner to establish and maintain the required
ordinary management standards on the subject property in perpetuity." We find this provision
is followed next, our understanding is that for future development, if any structure is built
that would require Zone Two to expand into adjacent parcel property, the Fire Marshal
would not allow this and would require alternative measures (e.g., sprinkler) to meet the
siting requirements (see, supra). We agree with the latter approach for new development,
and recommend that it also apply to adjacent public property (e.g., City open space), and that the proposed revisions be
modified to reflect this.

- Section 143.04(1)(d). "All existing and new structures subject to this division shall
  comply with all requirements of Chapter 14, Article 6, Division 5 - Additional Building
  Standards for Buildings Located Adjacent to Forested Areas of Native or Naturalized
  Vegetation." While the City Council adopted regulations requiring Class "A" safety
  measures, and prohibiting wood shingles and wood shakes, they have not yet adopted
  additional building standards for buildings located adjacent to forested areas of native
  or naturalized vegetation. As previously stated, we support the adoption of such building
  standards.

- Section 143.04(1)(d). "Where Zone One width is required adjacent to the MSIP or
  within the Coastal Overlay Zone, any of the following modifications to development
  regulations of the Land Development Code are allowed in the Land Development
  Manual are permitted to accommodate the increase in Zone One width resulting from the
  implementation of the City's MSIP Surface Plan."
A-61 i. The reference to the MHPA should be spelled out, and a footnote added that briefly explains to the reader the purpose of the MHPA and whom to contact in the event of their need to familiarize themselves with its contents.

A-62 j. We recommend that proposed section 142.0412(3)(d) be placed instead immediately after section 142.0412(1)(d).

A-63 k. Just as the proposed beach management revisions cite and require compliance with the proposed building codes revisions, we recommend that the latter cite and require compliance with the former.

9. Disparities That Require Resolution

Please reconcile the following apparent discrepancies in the SEIR/EA.

a. Please clarify/accord the references on page IV-2, section D. Our understanding is that currently, brush management in Zone Two occurs on 3,753 acres within the City. Of that, 3,832 acres are on private land, and 331 acres are on public land. Of the 3,753 acres, 326 acres are within the City’s Multiple Species Conservation Program (MSCP) Multiple Habitat Preservation Area (MHPA) (pers. comm., Chad Kane, City of SCV, June 21, 2004).

A-64 Page IV-2, section D has been revised as follows: MHPA land within the City of Santa Clarita is approximately 4,240.6 acres.

A-65 Page IV-2, Water Quality, has been revised as follows: Current brush management regulations, based on the above assumptions and existing GW 40A, would impact approximately 3,753 acres of vegetation. Implementation of the proposed brush management revisions would impact an additional 3,425 acres, for a total impact to vegetation of 7,178 acres.

b. Page V.C-12 indicates that current brush management affects 3,123 acres of vegetation, with no distinction between Zone One and Two, whereas our understanding is that current brush management in Zone Two alone occurs on 3,753 acres within the City (pers. comm., Chad Kane, City of SCV, June 24, 2004).

A-66 Refer to comment A-65.

A-67 The entirety of vegetation is required to frequently or necessary to keep vegetation at the prescribed levels. Therefore, the frequency of trimming activities is dependent upon vegetation growth rate per the passage of a specified period of time.

References


Ms. Allison Kapp
City of San Diego
Development Services Center
1222 First Ave, MS 501
San Diego, CA 92101

B-1

B-1

July 9, 2004

Ms. Kapp:

Commission staff has reviewed the above referenced environmental document addressing proposed revisions to the City of San Diego Land Development Code brush management regulations. The portion of the City’s Land Development Code to be revised is part of the City’s Local Coastal Program (LCP) implementation plan, thus, the proposed revisions will require an LCP amendment approved by the Coastal Commission prior to implementation within the coastal zone.

We understand revisions to the brush management regulations are proposed in response to recommendations of the Park Chief and as a result of the City Code fire. The project proposes a City-wide 100 foot wide brush management zone consisting of a 30 foot wide Zone One and 60 foot wide Zone Two. The project will affect both public and private lands in the City of San Diego and includes impacts to the City of San Diego Multi-Habitat Planning Area (MPA).

We support the need for revised regulations to protect both urban development and sensitive habitat from damage due to fires and brush clearance. Development of a stable boundary at the urban/wildland interface for both existing and new development will reduce risks to personal property in the future and avoid minimizing the extent possible adverse long-term impacts to environmentally sensitive habitat areas, public recreational areas, and preserved open space. As a result, the project would implement a 100 foot brush management zone, where a 40 to 50 foot wide brush management zone currently exists for property west of Interstate 805, and a 70 to 55 foot wide zone exists for property east of I-805.

To summarize, the environmental analysis concluded implementation of a 100 foot wide brush management zone will result in 2,850 acres of additional impacts to vegetation within Zone Two. Of that, 715 acres would be within the MPA, of which 242 acres would be within biological conservancy, however, 50 acres in the core area are Habitat Type IV (industrial/urban) which was likely included for connectivity, but not susceptible to significant habitat disruption from brush management.

Regarding impacts to grasshopper habitat, the analysis concludes five of the 377 known occurrences of grasshopper will be affected, however, the impacts cannot be assessed.

...
due to the lack of appropriate data. Approximately 425 acres (386 are high or very high quality) of riparian habitat in the City will be affected, including 198 acres (160.4 high or very high quality) in the MIPA.

Studies by the City biologist demonstrate that the effect of thinning in Zone Two is a significant reduction in species numbers which degrades the habitat value and may result in increased erosion in adjacent natural areas. All of the identified riparian biological resources are considered significant. Additionally, all of the projects would be within the 100-foot buffer identified in the ERISA prepared for the City Multiple Species Conservation Plan (MSCP) for riparian habitat. No impacts to native anadromous species are expected to occur because these species are generally less than eight inches in height, and would not be subject to thinning or clearing pursuant to the equal management regulations.

Regarding potential mitigation measures, the draft EIR suggests the following:

1. Requiring brush management activities within the MIPA to occur outside the riparian buffer section (March 1 through August 15);
2. Requiring a qualified biologist to coordinate brush management activities to survey the project site for riparian areas;
3. Acquiring a forest management action, approximately 198 acres per Title 5, Section 102.4 in the Biological Resources Section, of equal value riparian habitat over a time period to be determined by the City Manager; and
4. Requiring mitigation for Zone Two impacts based on the mitigation ratio for habitat type required for Zone Two impacts identified in the City of San Diego Biology Guidelines.

The draft EIR indicates all of the above numbered mitigation measures are not proposed or accepted by the applicant and it is not clear whether or not these measures will be required as part of the change to the regulations. The draft EIR indicates that incorporating the identified mitigation measures into the project would reduce the impacts to biological resources below a level of significance; therefore, we believe such mitigation should be required in the final EIR as certified by the City, and incorporated into the revised brush management regulations. Although the LDC approved allowing Zone Two impacts in the MIPA, as “revised project,” the changes to the regulations would affect a greater amount of habitat in Zone Two within the MIPA which is significant and can no longer be considered a minimal effect.

Regarding an alternative, Alternative 4-Increasing Building Regulations states that, under this alternative, “proposed changes to building regulations would occur thereby eliminating the need for increased brush management zones. Revisions to the building regulations could include fire walls which would be constructed at the boundary between Zone Two and open spaces. Additional building regulations would include alternative architectural features for structures where brush management would normally be required. The revisions to include fire walls has been added to the LDC regulations included in the proposed ordinance.” However, the draft EIR did not include an analysis...
The addition of firewalls or other architectural features in lieu of brush management are identified as options within the ordinance and can only be approved by the Fire Marshall. Any impacts associated with installation of a firewall or some other feature would be analyzed on a case by case basis.

Per CEQA Section 15126.6 (d)(2) the MHA shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project.

Comment noted.

This comment does not address the adequacy of the SEIR/EA. Therefore, no comment is required.

This comment addresses the merits of the project, not that it's merits or adequacy of the SEIR/EA. No response is required.

The two responsible property owners would have to work together to resolve the brush management issues between the two lots. Section 16544.2 (6)(c) of the proposed ordinance includes alternative actions which can be approved by the Fire Marshall in lieu of brush management.
Yet, we've noted a change in the regulations where the words "cut and cleared" are replaced with the word "trimmed" in reference to vegetation in Zone Two. Please define each term and give examples as to their difference.

Thank you for the opportunity to comment on the draft ZUEA for revisions to the brush management regulations. We recognize this is an important effort necessary to protect both private property and open space, and that both are highly valued by the citizens of San Diego. We would welcome a meeting to discuss amendments, if time permits, prior to action by the City Council. Please call me with any questions or comments.

Sincerely,

[Signature]
Shelley Saff
District Manager

cc: Deborah Lee
    Cinda Gannon
    Sally Lewis
    Benjamin Fletcher

(Please refer to Management 503 contacts in LDC, ext 997, or email city@san-diego.gov)
July 9, 2004

Ms. Allison Kasy
Environmental Planner
City of San Diego Development Services
1222 First Avenue, MS 301
San Diego, CA 92101

RE: Draft Land Development Code EIR for Beach Mgt. Revisions

Dear Allison:

We have reviewed the EIR for the proposed revisions to the Land Development Code to implement a city-wide 100 foot-wide brush management standard. We do not agree with the conclusion in the EIR that the proposed brush management revisions would result in significant impacts to biological resources.

We are very concerned with the potential for this conclusion will create for development in the City. The biological species conservation program implementing agreement stipulates that Beach Mgt. Zone 2 be treated as impact neutral and the EIR for the MSCP was prepared under this assumption. Although we appreciate the fact that the Draft EIR is not proposing that Beach Mgmt. Zone 2 be regulated in accordance with MSCP mitigation criteria, the Draft EIR has reached the conclusion that this is the mitigation needed for the impacts to be less than significant.

The Draft EIR has in fact, in the report with respect to this conclusion. The Draft EIR has not demonstrated that a significant impact would occur and the Draft EIR has not demonstrated that were a significant impact to occur, the impact would be equivalent to the actual removal of habitat upon which the MSCP mitigation relies.

The EIR is deficient in several fundamental ways that make its determination of significant impacts to biological resources invalid.

- The EIR only evaluated a handful of sites and presents the report as "purely anecdotal" information. The EIR analyzed 25 sites whose brush management activities have or continue to occur. 17 of the sites were sites where the Park and Recreation Department conducts periodic brush management activities. Of

G-1 Comment noted.

G-2 The draft EIR only identifies significant impacts to biological resources as a result of invasive species (i.e., establishment in zone two sand dunes) that has occurred. The BUA is treated in the Land Development Code EIR which reached the same conclusion.

G-3 Appendix B - Biological Resource Report identifies 25 sites within the City which were surveyed by staff Biological. The majority of these sites revealed that invasion of invasive plant species had established with some in the City and the vegetation. While this information is anecdotal, evaluation of these 25 sites indicates the City of San Diego in determining potential impacts associated with brush management. The City's Biological Guidelines do not provide for a larger mitigation ratio in situations where the level of impact may differ.

G-4 See comment G-3 above. Staff is not aware of any substantive evidence that would contradict the determination that habitat impacts would be less than significant. It is anticipated that the proposed revisions to the brush management ordinance will provide clarification and guidance to homeowners when conducting brush management, therefore eliminating confusion.
- the other 12 sites, 11 of them are owned by private landowners, and only one is owned by a Home Owners Association (HOA). The Parks and Recreation Department has been greatly underfunded. Of the minimum 1,750 acres the department is responsible for brush control every two years, approximately only 143 acres are being thinned every two years. Private landowners with no enforcement entity such as an HOA are less likely to properly maintain their brush management areas. Asked in this fashion in response to complaints from neighbors, the City's code enforcement division has been overly aggressive in pursuing brush management activities as potential code violations, even in areas entirely outside of the MEPA. As a result, many encroachments have been enforced by the power of their own, not properly maintaining their brush management areas.

- Although the REA indicates that 96% of the sites evaluated contained some level of exotic plant invasion, no assessment of the average level of invasion is provided. The REA also does not indicate which type of site had more or less exotic invasion. From the information provided in Appendix B, the Brush Management Evaluation and Biological Technical Report, out of the 25 sites evaluated, 16 (64%) had 5% or less coverage with exotic species. In other words, 64% of the sites evaluated were at a minimum 5% free of exotic species, with none of those sites 90% or more free of exotic species. It is difficult to conclude that significant biological impacts will result with Brush Management Zone 2 thinning.

- The REA was unable to identify the frequency and quality of the brush management activities that occurred for most of the sites evaluated. According to the Brush Management Evaluation, no information on when and how often brush management activities have occurred is available for any of the private lands sites evaluated.

- In analyzing only one HOA-managed area, and providing no information on to whom the contractual knowledge of the site was transferred, no conclusion can be reached regarding the potential for significant biological impacts from future development.

- Lastly, the REA states that "area-wide coordinated with the regulations is not causing a brush management zone 2 (B2)." Indicating that the current regulatory measure is enforcement of brush management regulations, not regulation based on the integrative ratio per habitat type established with the City's Biological Guidelines. Whether the conclusion that impacts to biological resources are significant can be validated or not, the City still must demonstrate that the type of impact is equivalent to the development removed, on which the biological mitigation ratios are based.

- Habitat with one quarter of its land area occupied by invasive is considerably degraded. Please note that the assessment of 75 brush management sites was not a scientific study, but provided anecdotal information about the state of brush managed sites within the City.

- Comment noted. Such information was not available to the report author.

- Comment noted. It is reasonable to assume that impacts from future brush management will be comparable to those from existing brush management.

- Enforcement of brush management regulations is enforced by Neighborhood Code Compliance Department and is not a form of mitigation. The City's Biological Guidelines do not provide for a proper mitigation ratio in situations where the level of impact may differ.
In order to justify the use of the MSCP ratios contained in the City's Biology Guideline, the EIR would need to demonstrate that brush burning activities result in the complete loss of biological function and value. The EIR does not demonstrate this.

In short, the Draft EIR has not presented valid evidence that brush management activities are causing, and will result in a significant biological impact and the EIR's conclusion that a significant biological impact exists is, therefore, invalid. We suggest that the EIR be rewritten based on a more thorough analysis of the potential for significant biological impacts.

Very truly yours,

[Signature]

Scott C. Millay
Public Policy Advocate
July 7, 2004

Mr. Allan Bragg, Director of Planning
City of San Diego
Development Services Center
1722 First Avenue MS 301
San Diego CA 92101

Re: Fresh management revisions to the Land Development Code

Dear Mr. Bragg,

Thank you for the opportunity to comment on the fresh management revisions to the Land Development Code. These comments are provided on behalf of the Center for Biological Diversity, San Diego Audubon Society, Friends of Los Penasquitos Canyon, Friends of Sycuan Canyon, San Diego Audubon Society, San Diego Chapter California Native Plant Society, San Diego Chapter Sierra Club, and Thirty-Seventh Street Canyon Task Force.

Our groups strongly support efforts by the City of San Diego to reduce the risk both of life and property from wildfires. Fire safety activities and natural resource protection are highly compatible, and we are dedicated to working cooperatively to achieve these goals.

Unfortunately, the City appears to wrongly pursue a one-day, 24-hour brush management solution without due consideration of alternatives that might ensure natural resource impacts.

Code provisions requiring fire resistant material retrofits for existing structures and fire scar scenarios will likely prove to be more effective in achieving fire safety goals than mandated brush management. This is even more true given the City's recent invention of highly flammable weeds into brush management zones.

This comment addresses the merits of the proposed project, not that necessity or adequacy of the SEIR/EA. No response is required.

D-1
The City also agrees to willingly disclose reasonable mitigation measures for impacts to biological resources and other. Impacts to biological resources are likely significant, and likely to reduce the effectiveness of the Multiple Species Conservation Program, and should be fully mitigated. Many impacts such as those in the California gene pool during the breeding season are costly and unavoidable and must be addressed with reasonable limits on the timing of brush clearing. Yet the City proposes no mitigation measures to either brush management impacts.

Code revisions requiring the removal of existing vegetation are a reasonable alternative to brush management, especially in sensitive ecosystems. Proposed brush management may also provide some limited additional fire safety benefits. But the best available data indicate that this already minimal benefit may be lost when highly flammable, woody, native species are not managed to control underbrush and weed control requirements are not enforced. The best available data also indicate that any brush management benefits in likely to outweigh the benefits of urbanizing significant impacts to biological resources.

The City cannot justify any statement of overburdening persons for the proposed brush management code revisions. The need for management above the level of the project's brush management exceeds the City's ability to find that the benefit of the proposed action will outweigh significant environmental harm.

The following are specific comments on the brush management code revisions.

1. Proposed application of the wildlife habitat regulations as an alternative to brush management.

The EIR/EA'S analysis of the "alternative building regulations" attempted to brush management. The Code and other measures for the City's Code, with environmental benefits of the proposed brush management alternatives.

Code revisions requiring the removal of existing vegetation as a "fire-proof" material are not necessary. Are likely to prove several of the significant impacts from brush management to the City's Code and limits on the. The City should specifically determine brush management code regulations as "fire-proof" building materials, and why adding to fire management combined with code revisions requiring "fire-proof" materials will not accomplish desired goals.

A number of studies are needed for the impacts of the alternatives building materials as a fire defense against wildfire. Data presented here do not show any adverse effects that airborne burning material (firebrands, embers, etc.) to the primary concern of whether ignition—not direct firebrands from burning brush hazard in a reasonable distance from a structure. Code

D-2 The impact is considered significant because the applicant has chosen to implement the identified mitigation. Refer to comment A-26.

D-3 This comment addresses the merits of the project, not that accuracy or adequacy of the EIR/EA. No response is required.

D-4 Comment denied. This comment addresses the findings of the EIR/EA. No response is required.

D-5 Per CEQA Section 15126.5 (d) "the EIR/EA shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project."

D-6 This comment addresses the merits of the project, not that accuracy or adequacy of the EIR/EA. No response is required.

D-7 This comment addresses the merits of the project, not that accuracy or adequacy of the EIR/EA. No response is required.
II. Repeal assessment of current brush management

Proposed code sections do not appear to provide adequate assurance that property owners will carry out brush management consistent with the City's proposed code requirements. The City should ensure that property owners will "prevent the continued growth of fire hazard" in zone 2. Yet the EIR/EA also indicates that past fire protection requirements (e.g., west control) have been ignored, and proposed code sections contain no language requiring maintaining the exact proposed by the City in the EIR/EA.

Additional language should be added to the code clearly stating that brush management shall not exceed parameters considered in the EIR/EA. The code should also be reviewed to ensure that all activities meet requirements for any brush management, including EIR/EA, parameters.

1. Update language of zone 1 density with new development footprint

The EIR/EA is not clear that even if it will be entirely cleared within the footprint of any future residential, commercial, or other development. The EIR/EA should clarify that this is the case.

2. QUESTION: Will zone 1 still be entirely within the footprint of any future residential, commercial, or other development?

Proposed brush management code sections appear consistent with the text of the EIR/EA and vice versa. The City should ensure consistency between these documents.

3. Proposed brush management procedures presented in the EIR/EA do not appear to be included in the proposed code revisions. Proposed code revisions do not appear to address concerns of homeowners and stakeholders on brush management, planting and grading methods, equipment types, values to avoid sensitive resources, and any required permits, closures, or approvals. See EIR/EA at U-3. According to the EIR/EA, "...the regulations are sufficient methods for preventing instability". The same appears true for other procedures. Proposed code revisions should be reviewed to incorporate all of these recommendations.

4. This comment addresses the merits of the project, but this necessary or adequacy of the EIR/EA. No response is required.
D-15 Refer to comment D-13. The proposed level development code amendment is attached, in its entirety, to the SR/EA as Appendix C.

D-16 This comment addresses the merits of the project, not the accuracy or adequacy of the SR/EA. No response is required. The SR/EA, based on evaluations of existing brush management areas, makes certain assumptions about how the proposed brush management would be implemented. Compliance with all aspects of the implemented plans is not necessarily assumed.

D-17 The SR/EA assumes that vegetation, whether native or nonnative, would be thinned currently.

D-18 Comment received.

D-19 Refer to D-17. Fire risks would not increase. This comment addresses the merits of the project, not the accuracy or adequacy of the SR/EA. No response is required.

D-20 Refer to comment A-12. The data provided for the Brush Management SR/EA is consistent with the mapping and analysis required for projects reviewed at a Citywide level. The Biology Guidelines refer to requirements for proposed developments at the project-specific level.

D-16 Refer to comment D-13. The proposed level development code amendment is attached, in its entirety, to the SR/EA as Appendix C.

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appear to provide adequate detail on the specific impacts of expanded boulder clearing on biological resources, especially with regard to special-status species other than the California red-legged frog.

Environmental analysis for impacts to special-status species appears to have relied only on 1997 NISP data for the MSDF and fish species. See BIRDWA at 4. Tables V.B.1 and V.2 appear to provide the most comprehensive assessment of impacts to specific sensitive species other than the California red-legged frog. NISP data are likely to be significantly out of date. The Section V.B.3 tables are certainly cursory and appear to illustrate the absence of any comprehensive field survey or even recent collection of information contained in the Natural Diversity Database or other records.

Analysis of biological resources impacts presented in the aging database and Section V.B.3 tables does not appear to comply with the City's biology guidelines at Section 11A. The City should outline any specific resource issues to comply with the biology guidelines. The City should also establish a schedule behind any conclusion that the expanded boulder management project is not subject to the biology guidelines.

The apparent lack of required analysis leaves the City with two choices. Either the City must expand its efforts to identify impacts to biological resources, consistent with Section 11A of the biology guidelines or the City will not be able to definitively conclude that expanded boulder management will not result in significant impacts to the NISP, native vegetation in Section I.B.IIA, and other resources. With these issues unresolved, the City may face the burden of proving the project will not result in significant impacts to the NISP, native vegetation, or other resources.

The NISPWA also fails to address the apparent proposed creation of an extensive fire wall between zone 2 and open space. According to the EIR/EA:

External fire walls have been added to the local development code regulations (LDC) by the City itself which include the proposed modification which is attached to the EIR/EA as Appendix C.

See id. at VIII.3. Combination of the walls between zone 2 and open space as a very significant impact to biological resources, neighborhood character/esthetics, and other resources. The biological resource analysis does not appear to address the potential significant impacts of this action. Existing dimensions of natural open space, the NISPWA, and open habitats and linkage areas, it is unknown from the EIR/EA whether the action is actually proposed as part of the preferred alternative. If proposed, the NISPWA should be expanded to assess any significant firewall impacts.
D-27  QUESTION: Were any field surveys conducted to identify the possible locations of any sensitive species outside the boundaries of the proposed project?

D-28  QUESTION: What steps have been taken to identify known locations of sensitive species and select mitigation actions to minimize impacts?

D-29  QUESTION: Have the City conducted site-specific studies or reviews for the purpose of identifying or mitigating the impacts associated with the proposed project?

D-30  QUESTION: Is the proposed project within the feasibility area designated as a cumulative impact site?

VII. CEQA/SEA and Sensitive Species - A more detailed discussion of mitigation measures is provided in the CEQA/SEA and Sensitive Species discussion below.

The EIR/BIA does not address impacts to biological resources which may have been identified as mitigation measures in the proposed project. Previous biological impacts have been considered "cumulative" - simultaneously resulting in no significant biological resources and not assessed as mitigation. Therefore, the proposed project involves a minor degree of impact on biological resources which may not be considered in the CEQA/SEA and Sensitive Species discussion below.

D-31  QUESTION: What authority does the Coastal Commission have over the proposed project?

The Coastal Commission does not have authority over the proposed project, as it is located within the coastal zone. The City should therefore ensure that the EIR/BIA is complete and consistent with State regulations.

D-32  QUESTION: What authority does the Coastal Commission have over the proposed project?

The proposed ordinance will require approval by the California Coastal Commission before the City Council can consider adoption of the resolution, as required by law.

D-33  QUESTION: What are the current status of CEQA/SEA and Sensitive Species discussions, and what is the recommended action for the proposed project?

The proposed ordinance will require approval by the California Coastal Commission before the City Council can consider adoption of the resolution, as required by law.
Code revisions should be expanded to expressly prohibit any brush management including burning and prescribed burning practices not approved by the Planning Director. The Planning Director should be required to approve any brush management practices that may result in a fire hazard. The Planning Director should also be required to review and approve any brush management practices that may result in a public health hazard. The Planning Director should also be required to review and approve any brush management practices that may result in a public safety hazard.

D-34 Refer to comment D-9.

D-35 Refer to comment D-36.

Educational programs should be conducted through the City's Department of Parks and Recreation, and other local organizations.

D-36 Refer to D-37.

The City should conduct educational programs to inform the public about the importance of brush management practices approved by the Planning Director, including the fire safety and public safety implications of brush management practices that may result in a fire hazard or public safety hazard.

D-37 Refer to D-38.

Conduct educational programs to inform the public about the importance of brush management practices approved by the Planning Director, including the fire safety and public safety implications of brush management practices that may result in a fire hazard or public safety hazard.

D-38 Conduct educational programs to inform the public about the importance of brush management practices approved by the Planning Director, including the fire safety and public safety implications of brush management practices that may result in a fire hazard or public safety hazard.

D-39 The draft SEIR/EA includes additional mitigation measures that are not proposed. However, the draft SEIR/EA is subject to change at any time before or at the public hearing. Changes may or may not affect the ability to use the draft SEIR/EA as written. Refer to comment D-41.
Thank you for your consideration. Please contact me at 619-574-6266 if you have any questions regarding these comments.

Sincerely,

[Signature]

Center for Biological Diversity
Endangered Habitats League
Friends of Los Penasquitos Canyon
Friends of Rancho Penasquitos
San Diego Audubon Society
San Diego Chapter: California Native Plant Society
San Diego Chapter: Sierra Club
Thirty-Second Street Canyon Task Force

do City of San Diego Mayor Dick Murphy and Councilmember
California Coastal Commission
T able 1. Cover of native and alien species in the tropical submountainal and (Hawaiian) Volcanic National Park, Hawaii (numbers do not represent exact values due to different methods in all).

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...diversity of native seeds and one percent of the land area dominated by these species. Shortly after that, I introduced the use of native grasses and legumes, and seed cover in areas had to be maintained at least 50% in order to achieve the desired effect. In the future, I plan to further develop the land area dominated by these species. From these areas, the importance of maintaining a high percentage of native seeds is evident, as this will help to maintain the ecological integrity of the land.

Although the project is ongoing, I have learned a lot from it. I have learned that the maintenance of ecological integrity is not only crucial for the land but also for the local community. The project has also helped to raise awareness about the importance of native plants and grasses among the local community.

In conclusion, I believe that the project has been successful. The land has been maintained in a way that is sustainable and also beneficial for the local community. I hope that this project will set an example for other areas to follow. Thank you for your attention.
STRUCTURE IGNITION ASSESSMENT CAN HELP REDUCE FIRE DAMAGES IN THE W-U1

Peter Cohen and Jim Stedman

The risk associated with the W-U L (wildland-urban interface) is significant for residents in areas dominated by or adjacent to wildland areas. Significant W-U L problems for some jurisdictions are not being recognized or monitored. The risk of wildland fires affecting urban areas is increasing, and the potential damage is substantial. The use of wildland ignition assessment is necessary to identify high-risk areas and develop strategies to reduce the risk.

Wildland ignition assessment (WIA) is a process that involves the following steps:

1. Identifying high-risk areas
2. Assessing the ignition potential of the area
3. Developing strategies to reduce the risk
4. Monitoring the effectiveness of the strategies

WIA is used to identify areas where wildland fires are likely to occur and to develop strategies to reduce the risk of such fires. The strategies may include the following:

- Creating fire breaks
- Prescribed burns
- Land use planning
- Education and outreach

The goal of WIA is to reduce the risk of wildland fires and the potential damage they can cause. WIA is an important tool for reducing the risk of wildland fires and protecting urban areas from wildland fires.

History of the W-U L

The Wildfire Ignition Assessment Program (WIA) was developed in the early 1980s to address the growing problem of wildland-urban interface fires. The program was based on the premise that wildland fires are a natural occurrence and that the goal should be to reduce the risk of wildland fires rather than trying to eliminate them. The program was successful in identifying high-risk areas and developing strategies to reduce the risk. However, the program was criticized for not being comprehensive and for not focusing on reducing the risk of wildland fires in urban areas.

The W-U L problem has been recognized as a significant issue for several decades, and the risk of wildland fires affecting urban areas is increasing. The WIA program has been successful in identifying high-risk areas and developing strategies to reduce the risk, but the program has not been able to address the risk of wildland fires in urban areas.

Conclusion

Wildland ignition assessment is an important tool for reducing the risk of wildland fires and protecting urban areas from wildland fires. The program has been successful in identifying high-risk areas and developing strategies to reduce the risk, but it has not been able to address the risk of wildland fires in urban areas. Further research and development of the program are needed to improve its effectiveness in reducing the risk of wildland fires in urban areas.

Ignition Assessment for Improving Structure Survival

Wildfire Ignition Assessment (WIA) is a process that identifies areas at risk for wildland-urban interface fires and develops strategies to reduce the risk. The program is based on the premise that wildland fires are a natural occurrence and that the goal should be to reduce the risk of wildland fires rather than trying to eliminate them. The program has been successful in identifying high-risk areas and developing strategies to reduce the risk. However, the program has not been able to address the risk of wildland fires in urban areas.

The WIA program has been successful in identifying high-risk areas and developing strategies to reduce the risk, but it has not been able to address the risk of wildland fires in urban areas. Further research and development of the program are needed to improve its effectiveness in reducing the risk of wildland fires in urban areas.
Background of the Wildland-Urban (W-U) Interface and SIAM

The SIAM "Wildland-Urban Interface" (W-U) model is designed to assess the potential for wildland fires to spread into and damage urban areas. This model is based on the principles of the Wildfire Ignition Assessment Model (SIAM), which evaluates the potential for wildland fires to impact urban areas.

The SIAM model is used to assess the potential for wildland fires to spread into and damage urban areas. This model is based on the principles of the Wildfire Ignition Assessment Model (SIAM), which evaluates the potential for wildland fires to impact urban areas.

To achieve these objectives, SIAM uses an integrated approach to identify areas that are at risk of wildland fire spread into urban areas. This approach includes evaluating the potential for wildland fires to impact urban areas, considering factors such as vegetation type, fuel moisture, and weather conditions.

Fire Inventory Implications

Since their inception, wildland fire inventory systems in the United States have been based on improving the accuracy and completeness of the data collected by the Forest Service. This has led to increased use of fire inventory systems to assess the potential for wildland fires to impact urban areas.

Vegetation Management Implications

Wildland fire management practices, such as prescribed burns and fire suppression, can help reduce the potential for wildland fires to impact urban areas. However, vegetation management efforts must be coordinated with urban development plans to ensure that these efforts are effective.
An Examination of the Summerhaven, Arizona Home Destination Related to the Local Wildland Fire Behavior during the June 2003 Aspen Fire

Jack D. Cohen
Research Physical Scientist
USDA Forest Service
Rocky Mountain Research Station
National Fire Sciences Laboratory
400-322-2621
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August 1, 2003

Summary
I examined the home destination in Summerhaven associated with the 2003 Aspen Fire on July 11 and August 1. My exploration was prompted by questions regarding the wildfire behavior related to home destruction and specifically whether this home could have influenced the wildfire in the Summerhaven area. The evidence revealed by my exploration indicates that the wildfire in the Summerhaven area largely spread as a surface fire and not as a high intensity crown fire. The differences in the direct fire and the residential areas related to the home characteristics result in the less severe fire to its destroyed neighbors.

Although the wildfire largely spread on the surface, high intensity burning occurred in several locations. Of high interest to me, the base pattern suggests that high intensity fire spread occurred from a high energy to structure.

Residential
The Aspen Fire started on June 11, 2003 in the San Carlos Mountain north of Tuscon, Arizona. On June 16 the fire spread into the community of Summerhaven. Over 300 homes and celulas burned in association with the wildfire. These 1 and 2 show the characteristics of the wildfire. Lower 1 and 2 show the characteristics of the wildfire 1 and 2 show the characteristics of the wildfire.
High intensity smoke often occurs in the lower portion of the smoke plume, where
surface-layer turbulence helps to maintain it. Smoke plumes from large fires extend
and spread from their source locations. Photo A shows smoke from the Tamarack Fire
rising under the surface. Although the smoke is present at very low intensity, the
image shows how smoke can affect visibility and air quality around the fire source.

The wind and the spread of the smoke determine how quickly it can travel to
higher elevations. The wind direction can significantly affect how the smoke
settles. Photo B shows a view of the smoke moving up a hillside, which can help
in assessing the fire's spread.

Photo C—smoke observed rising from the fire's southern flank, indicating
stronger winds coming from the west.

The smoke plumes from the fire are not only a hazard for firefighters and
surrounding communities but also impact the environment. The smoke can
contribute to air pollution and affect visibility. It's crucial to monitor
and manage these plumes to minimize their impact.

Photo D—smoke observed rising from the fire's northern flank, indicating
stronger winds coming from the east.

The smoke plumes can also affect wildlife and ecosystems. The smoke from
large fires can displace birds and other animals, leading to potential habitat
loss. It's important to monitor the impact on wildlife and take appropriate measures
to mitigate these effects.

Photo E—smoke observed rising from the fire's western flank, indicating
stronger winds coming from the north.

Monitoring smoke plumes is crucial for fire management. By understanding
the patterns and directions of smoke movement, firefighters can better
prepare for potential changes in fire behavior. This knowledge helps
in planning evacuation routes and safely conducting firefighting
operations.

Photo F—smoke observed rising from the fire's eastern flank, indicating
stronger winds coming from the south.
That leaves the question of how one home can survive adjacent to total home destruction. Thicker 15-46 above such a situation. Fire does not behave uniformly; it often needs the requirements for combustion or act. If a high intensity crown fire has moved through the entire residential area, and then the distance between structures would not have made significant differences to the requirements for combustion. But even open lines do not have the ability to directly ignite wood at distances greater than 150 feet. Thus, when surface fire principally causes the ability to directly ignite a house near to wood within a few feet of it contact with the flammable parts of the structure. A structure may ignite directly from vegetation that have come from an intense wildland fire at over 1/2 mile away, but these ignitions are dependent on the materials and design of the structure. Thus, significant differences in the requirements for combustion are more likely to occur than can occur to an adjacent house. These differences in the direct flame and fire behavior depend on the house characteristics result in one house surviving and the destroyed neighbor.

![Image of forest and destroyed homes](image_url)

*Figure 15:6—Homes destroyed adjacent to burned out wildland fire. Significant differences existed in the speed and manner in which necessary to fuel the winds and other factors.
The City Heights Area Planning Committee voted July 7, 2004 to recommend full consent regarding the Brush Management Plan:

1. The recommended clearing to increase fire safety does not appear to provide adequate protection for native species and habitats.

2. Educational requirements to include potential for clearing of sensitive and protected vegetation to native habitat.

3. Educational requirements do not seem to be in place or to be provided the projects. Determine the education regarding how to protect the habitat from general and specifically the canyon (see item 2) which is not addressed in this proposal that will require more objective and possible result.

4. Every effort should be made to ensure the protection of the Gwaltney Habitat.

Best Regards,

Michael Blum
City, 255-7592

E-1

Comment noted.

E-2

Education and training was rejected as an alternative.

E-3

Refer to comments panel D-05.

E-4

Comment noted.
June 14, 2004

Alice Eady
Environmental Planner
City of San Diego Development Services Council
1222 First Ave., MS 2501
San Diego, CA 92101

Reference: Draft KIRRA (Oct '93) for brush management in the La Jolla Development Code and Federal Grant from the Office of Emergency Services (OES), Federal Emergency Management Agency (FEMA)

Dear Ms. Eady:

On June 9, 2004, the City of San Diego's Community Forest Advisory Board voted unanimously to provide the following comments on subject KIRRA.

General Comments

Though the Cedar Fire had many devastating effects on our community and environment, one potential positive effect that the fire provided was a "real world laboratory" to test the dynamics of fire, fire spread behavior, building material susceptibility to ignition, brush management effectiveness and site-specific susceptibility. However, we see nothing within the brush management ordinance or the SBIR that reflects any research or collected data that supports the need for expanding the width of brush management zones or supporting the effectiveness of brush burning in general. A simple comparison showing the performance of these three zones on lands that had recently been brush burned compared with those that did not would have either proved or disproven the efficacy versus the cost of the proposed changes to the ordinance.

The fact is that many wind-driven fires are intentionally affected by the implementation of brush management burning. Brush fires are very defendable given the 25" Zone 1 approach and do not require Zone 2 burning. Only a small number of non-extreme fire events would require a positive effect from burning in Zone 2. We are not convinced that the positive benefits outweigh the negative impacts. However, if the ordinance is to be implemented, then all possible alternatives and impact mitigations must be considered by the MBE.

The CFAB is concerned that the emphasis on a "one size fits all" brush management policy that is not clearly defined and without scientific bases will result in excessive cutting of native vegetation and tree removal. Some slopes would not require a 50% reduction to meet while others would require a 100% elimination to meet.

This comment addresses the merits of the project, not that necessary or adequacy of the SBIR/EA. No response is required.

This comment addresses the merits of the project, not that necessary or adequacy of the SBIR/EA. No response is required. CEQA requires evaluation of a "reasonable range of alternatives" (evidenced) and "reasonable mitigation measures" pursuant to section 15126 (c).

This comment addresses the merits of the project, not that necessary or adequacy of the SBIR/EA. No response is required.
offices are likely to exceed more than 50%. The CPAB is especially concerned about the negative
utility that fees (either or non-native) are seeing from the years and city representatives.
This is despite the well-known principle that effectively funded fees represent a very low
burden. There is a delay in the implementation of a storm water management plan, often
up to the end of the fiscal year. On the other side, there was consensus after the Central
Fire. It appears that these changes to the storm water management plan are motivated more by political
opportunity and visibility than science or research.

Specific Comments for Alternatives in the Draft Environmental Impact Report for the Revised
“Fire Management Plan”

2. An alternative allowing the replacement of highly flammable native with low flammable
vegetation was considered to have significant impacts based on the assumption that
supplemental irrigation would create significant impacts. This is inconsistent with the language of the
storm water management update, which allows for supplemental temporary irrigation. To ensure that the
supplemental irrigation will occur in a natural way that will create impacts to biology, ecology, and
water quality is not acceptable. An effective firebreak native some of low flammable
vegetation in the best solution for fire management. It would contain sources to biology,
ecology, and water quality. Most native vegetation is not negatively affected by additional
irrigation, though direct soil cover of cuticles can create problems. However, this
alternative should assess that non-native species irrigation techniques would need to be used (bulky, low
flow, slow, and high pressure) to prevent the contamination of a solution for fire spread, not a condition.

Any property owner need not choose an alternative. The management plan should be
to apply for alternative management under a substantial part. If the application meets important
conditions and standards, approaches allowed under this alternative can be considered:

1. The planned replacement of highly flammable native vegetation with other sustainable
vegetation that has a significantly lower fire risk, utilizing accepted standards such as
the flammability list of species provided by the California Native Plants
Society;

2. For those existing property (prior to 1989) that do not have a CII 35” exceed fire
structures because some, or most of this distance is on slope, the property owner
should be allowed to plant and irrigate non-native or native low-flame species. However,
species would not be allowed to in fact water these slopes. Irrigation would be
recommended to be temporary, but based on conditions, the irrigation
should be allowed, by permit, to be permanent.

3. Allow for the use of irrigation systems (temporarily or permanently) during Santa Ana
conditions or other elevated fire hazard warning conditions to reduce the risk of
fire. Restrictions on irrigation practices and types of irrigation would need to be put in
place to discourage excessive plant growth, namely, the support of non-native
invasives that might increase fuel loads. Accommodation at the conclusion (by right

Page 5 of 7

This comment addresses the merits of the project, not that necessity or
adequacy of the SEIR. No response is required.

Page 6 of 7

This comment addresses the merits of the project, not that necessity or
adequacy of the SEIR. No response is required.
or permit) should be made to include the use of special purpose irrigation systems designed for the protection of the structure or grounds.

b. The inclusion of a public education program was an alternative considered, but rejected (VIII-4). It is noted that these educational materials are already available. However, many of the materials are case-study oriented and do not provide enough guidance related to the City of San Diego Beach Management Ordinance. Given the Fire Chief has the ability and responsibility to define
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which properties will have the brush management ordinance apply to them and once notification is required to the public, most of the properties, e.g., specific procedures addressing the issues brought up in this letter, should be considered. The intent was not to have public education as a stand-alone alternative, but rather to have it serve as a possible mitigation to several issues listed in the EIR.

A public education and training program is needed as part of this ordinance. This would include definitions of pruning, thinning, cutting, grading, plant removal without root removal, tree and herb management, and other terms that may be understood by the general public. Without

the commitment of a training program with materials to be given to the public, it is difficult to see how the project could be impact neutral. The ordinance should require an education program that would take city councils and commissions in current planning methods. The ordinance should set up a certification process for contractors offering this service. The ordinance should require inspections and allow for the denial of payment for services that do not follow guidelines. Some

of this education should include the following concepts:

- Removal of invasive plants first to be treated within first year. Treating 20% covered soil area with

- Recognition that there are native plants and vegetation that are naturally low fire, or that can be easily managed to be low in fuel and invasive plants that are high in fuel

- Installing fire breaks to prevent spread of fire.

- During the construction season, all invasive plants over 20" high should be treated prior to the fire season but after the removal of any violations.

- An appropriately scaled shrub will need to be planted every four to six years to replace

- Windows that have accumulated, or to maintain the crown again. Avoid damaging any new growth that may result in the proliferation of combustible twigs if done in the dry season, or may kill the shrub if done in the dry season.

- Avoid deforestation of healthy ground. Avoid cutting trees in Zone 2, which could lead to types of vegetation that could be more susceptible than healthy natural shrub.
Specific Comments for Impact Analysis in the Draft Environmental Impact Report for the
renamed "Green Management Plan"

F-17

1) CRAB recommends a change to the title of ordinance and the text to "Vegetative
Management" to alter the public perception that all brush (vegetation) is
dangerously flammable. The emphasis should not be upon fuel, but brush, since fuel is in
all different forms, whether native or planted intentionally, as well as fillings and
building materials.

2) CRAB believes that the review of potential neighborhood character / aesthetics is totally
inadequate. The lack of public education and the excessive requirement to remove branches
up to three times the height of adjacent buildings, will result in the complete removal of
everything except the trunk of every tree. Most native trees are only five to seven feet in
diameter, therefore requiring at least three feet of brush clearance, which is more than the total
height of most native or indigenous trees.

CRAB is concerned that if without public education and utilization by the brush management
ordinance, bush or large tree limbs are likely to be removed, resulting in a significant
deterioration in neighborhood/aesthetic appeal. Native vegetation or non-native trees should not be
removed as part of either zone. Pruning of branches causing a 15% clearance around a
structure should be encouraged. Fines or penalties will affect only native vegetation, hollow
branches, leaf build-up or leaves, whereas the ordinance should provide a policy and
guidelines on tree fuel management.

To make matters worse, the ordinance language is not clear. It states that only trees that are
considered to be fire-susceptible natives can receive brush grade permits, except for young saplings
are not fire-susceptible. Only those that are in mixed areas are even potentially fire-susceptible.
This would mean that most native and non-native and indigenous trees would be subject
to removal. In addition, it appears that growths are to be eliminated since the ordinance only
allows for single stand-alone specimens and/or species that are situated so as not to threaten
fire to the structure. Based on these definitions, many trees are likely to be removed, creating an
energy, safety and aesthetic impact.

F-24

3) CRAB also concerns about tree removals in Zone 1. The ordinance states that tree
shall be at least 10 feet away from a structure, measured at the drip line based on the mature
size of the tree. If the tree was planted regularly, it would never exceed 10 feet of the
outside of the structure, so this guideline is misleading and inaccurate. We believe the wording
needs to be revised, since it encourages the trees not being close to the house but not 10' from
another. This standard seems consistent, but the fact is there is no real data to support it. Throwing
numbers at the public via ordinances based on guesswork is not justification. The public has
intensive management found that over 60% of the trees in the Garber area had a branch two "within 10' of the house." The data gathering was
very important. We do not know if the two facts or no energy use within 10', but do see

Page 4 of 7
This requirement also takes away the ability of a homeowner to build their house. Many homes do have setbacks or yards capable of supporting a tree at its full natural size and height. Several homes have buffer zones or setbacks that allow trees to grow to their full height and still remain on the property. However, the City has not established standardized setbacks for tree growth. The setback from the house is usually determined by the homeowner, and in many cases, these setbacks have been reduced by the homeowner, not the City.

44. Under previous analysis of the existing brush management ordinance and as listed on page V.2-2, brush management in Zone 2 is considered to be "impact neutral." This is contradicted by a statement on page V.2-20 that reads: "The proposed brush management revisions would result in potentially significant impacts to sensitive species." These impacts are considered to be reduced to below a level of significance through acquiring other habitat. Impacts found in Tennessee Valley and in Shasta Valley are generally considered to be below a level of significance through acquiring other habitat. Impacts found in Redwood Valley and in Shasta Valley are generally considered to be below a level of significance through acquiring other habitat.

5. Impacts associated with hydrology and erosion are specified to include the site that is not being disturbed, impacts are not associated with the proposed brush management. The proposed brush management is intended to reduce the risk of erosion, sedimentation, and floodplain encroachment. Without a public education campaign, increases or aesthetics, soil disturbance is likely to occur. It would be better to let the impact as potentially significant and show that it can be mitigated through a public education campaign.

Under the section on Erosion (V.C.13), this supports the claim that erosion does occur on steep slopes or unstable soils. However, due to the presence of the proposed brush management, the risk of erosion is lower. The MOSU listed in Appendix B, indicates that under Section II, paragraph 2, a proposed soil is allowed to be used for erosion. For example, erosion is allowed to occur in the proposed soil to reduce soil erosion.

The study does not attempt to quantify the amount of the city's brush management zones that are located on steep slopes or unstable soils. However, the GIS data used to determine the impact of brush management can be easily used to quantify the total

For the proposed brush management regulations, a less frequent separation is required between structures and the edge of open space. This regulation is not proposed to be changed in the revised ordinance.

For the current brush management regulations, invasive plants that are classified after brush management has occurred are to be controlled by using the invasive plants within Zone Two. This regulation is not proposed to be changed in the revised ordinance.

The clear and re-plant Brush Management Zone Two alternative is analyzed in detail on page V.1.4 of the draft SBREA.

Cultural brush management regulations require that thinning activities not disturb the root system of the plant. The proposed C-5.

Please see Section C-5.

The 1997 MOSU is in agreement with the proposed regulations and the County Fire Chief. The current and proposed brush management regulations for the City of San Diego do not allow clearing within Brush Management Zone Two.

The proposed ordinance does not include grinding or grading of soil in Zone 2 and Zone 1 is not allowed on steep slopes, therefore the proposed ordinance is required for the analysis in the SBREA.
areas of steep slopes and erodible slopes. Again, it would be better to recognize the more care scenario that would result from thinning and the loosing of soil by erosion. This situation impact can be reduced to being a level of significance by public education to prevent all plant removal, tree removal and the use of soil damaging equipment and techniques. Also, actions such as requiring chipper vegetation to be placed over all slopes in effort to reduce erosion and preventing vegetation proliferation. Studies show that chipper vegetation is much less flammable than standing vegetation, due to the pulling of the matter which prevents air (oxygen) from being available for ignition.

4. A determination needs to be made in the cycle of thinking that may be required as well as advantages at the end of year that the thinning should be done. The management that would indicate that any highly flammable material would grow back at a slow rate. This is probably unrealistic and may actually impact the habitat. Some guidelines are needed, perhaps a minimum of ten maintenance cycles. The public needs to understand that the control (50%) refers to areas of soil covered by the remaining plant cover after thinning and grading not are significant to take away half of the existing vegetation. This is difficult; if the vegetation is already sparse, it may not be necessary to remove very much to achieve 50% coverage.

7. Given the realities of limited budgets, areas with steep slopes and heavy fuel loads adjacent to inhabited areas should receive a higher priority for fuel management compared to areas with lower fuel loads. The area for all “management zones,” with all the adjacent lands being held to the same standard of performance, will expose the city to liability, since it will not be able to give all areas the same level of care, due to the limitations of maintenance cycles, budget and differences in growth rate on different areas.

However, it is anticipated that high priority fuels management, then priorities would be reduced only when all areas are not treated in a given year. Vegetation with high levels of fuel should receive different priorities for fuel management. Areas that receive each maintenance fuel treatment should receive a higher priority than areas that are already quite open in structure, or riparian areas with low fuel load in all plants. Consideration that support vigorous stands of self-sustaining annual grass such as meadow or fescue should be considered at a high priority due to high fire fuel management, while low fuel potential areas may pose a very low fire risk.

3. The City should develop and make recommendations for the use of controlled burns or use of goats in order to reduce fuel. Controlled burns may be risky and increase liability. Goats, which might be stable to reduce fuel growth, could be a viable alternative. Vegetation on varying levels is often desired; for other shrubs have been thinned and grown, not well suited for intensively thinning or eliminating deadwood in shrub stands, and so should not be used in that capacity.

9. Through the ordinance is based on vegetation fuel management, all information from the City needs to continue to emphasize the need to modify building codes for properties benefiting open space. The risk remains to leaving property damage from fires is not managed in Zone 2. It is the proper use of fire-safe construction materials
(including roofing, windows, doors, doors, walls, siding, deckings, shrubs enclosures and fences), the prohibitions of small-dimension wood construction (such as native, greenhouses, fencing, plant enclosures, balconies, exterior trim and cladding) and the proper guidance for new developments that provide adequate and defensible buffers such as predator parks, parking lots, large roads, etc. Designed into the community layout to reduce exposure of homes to flying ashes during high-wind wildfires and to create defensible spaces for firefighters to defend their homes.

The Board wants to especially recognize one of its members, Mike Singleton, ASLA & AIA, for his leadership role in reviewing subject documents and compiling these comments.

Thank you for allowing the Community Forest Advisory Board to comment and for considering our input.

Sincerely,

[Signature]

Nancy J. Hughes
Chair, Community Forest Advisory Board

[Email: nancy.hughes@skyway.com]
Comment Letter G

3135 Turbineshade Place
San Diego, CA 92123

July 9, 2004

Ms. Ramini
Environmental Protection
City of San Diego Development Services Group
2220 Fifth Avenue, PO Box 2631
San Diego, CA 92110

Re: Draft Supplemental EIR (S-100) for Bush Management
Resolution of the Local Development Code and Flood Control from the Office
of Emergency Services (OES), Federal Emergency Management Agency (FEMA)

Dear Ms. Ramini,

I was not able to find any scientific or technical documentation in this document regarding the proposed bush management and flood control changes that would justify such environmental conditions as the City of San Diego's desire to acquire any mitigation. What scientific research has been done to support these conditions?

Mitigation - the City of San Diego's wish to mitigate whenever we can makes little sense if the potential significant impacts are not mitigated in a reasonable manner. This is true for the mitigation process, but not for the applicant site. This mitigation strategy has not been agreed to by the applicant.

Mitigation (Monitoring and Reporting Program) The purpose of the mitigation will be to provide a means to monitor the progress of the project. This program will involve the City of San Diego, the homeowner, and the engineer.

G-1 Mitigation will be provided for potential impacts to property as described in Section V B of the SEIR/EA.

G-2 The mitigation process includes:

G-3

G-4

G-5

1. The comment addresses the necessity of the project, not the accuracy or adequacy of the SEIR/EA. No response is required.

The SEIR/EA acknowledges that the impact is significant since mitigation is not proposed.

Mitigation is now provided for potential impacts to property as described in Section V B of the SEIR/EA.

Temporary mitigation will not increase the amount of groundcover, as would a more permanent project. Temporary mitigation within a Bush Management Zone Plan is provided for plant establishment only when existing vegetation does not meet coverage requirements.

Current and proposed regulations require thinning of existing vegetation within Bush Management Zone Plans. It is not anticipated that large areas of bare soil would be exposed.
G-6 The ordinance does not authorize excluding all vegetation, but requires a 50% reduction in total cover which includes plant coverage of 50%.

G-7 Refer to comment D-12.

G-8 Landfill provide access for green waste disposal which is authorized for

G-9 Current regulations require that native or non-invasive, low fuel and fire

G-10 Comment noted.

G-11 The comment addresses the merits of the project, not the accuracy or

G-12 Comment noted. Potential erosion while performing brush management

G-13 Refer to comments D-16 and D-10.
The proposed brush management revisions are not changing the standards except for when new trees are planted as a property.

Batch Management Zone One requires permanent irrigation as a part of defense from potential wild fires. A property owner may want sprinkler or drip irrigation, not necessarily automatic, to meet the 10 percent of total yard area standard for the Brush Management Zone One and would have to be approved by a Fire Prevention Officer.

This section does not allow clearing, unless it allows new planting if existing plants do not meet the 50 percent coverage standard.
Comment Letter H

Dodi Rabinovitz, Environmental Chair
Friends of Sunset Cliffs
1071 Sunset Cliffs Blvd.
San Diego, CA 92107

Alison Map
Environmental Planner
City of San Diego Development Services Center
3232 Felt Avenue, MS 391
San Diego, CA 92101
Email: DODiTDA@sdiego.gov
SUBJECT
Project No. 31245, SC784. No. 2004021041
Draft EIR/ERAs: Jan 1993
Regional Management Review to Land Development Code

July 9, 2004

The Friends of Sunset Cliffs would like to ask the City to create a category of land that would not be subject to Brush Management due to certain criteria. Sunset Cliffs Natural Park is an example of this type of exception.

1. The 50 acre Bluffland Stabilization area is entirely MPA in a designated city open space park. This is the only City-owned coastal bluff open space park south of Torrey Pines.

2. The park is located on the west side of the Pacific Ocean with developed residential housing separated by a street to the north and a well-lit and landscaped college to the east and the south boundary to Navy property.

3. The road to San Diego Bay that any selenium which whose force would not likely cross this other barrier.

4. Brush management in this park would preserve the efforts to re-vegetate with native coastal sage scrub and fire the vital wildflowers with the 60+ acres of federally protected ecological reserve to the south.

5. The most visible wildlife habitat area is the Northwest Canyon which adjoins the PLNU campus. This canyon is so narrow that 35 of Zone 1 type clearing would destroy this small but unique island of refuge for wildlife. These areas and fire hydrants on the PLNU campus right on the edge of this lovely canyon. Some discussion must be allowed to retain this habitat.

The Friends of Sunset Cliffs has two main concerns:

1. Can adequate notice be given if Brush Management is to be scheduled?
2. Can exceptions to Brush Management be made that do not have unique potential value to habitat and plant communities and as in this case, are not likely to be subject to catastrophic wild fires and have adequate fire defenses for the developed areas adjacent?

Thank you for the opportunity to comment on this SRR. We look forward to your answer.

Sincerely,
Dodi Rabinovitz, Environmental Chair of Friends of Sunset Cliffs
Comment Letter 1

SAN DIEGO AUDUBON SOCIETY
4891 Pacific Highway, Suite 120 • San Diego, CA 92119 • 619-233-7700

July 8, 2004

Via email: DDEAS@aududn.org

Chris Zedda, Assistant Deputy Director
Development Services Department
City of San Diego
550 12th Street,
San Diego, CA 92101

Dear Mr. Zedda,

Subject: Comments on SEIR for Brush Management Provisions
in the Land Development Code, Project No. 918248

The San Diego Audubon Society supports the comment letters submitted by the Native Plant Society and Center for Biological Diversity based on the subject document. We are concerned that the subsequent Environmental Impact Report (EIR) does not adequately describe the potential environmental impacts of the project and does not satisfy the minimum requirements of the California Environmental Quality Act.

We realize that there is a strong need to quickly reduce our vulnerability to wildfires for this fire season. The document was done very quickly with very shallow investigation and analysis to meet a very tight deadline. Obtained inadequate information to present to guide brush management over thousands of acres for many years. We urge that a temporary ordinance be adopted based on this document for this fire season. Then initiate a better collated and reviewed procedure, a better environmental analysis, including the impacts, appropriate controls, and reduced mitigation, and an adequate SEIR be produced for subsequent years.

PROJET IS NOT CLEARLY DEFINED

On the second page (underlined) of the document, it makes that the proposed policy is based on the current brush management regulations in the Land Development Code adopted in 1997, but excludes the Zone Two to 15 feet in height classes. Page 8-1 states that under the current regulations, "Brush Management Zone Two is an area of native plant materials thinned to 50% to reduce fuel load." However, the procedure for clearing appears to be thinning cut 50 percent of the plants over 18 inches in height is a height of 8 inches, then pruning the remaining plants to reduce fuel loading. Thus the reduction in vegetation is far less than 50%. The SEIR does not define or state the amount of the additional pruning. If these plants are allowed up to their height to reduce the fuel ladder effect, and their diameter reduced by 25%, (a very typical pruning practice), the pruning alone would reduce the volume of the vegetation remaining to about 50% of the original volume. This, in contrast with the 50% thinning would result in leaving about 14% of the original vegetation. But the document implies that is just an extrapolation of the 1997 Zone Two to 15 feet, which has a fuel reduction of 50%. 50% of the vegetation remaining could be down to 14%, not 50% depending on what is meant by pruning.

I1 Comment noted.

I2 Comment noted.

I3 The proposed revisions to the Brush Management Ordinance relates to the widths of Zone One and Zone Two, not to the procedures to perform brush management activities. The revised code section 142.0412 (b)(3) states: "Within Zone Two, 50 percent of the plants over 18 inches in height shall be reduced to a height of 6 inches." Revised code section 142.0412 (c)(4) states: "Within Zone Two, all plants remaining after 50 percent are reduced in height, shall be pruned to reduce fuel loading in accordance with the Landscape Standards in the Land Development Manual." These provisions are not proposed to be changed, however, the language within the code was revised for clarity. The brush management ordinance does not state the thinning of plants to 50% coverage within zone two. The brush management procedures may reduce the vegetation mass over 50%, but the plant coverage shall remain at 50% within Zone Two.
Impacts will be dramatically different. The SEIR needs to state what level of fuel reduction this project will leave/receive in Zone Two.

As such, the document leaves great uncertainty in what will actually be done under this project and it is impossible for the decision maker(s), the Environmental Analysis Section, or a reviewer to assess the magnitude of the impacts. Clearly this vague project identification does not satisfy the spirit of CEQA.

IMPACTS OF SUBSEQUENT MANAGEMENT EVENTS

The procedure appears to be based on managing the fuel on a naturally vegetated site. After the first year's brush management, much of the native arboreal vegetation will remain, but some of that will be removed on a regular basis. As such, the baseline will be less, and the amount remaining after fuel reduction will be less. If 50% of the vegetation remains each year, at the end of 10 years the amount of vegetation will be down to 5%.

The progressive reduction of some vegetation in a real impact.

The procedure needs to be revised so that after the vegetation gets down to some defined level, management will then continue at a fixed level of vegetation fuel to remain, not an ever decreasing one. In that way, the SEIR can actually evaluate the long term impact of the project on both fuel reduction and water quality. If not, the SEIR needs to be expanded to address the environmental impacts of the very likely long term progressive loss of native vegetation in Zone Two.

SAME CRITERIA APPLIED TO SPARSELY VEGETATED SITES

The procedure of retaining 50% and then pruning to some percent is applicable even if there are only a few plants and they are a great distance apart. This does not satisfy the stated purpose of the project as there is little likelihood that fire would be supported by the sparse vegetation. Situations like this will have very serious water quality and wildlife movement impacts. As stated in the previous paragraph, there should be a density of native vegetation below which there would not be any damage or pruning.

DOCUMENT SHOULD INCLUDE A MORE ENVIRONMENTALLY PROTECTIVE ALTERNATIVE

The document mentions that the brush management required by the previous brush management regulations was not effectively implemented throughout the City. Those previous regulations were adopted in good faith to address the problem of overgrowth and encroachment and enforcement would be adequately applied to fully implement the previous regulations versus establishing new criteria. The analysis of such an alternative would help determine whether maintaining brush management would be more effective and more achievable, with a limited budget, than trying to implement larger scale brush management areas.

LESS DAMAGING ALTERNATIVE

An alternative that includes a more comprehensive approach to brush management should be identified and evaluated. In the past Development Sections have identified many native plants that are reasonably low in fuel value. It also identified some natives and non-natives that were not. We note that the SEIR define and analyze an extensive list of shrub and ground cover species that would be the more desirable species. The less desirable and more environmentally sensitive native plants would only be included if necessary to achieve a defined protective fuel load that considers the actual species distribution.

The SEIR/EA analyzes impacts associated with the proposed revisions to the Brush Management Ordinance, not the provisions which are not proposed for change.

Small Management Zone Two requires 50% of the vegetation to be thinned and is not necessarily performed on an annual basis. New plantings are allowed in order to maintain 50% coverage. This is an existing provision that is not proposed to be changed with the revised ordinance. In general, thinning of Zone Two occurs every two to three years. However, vegetation types vary and the Fire Marshall has the authority to require thinning as needed.

Refer to comments 1-4 and 1-5.

Refer to comment 1-5.

Refer to comment D-36.

The identification of plant types has been added as an alternative in the SEIR/EA. Refer to Section VIII, under Alternatives considered. Under Alternative number three, page 7.
Conceptually an area that has 50% coverage of vegetation that is more resistant to fire like lemonade berry, sugar bush, olive grove, etc. with no annual weeds would probably provide much more fire protection that one covered with grasses, weeds, and Pampas grass that has been cleared to a level of 40%. The 62% area would also have a great deal more habitat, water quality, and erosion prevention value, and would have a higher chance of resisting breaching by future flammable annual weeds. This more discriminatory management would require that the people doing the clearing would have to know what they are doing. But, as with most tasks performed in the City, if we are going to do an effective job of providing effective defense against the people doing it will have to know what they are doing. We strongly urge that more discriminate clearing and thinning alternative be created and analyzed.

ASSUMPTION THAT BRUSH MANAGEMENT WILL COUGH CONSISTENT WITH THE REGULATIONS

The above assumption was mentioned a few times in the SRF including on page 1-10. It is not a reasonable assumption. The impacts of the project should be assessed using a more realistic assumption of some over implementation. And the project should include adequate enforcement to minimize the damages of inappropriate thinning and pruning.

It should be remembered that at least one of the most popular local television news programs reported on the Council hearings on this issue several times. Based on those hearings they repeatedly reported that residents are required to clear brush out to at least 100 feet and that penalties would be imposed if they did not. They also reported that such clearance was required in a few other stories in subsequent weeks. When contacted they claimed that any discussion of the issue was too complicated for a news broadcast. When challenged, they claimed that City authorities considered their interpretation. Faced with this sort of false information it is very likely that management that is done is very likely not to be consistent with the regulations.

Also there are many so-called experts trying to sell their brush clearing services to residents. They tend to follow a pattern of making the potential customer overestimating the risk of the nearby vegetation, doing some cheap and unseasonal clearing, exploiting how much "easier" the customer is after the clearance, and liking that customer perception of doing so to get other customers.

The project needs a major effort at public education, media education, and enforcement to try to get brush management to be done in an appropriate way, in a manner that is consistent with the environment and larger goal. This should be identified as a required mitigation measure, with monitoring of its effectiveness, in the SRF. Otherwise it should not be assumed that brush management will be consistent with the regulations and the SRF should evaluate and offer mitigation for the impacts will result from the reasonably foreseeable exposures.

GOALS FOR CLEARING

The document asserts that having goats graze in a Zone Two area for one or three days is equivalent to Zone Two thinning. However, the document provides no information to support that assertion. There are serious side issues with thinking using goats. When goats forage in a weedy area, the seeds of those weeds will be distributed wherever they graze. This is likely to facilitate the weed problem. Goats are required to disturb the soil leaving it vulnerable to erosion. Goats tend to browse on leaves, which are typically the least flammable portion of a plant. Removing fuel load depends on removing dead wood. Removing the wood you in turn causes healthy hardy vegetation to develop, dying, or dead shrubs which are more fire prone. The reduction in healthy shrubs is likely to exacerbate the take-over of weeds. Goats also eat small animals when they find them. The project does not address what sensitive resources, rodents, invertebrate, etc. will be disturbed by the goats.

1-10 Refer to comment D-56.

1-11 Refer to comment D-5.

1-12 This comment does not address the adequacy of the SRF/BA. Therefore, no comment is received.

1-13 Comment noted.

1-14 Refer to comment D-56.

1-15 Whether brush management activities are performed by hand or goats, weed invasion in almost zone two brush managed areas will still occur.
We do agree that goats might be quite useful for helping to maintain areas that are covered with noxious weeds and grasses.

During the scoping phase of this project we were assured by relevant City employees that wild meat and forage would be purchased to assess any questions about the welfare, and the problems with the use of goats for a range of vegetation types, slopes, and soil types. We were told that, in spite of common perceptions, that the tests would demonstrate the safety and effectiveness of their use. The only result that we could find in the SEIR was that clearances with goats courses about that which it cost for human workers. We did not find any of the information needed to assess the environmental impacts of using goats.

For a test to be conclusive, it would have to be run over more than one year to determine the actual environmental impact occurred - what level of weed control, which species of noxious weeds survived, what marine survived, which were eliminated by the goats, what food and audibility received, and how much work occurred or did not occur during the subsequent winter(s).

Due to the lack of relevant information on the environmental impact of pruning and thinning with goats, we urge that this be deleted from the SEIR. Insects are to be used here, in a separate EA/AA report, including the results of the model tests should be provided. The cost and benefits assumptions of the current SEIR are totally unsupported, and are not acceptable for a CEQA document.

EXpANSION OF WEEDY SPECIES

In several places, the SEIR mentions that stocking of native vegetation will result in an increase in non-native annual weeds. The model testing could be used to reduce the population of native perennials and enhance invasive annual weeds. The SEIR mentions this issue but does not provide any estimate of the costs or benefits that can be expected and how they would affect the environment and public safety.

While many weeds do not have the high rate of growth rate of some of the weeds, they form for more easily. Native scrub vegetation grows slowly, so that it can be managed and controlled. It is possible to do this every five or so years. Annual weeds can grow within a few weeks to a dangerous level in some circumstances. So, it may be that excessive thinning and pruning of native scrub vegetation could turn a manageable problem into one that would require considerable time and effort over a year. It would be relatively straightforward and even less likely to be accomplished than our historical insufficient level of weed resistance.

One potential measure to mitigate this problem is to include a weed control element and adequate enforcement of it in this project. There are a number of possibilities. None are identified.

The SEIR should provide an analysis of the extent of weeds in the Zone Two area, and beyond, and should list the project. It should be based on existing models and on the results of the testing. Further, it should provide an analysis of the potential increase in vulnerability to fire that could result from poorly managed thinning and pruning policy. The potential for the policy might result in a higher fire safety ratio, and we cannot assess all the information needed to assess its feasibility.

1.16 Further studies will be conducted by the City of San Diego to determine the effectiveness of utilizing goats for brush management activities.

1.17 Refer to comment 1.16.

1.18 Refer to comment 1.16.

1.19 Invasive species are analyzed on page V.13-31 of the SEIR/EA.

1.20 This comment addresses the merits of the project, not the accuracy or adequacy of the SEIR/EA. No Response is required.

1.21 Refer to comment 1.20.

1.22 Expansion of wood within Zone Two on a citywide basis is speculative at best. Refer to Appendix B of the draft SEIR/EA regarding the amount of wood that was cut and what area this was currently brush management.

BROOM

On page V.13-31, the SEIR states that 25 brush management sites were analyzed for erosion impacts and only two showed erosion. While not cited, it sounds as though most sites were not cleared by human workers. But, it is not clear when the brush management had
I-23 Refer to comment I-3.

I-24 Comment noted. Random gullies are visible long after rain events and would have been identified with Appendix D of the draft SEEMP.

I-25 Building function management activities have not created these types of problems. The proposed project would expand zone one and zone two to total no more than 100 feet. The proposed project would not change any other practices. Therefore, existing erosion from brush managed zone is considered to be naturally occurring.

I-26 Refer to comment I-25.

I-27 Refer to 142.0117(c)(5) in the draft brush management ordinance. "Structure" is defined by the Land Development Code as "an edifice or building of any kind or any combination built up on or composed of parts joined together in some definite manner including a wall, floor, roof, post, rafter, or beam."

I-28 Refer to comment D-12. A city wide survey was not conducted.

I-29 Refer to comment D-4.

I-30 Comment noted.
On the same page the document mentions that the project will result in the establishment of invasive plant species in brush management Zone Two and possibly down slope and that mitigation should occur. Apparently the applicant did not propose such mitigation. Unless measures are included in the project that will fully offset the invasion of the nearby species that will result from the project, we strongly urge that such mitigation be provided.

For follow-up, the undersigned can be reached at 619-234-4281 or peugh@cox.net.

Respectfully,

James A. Peugh
Conservation Committee Chair
San Diego County Archaeological Society, Inc.
Environmental Review Committee
10 July 2004

To: Mr. Chris Zirkle
Assistant Deputy Director
Development Services Department
City of San Diego
1222 First Avenue, Mail Station 301
San Diego, California 92101

Subject: Draft Subsequent Environmental Impact Report/Environmental Assessment
Brush Management Revisions to the Land Development Code and Federal
Guidelines from the Office of Emergency Services (OES), Federal Emergency
Management Agency (FEMA)
Project Number 31245

Dear Mr. Zirkle:

I have reviewed the subject DSEIR/EA on behalf of this committee of the San Diego County
Archaeological Society.

We pointed out in our letter of 14 March 2004, in response to the Notice of Preparation for this
project, that brush management activities could damage archaeological resources if the clearing
operations are done mechanistically, or outside the brush electrical zone, where vehicles and
equipment travel to access the work area. The DSEIR/EA fails to address this potential direct
impact. Several means of doing so exist, including:

J-1
- Prohibit use of vehicles and mechanized equipment in brush clearing operations except
  over existing roads.
- Survey project area by a qualified archaeologist prior to clearing operations, with
  appropriate safety zones in sensitive areas.
- Monitoring of the operation by a qualified archaeological monitor.

J-2
Similarly, we noted that indirect impacts to archaeological sites would result from exposure of
such sites to hosing. The DSEIR/EA fails to address this issue.

J-3
The DSEIR/EA, in Section IX, takes the position that since no "grazing or grading would be
required", there would be no potential for impacts to archaeological resources. Archaeological
sites can be fragile and damaged by wheel loads. Trenching and wheel going over places of

1-1 The ordnance proposes "hosing" not "clearing" as the comment letter indicates. In Section IX of the DSEIR/EA, the proposed brush management
activities do not include any surface or subsurface disturbance. Therefore, no impacts to archaeological resources would result from the proposed project.

1-2 Refer to comment 1-1.

J-2 Refer to comment J-3.
July 7, 2004

Alison Rapp
Environmental Engineer
City of San Diego Development Services Center
1222 Third Avenue, MS 901
San Diego, CA 92101

Re: Busy Vegetative DFEA (Ref. 1193) for Brush Management Ranges to the Land
Development Code and Federal Grant from the Office of Emergency Services (OES),
Federal Emergency Management Agency (FEMA)

Dear Ms. Rapp:

On June 10, 2004 the Serra Mesa Planning Group passed a motion (K-4) to request that the DFEA
with the same
- The information in the BVR document that is not noted.
- More scientific research is needed.
- More specific mitigation is needed.

Listed below is a more detailed analysis of the DFEA and explanations for our comments:

The justification for these expenditures is stated as “Brush Management Zones were established in
the City of San Diego Land Development Code to project applicable provisions for prescribed fire
designs and provides planting of native vegetation to reduce the amount of fuel for a potential fire
and allow for access to vegetation for the prescribed.” (City of San Diego Brush Management

Many of the homes that were burned in the ensemble that was 2003 senator and studies that are the
hazes that did not have the trend clean to access of these expenditures. Neither factor
appears to be key to a homes burned. The probability that the criterion seems to be the critical
element. These descriptive provisions would not save make a difference. What would have made
- The comment addressed the merits of the project, but the accuracy or
adequacy of the DFEA is not required.

K-4

K-2

The comment addressed the merits of the project, but the accuracy or
adequacy of the DFEA is not required.
In general, A simple comparison showing the performance of areas burned that had recently been brush thinned compared those that did not would have either proved or disproved the effectiveness of the proposed changes to the ordinance.

The fact is that large wind-driven fires are minimally affected by the implementation of brush management thinning. Small fires are very difficult to get the H-Z Zone1 approach and do not require zone 2 thinning. Only a small number of additional areas receiving thinning would receive a positive benefit from thinning in zone 2. We are not convinced that the positive benefits outweigh the negative impacts. However, if the ordinance is to be implemented, then all possible alternatives and impact mitigation must be considered by the EIR.

The 32nd Street Canyon Task Force is concerned that the emphasis on a "one size fits all" brush management policy that is not clearly defined and without scientific study will result in excessive clearing of native vegetation and tree removals. Some slopes would not require a 50% reduction in fuel while others are likely to exceed more than 80%. We are especially concerned about the negative publicity that trees (native or non-native) are receiving from the press and city representatives. This is despite the well-known principle that effectively pruned trees represent a very low fire hazard. Much of the public's concern around residences often stems from the idea that trees on the other side of the road, even the same species, are considered after the Cedar Fire. It appears that these changes to the brush management plan are motivated more by political expedience and visibility than science or research.

Specific Comments for Alternatives in the Draft Environmental Impact Report for the revised "Brush Management Plan"

M-3 Refer to comment F-2.

M-4 Refer to comment F-3.

M-5 Refer to comment F-4.

M-6 Refer to comment F-5.

M-7 Refer to comment F-6.

M-8 Refer to comment F-7.

M-9 Refer to comment F-9.

M-10 Refer to comment F-10.

M-11 Refer to comment F-11.

M-12 Refer to comment F-12.

M-13 Refer to comment F-13.

M-14 Refer to comment F-14.

M-15 Refer to comment F-15.

M-16 Refer to comment F-16.

M-17 Refer to comment F-17.

M-18 Refer to comment F-18.

M-19 Refer to comment F-19.

M-20 Refer to comment F-20.

M-21 Refer to comment F-21.

M-22 Refer to comment F-22.

M-23 Refer to comment F-23.

M-24 Refer to comment F-24.

M-25 Refer to comment F-25.

M-26 Refer to comment F-26.

M-27 Refer to comment F-27.

M-28 Refer to comment F-28.

M-29 Refer to comment F-29.

M-30 Refer to comment F-30.

M-31 Refer to comment F-31.

M-32 Refer to comment F-32.

M-33 Refer to comment F-33.

M-34 Refer to comment F-34.

M-35 Refer to comment F-35.

M-36 Refer to comment F-36.

M-37 Refer to comment F-37.

M-38 Refer to comment F-38.

M-39 Refer to comment F-39.

M-40 Refer to comment F-40.

M-41 Refer to comment F-41.

M-42 Refer to comment F-42.

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M-95 Refer to comment F-95.

M-96 Refer to comment F-96.

M-97 Refer to comment F-97.

M-98 Refer to comment F-98.

M-99 Refer to comment F-99.

M-100 Refer to comment F-100.
used to reduce areas on these slopes. Irrigation would be recommended to be temporary, but based under certain conditions, the irrigation should be allowed, by permit, to be permanent.

3. Aim for the use of irrigation systems (temporary or permanent) during Santa Ana conditions or other critical fire hazard warning conditions to help reduce the risk of fire. Redirection or irrigation practices and types of irrigation would need to be put in place to discourage undesirable brush growth, or to the support of non-native vegetation that might become brush fuel. Accommodation in the ordinance (by sight or permit) should be made to include the use of special purpose irrigation systems designed for the protection of the structure or ground.

A public education and training program is needed as part of this ordinance. This would include definitions of grading, clearing, chipping, grubbing, plant removal, and new growth without roots control, tree and brush management, and other terms that may not be understood by the general public. Without the commitment of a training program with materials to be given to the public, it is difficult to see how the project could be properly implemented. The ordinance should require an education program that would fulfill this need and training in current defensible methods. The ordinance should set up a certification process for contractors offering this service. The ordinance should require contractors to follow the certification and training guidelines. Some of this certification should include the following:

- Removal of non-native plants first to count towards developing 30% covered soil area with least reduction within the remaining vegetation that provides 50% coverage.
- Recognition that non-native plants and naturalized plants that are naturally occurring, or that can be easily managed to be used in ground cover that are both high in fuel and damaging to native vegetation.
- Pruning of branches and roots of the top of the plant, which causes increased exposure to fire by thinning the top and increasing growth of small diameter thick growth which increases the plant's vulnerability to ignition.
- Removal of non-native plants over 1" in diameter should be done prior to the fire season but after the rainy season to avoid erosion and runoff.
- An appropriately graded area will need to be prepared every four to six years to remove dead brush that has accumulated, or to reseed the area as needed. Annual seeding of new growth that may result in proliferation of unacceptable fuels if done in the growth season, or may fill the site if done in the dormant season.

Refer to comment M-9.

Refer to comment M-9.

Refer to comment M-10.

Refer to comment M-11.

Refer to comment M-12.

Refer to comment M-13.

Refer to comment M-14.

Refer to comment M-15.

Refer to comment M-16.
Specific: Comments for Impact Analysis in the Draft Environmental Impact Report for the urban "Brush Management Plan"

1. The 32nd Street Canyon Task Force suggests a change in the title of ordinance and the test to "Vegetative Volume Management" to alter the public's perception that all brush (vegetation) is incinerable. The emphasis should be on managing fuel, not brush, since fuel is in all forms of vegetation, whether native or planted intentionally, as well as forbidding and building materials.

2. The 32nd Street Canyon Task Force believes that the review of potential neighborhood character / modifications is totally inadequate. The lack of public education and the excessive recommendation to remove branches up to three times the height of the undersides will result in the complete removal of everything except the trunk of many trees. Most native brush is thin, less than seven feet in height, thereby requiring up to 21 feet of branch clearance, which is now above the tree height of most of our native or indigenous trees.

The 32nd Street Canyon Task Force is concerned that without public education and clarification in the brush management ordinance, trees or large trees of the species are likely to be removed, resulting in a significant impact on neighborhood aesthetics. Native, natural, or non-native trees should not be removed as part of other emissions. Placing of ladder limbs and a 10' clearance around a structure should be encouraged. For trees on streets with ordinary native vegetation, taller branches, tall buildings, or other infrastructure, the ordinance should provide a policy and guidelines on tree fuel management.

To make matters worse, the ordinance language is not clear. It states that only trees that are considered to be non-native or non-native can survive. Most plants, except for young seedlings, are not fire-resistant. Any trees that are in primary areas are even potentially fire-resistant. This would mean that most native and non-native and indigenous trees would be subject to removal. In addition, it appears that groves are to be eliminated since the ordinance only allows for single stand-alone groves and a species that are situated so as to not to transfer live to the structure. Based on these definitions, many trees are likely to be removed, creating an energy, erosion, and aesthetic impact.

-3. The 32nd Street Canyon Task Force is also concerned about the removals in Zone 1. The ordinance states that trees shall be at least 10 feet away from a structure, measured at the drip line located on the mature size of the tree. If the tree was trimmed regularly, it would never exceed the mature size of the species, so this guideline is misleading and dangerous. We believe the existing code is adaptable, because no such codes suggest or impose. The fire code says trees should not be dug over the house more than 10' from the house. This standard seems sensible but the lack of trees is no real data to support it. Throwing numbers at the public's ordinance based on ignorance is not justifiable. The public-data damage assessment found that over 50% of the homes in the study area had a burned tree "within 10' of the house." The data gathering was very high-speed, so we don't know if the tree trunk...
A determination needs to be made on the cycle of burning that may be required as well as advantages to the time of year that the burning should be done. The management needs to indicate that many highly flammable materials would grow back in 2-3 years. This is probably impractical and may negatively impact the habitat. Some guidance is needed, perhaps a minimum of 5-year maintenance cycle. The public needs to understand that the control "tools" refer to areas of soil covered by the remaining dense canopy after burning and pointing out a requirement to take away half of the existing vegetation. This is critical if the vegetation is already sparse, it may not be necessary to remove very much to achieve 50% coverage.

7) Often the qualities of limited budgets, areas with steep slopes and heavy fuel loads adjacent to inhabited structures should receive a high-priority for fuel management compared to areas with lower fuel loads. A "firewise" zone management zone, with all firewise fuels being held to the same standard of conformance, will increase the city's ability, since it will not be able to give as much area the same level of care, due to the limitations of maintenance cycles, budgets and differences in growth rates of different fuels.

However, if the ordinance provides a definition for high-priority fuel management than legality would be improved even when all areas are not treated in a given year. Vegetation with high levels of fuel should receive different priorities for fuel management. Areas that contain small-diameter fuel and deadwood should receive a higher priority than areas that are already quite open in character or open areas with year-round evidence in all plants. Grasslands that support vigorous stands of fuel-growing annuals such as winter or summer, should be considered as a high priority due to high fuel load removed, while low-maintenance grasslands may pose a very low fire risk.

8) The city should research and make recommendations for the use of controlled burns or controlled hand tools or other methods to reduce fuel. Controlled burns may be risky and increase liability. Costs, which might be useful to reduce fuel-grown invasive annual exotic vegetation on weedy beds, or after shrubs have been thinned and pruned, can not well control for并不代表地下有Stream exercising or cutting vegetation on streambanks and wetlands, and should not be used indiscriminately.

9) Though the ordinance is based on vegetation fuel management, all information from the City needs to continue to emphasize the need to establish building codes for properties located on open space. The soil solution to finding proper drainage for those on open space management is Rome 2. It is the proper use of the same drainage materials (including, grading, windows, gutters, vents, pipes, etc.) and the protection of small-dimension wood construction (such as roofs, parapets, masonry, arched structures, etc.) and the proper guidelines for wood materials that provide adequate and durable features such as concrete piers, concrete slabs, large rocks, etc., designed into the community layout to reduce exposure of homes to flying embers during high-wind wildfires and to create desirable spaces for firefighters to stage their resources.
June 16, 2004

June 16, 2004

The Uptown Community Planning Committee
1122 ERC/1601, MS 1581
San Diego, CA 92101

Subject: Review of Public Assistance to the Land Development Code

Dear Sir/Reps:

On June 1, 2004, the Board of the Uptown Planners (Uptown) made a motion to support comments authored by Jane Sigleton (a member of our board) in regards to the above referenced project. The Uptown Community Plan Area has significant natural and uncontrolled areas that would be affected by the ordinance, the board expressed great concern over possible impacts. The Board voted 13 to 0 authorizing the following comments on behalf of the board, based on the issues and concerns discussed and read into the meeting minutes of June 1, 2004.

Alternatives to the Draft Environmental Impact Report

Uptown would like to reiterate that all alternatives to the proposed brush management plan be considered prior to adopting the preferred option. The alternatives should be realistic options. A property owner should have the ability to provide a more sustainable solution for long term fire management, assuming that costs would be borne by the property owner and that a review process of some kind is in place to make sure that this alternative is environmentally sensitive while at the same time, effective for creating defensible space.

We also feel that a public education program is critical in making sure that residents are not overexposed in their brush management efforts. Actions by the public (that may not be warranted) are likely to happen which may result in significant impacts to the existing hydrology, hydrology and ecological character of our urban community.

One of the alternatives should include the brush management requirements in addition to a public education component. The public education component could be implemented as part of the basic project or be handled as a separate initiative to offset potential impacts associated with the brush management program.

Uptown is convinced that no attention has been given to brush management along roadsides in high fire hazard areas with high fuel amounts. Data shows that these areas are more at risk of wildland fires in the same area. This adds new and significant problems to these already hazardous. The same election needs to occur on other trivial issues where fire can often start. City's responsibility for proper fire management goes well beyond the limits where roadsides meet residential areas. Open space, habitat preservation and restoration should all consider the feasibility of fuels to highly accessible public rights of way and complex fuel conditions to lessen the amount of fuel and special attention given to these fuels.

Page 1 of 2
Specific Comments for Impact Analysis in the Draft Environmental Impact Report

- Upkeep is encouraged that will not disturb or deplete the natural environment of the area. Trees and large trees-like shrubs are likely to be removed, resulting in a significant visual neighborhood. The maintenance and preservation of public open spaces should not be removed or altered. Trees should be preserved and maintained.

- Pruning of dead trees and shrubs in the vicinity of a structure should be discouraged. Pruning or dead trees and shrubs contributes to the maintenance of the structure. Dead trees and shrubs are likely to be removed, resulting in a significant visual neighborhood.

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July 4, 2004

Allison Repp
Environmental Planner
City of San Diego Development Services Center
1252 First Ave. MS 2501
San Diego, CA 92101

Reference: Final EIR/EA (NOE/NE) for Brush Management Program

Dear Ms. Repp:

As a professional vegetation design consultant for almost two decades in the San Diego area and a native plant landscape architect at San Diego Community College over a seven year period, I would like to offer several comments on the recent proposal changes to the Brush Management Program of the City Code. These comments are designed to enhance and expand upon earlier comments you received from the Community Forest Advisory Board as well as several other local groups commenting on the EIR/EA.

General Comments:

Failure to Provide Adequate Justification of Need for Changes

This document fails to make a case for the need for changes to the existing brush management ordinance. The only justification presented is that the Fire Marshall recommends them. In fact, several of the changes do not appear to have been recommended by the Fire Marshall but instead added at the time this document was written. (I am thinking particularly of the provision to eliminate all new landscaping except for Zone 3 management areas and the use of goods for brush management). In my opinion it is questionable whether the Fire Marshall would approve of these changes.

It is implied, without evidence, at several places in the document that the impacts of the recent Cedar Fire would have been reduced had these changes been in place. It should be fairly easy to determine whether the Cedar Fire got worse or better out of control in areas where brush management had taken place. The City must certainly have records of where vegetation thinning has been conducted on public properties over the last ten years and fire records should be able to show if these subsequently burned such areas. As such, it seems to be the consensus of fire experts I have spoken with since the fire that large-scale forest fire such as the Cedar Fire are only minimally affected by brush thinning. Neither the No Project nor No Action Alternatives present any research to substantiate the need for changes to
assume that all vegetation would be cleared from both Zone 1 and Zone 2 and make an analysis of those impacts.

Land of Charter

Page 11: "Zone One shall contain no habitable structure that provides a means for transmitting fire to the habitable structure."

Does this mean all wooden frame buildings will need to be torn down immediately?

What constitutes a habitable structure? Does this include plastic frame, frame Subject to treated wood siding, new laminate siding, and painting?

Are small driveways with small fences around their small pools adjacent to their dwellings inside Zone One to tear them down?

Does this mean that use of Zone Two area, if bare with only those plants 20 feet apart that those in some back 2.5 streets to under 18 inches?

Page 11-12: "Plants within Zone One shall be, less than 6 feet high except for trees."

Page 13: "50% of the plants over 18 inches in height shall be eliminated to a height of 6 inches."

Does this mean that no trimming is required so long as all existing vegetation is below 18 inches?

Does this mean that I at have two plants over 18 inches in height and 70% feel apart on my property that I am required to cut one back to 18 inches?

Does this mean that only Zone Two area is bare with only those plants 20 feet apart that those in some back 2.5 streets to under 18 inches?

It appears the intent here is to have no more than 50% of Zone 2 cover by vegetation over 18 inches in height, but this is not stated clearly.

Page 13: "Within Zone Two, 50% of the plants over 18 inches in height shall be eliminated to a height of 6 inches."

Page 14: "Does a property owner need to prune back "diseased" plants to 6 inches when 18 inches is the height at which control is required?"

End of Chart: Final Notice and Assessment of Clearance

Page 14 of 7
The task of the proposed public education program, even as simple as small written pamphlets or notes on a website, suggests that these rules will be underserved and that larger impacts that are designed by this analysis will occur.

Specific Comments & Recommendations:

Comments

The document is inconsistent with the references provided by the proposed changes. Each Table V. A.1 at A. 2 2580 areas are mentioned as impacts but on page V.C. 22474 areas are listed as impacts.

Page 13: Change the word required to permanent in the line "No brush management is required in these continuous wetlands".

Page 13: (3) should read "Within Zone Two no more than 50% of the area shall have plants over 18". I suggested 3' to be consistent with new landscape provisions.

Recommendations

1. The first recommendation I would make is that the new changes not be put into effect until at least some scientific methods is done on the effectiveness of the present policy that was only recently approved. It is not wise public policy to come into the creation of new laws after a catastrophic situation occurs, particularly without at least some research to substantiate the need for such changes.

2. The second recommendation I would make is that the City provide a list of zones on building codes and planning permits for new developments to make sure they are fire defensible. Most of the buildings that perished in the Cedar Fire were allowed to be built on infeasible ridges leading into and around open space where no degree of vegetation management was implemented. In addition, neither the City nor property owners should be allowed to build structures on their property which require fire management and property not owned by the property owner. If such structures are permitted the code should spell out that the property owner is required to pay the adjacent property owner for any additional fire planning required.

3. The most important recommendation I would make is that permanent, experimental vegetation designed to protect private defensible from Zone Zero areas. This is probably even more important than vegetation planting as a means to reduce vegetation flammability and allow for the possibility of native vegetation systems during a fire if desirable in future uses the fire potential of a broader area. If implemented properly there is no reason to believe that these areas would have a negative impact on biological resources (e.g. no more than twice vegetation in the summer months without a seasonal rest).

4. At a minimum an allowance should be made for less than 50% of cover to be below 18 inches in Zone Two when all or any of the cover is high water content vegetation like clover, vetch, and similar species.

Page 3 of 7
5. I strongly recommend modifying the ordinance to allow for Zone Two irrigated landscapes with trees and tree groundcovers. Many of the existing development plans in Zone Two were developed in this manner and have proved very effective as fire barriers during severe drought years. Groundcover should be at least 12 inches in height in such areas and trees should be pruned to have no branches for the first 15 feet off the ground. It does not appear to be necessary to clear 20% of cover in such areas.

6. Develop some definite guidelines and a clear set of standards for the limits and methods that can be used in Zone Two areas for vegetation management. These at a minimum should include:

- Non-native vegetation should be cleared first and the amount of deep-rooted native species such as California holly or laurel sumac or sweater should be left in place to protect slopes against erosion.

- Vegetation thinning for fire management should probably be done outside of the most severe fire season months to prevent accidental ignition by hotspots or electric-powered thinning/pruning equipment.

- Private property owners should be notified by the city of instances in which endangered species are shown to occur on their property based on city mapping. It would be required that they contact the city to report these instances. A waiting period of 10 years would be required prior to vegetation management activities. The ordinance should require these species to be protected while site work is in progress. Trees and shrubs, as well as other vegetation, should be left untouched during the dormant season. On the other hand, removing expensive biological surveys before brush management takes place should be optional except in the case of new developments where surveys are already required.

- The ordinance should forbid 100% clearance of vegetation from all fire areas and clearing as a means for vegetation thinning.

- Thinning of vegetation should be no higher than 24 inches and 6 inches in height to be consistent with the planting parts of the code.

- The ordinance should forbid leaving slopewash or brush piles in areas of clearing.

- Simple public education programs such as pamphlets or notes on a website should educate private property owners and city crews about the ways and means of vegetation clearing. An annual free public workshop open to property owners should be conducted in each neighborhood in the spring just prior to fire season.

- Trees in Zone Two should not be required to be pruned up off the ground as long as the 30% thinning requirement is met, however, all dead branches should be removed to prevent off-ground removal.

O-35 Comment noted.

O-36 Under the alternative consideration next, there is a new alternative that is focused on providing incentives for property owners to reduce the amount of vegetation in their yards. This alternative will also require that property owners reduce the amount of vegetation in their yards, as well as the amount of vegetation cleared off. The requirement for property owners to reduce the amount of vegetation in their yards will be based on a set of criteria that are determined by the city. The criteria will be based on the amount of vegetation that is cleared off, as well as the amount of vegetation that is left in place. The criteria will be determined by the city and will be based on the specific needs of the city. The criteria will be based on the amount of vegetation that is cleared off, as well as the amount of vegetation that is left in place. The criteria will be determined by the city and will be based on the specific needs of the city. The criteria will be determined by the city and will be based on the specific needs of the city.

O-37 Comment noted. The revised brush management ordinance will prohibit brush management activities within coastal sage scrub during California fire season (March 1 – August 15).

O-38 Refer to comment O-37.

O-39 Comment noted.

O-40 The comment addressed the merits of the project, not the accuracy or adequacy of the SEIR/EA. No response is required.

O-41 The comment addressed the merits of the project, not the accuracy or adequacy of the SEIR/EA. No response is required.

O-42 The comment addressed the merits of the project, not the accuracy or adequacy of the SEIR/EA. No response is required.

O-43 Refer to comment D-16.

O-44 Comment noted.
Comment noted.

Refer to comment O-22.

The comment addressed the merits of the project, not the accuracy or adequacy of the SHMILA. No response is required.

Comment noted.

In conclusion, whether the proposed amendments changes are the result of their potential impacts appear to be well thought-out and I would recommend against approving those at this time. I hope these comments and recommendations are helpful in producing a final version of my changes which are approved. I also hope you will share these comments with council persons and staff that are in the final decision on these proposed revisions.

Rand Parkison, Principal
Bedford Environmental Consulting
Dear Ms. Raap,

The establishment of 100-foot zones of vegetation reduction by both the City and County of San Diego will contribute to greater public understanding and acceptance, and that is greatly appreciated by many of us in the community. Please consider the following in developing a recommendation to the City Council regarding this ordinance:

Potential public education campaigns and compliance programs will be necessary for entire community, neighborhood, and residents to benefit from the initiative. My house is at risk, if all my neighbors do not reduce their vegetation. Public education programs need to include the reasons for the vegetation reduction, degree of flammability of various plants, the suggested plant list, trade-offs with firewise, water-wise, energy-wise, and native plants; ignition systems; maintenance requirements; and timing and extent of pruning and thinning.

The directions for present vegetation reduction are conflicting, complex, and may be counterproductive. They are likely to result in some homeowners removing more than 30% vegetation, and others leaving less than 10% vegetation, which may be beneficial. Vegetation reduction is likely to involve bare ground, and a higher risk is associated with bare ground than retaining the natural chaparral and coastal sage vegetation. If trees are properly trimmed and their leaves mixed, they are not highly flammable, and should not require for maintenance, habitat, and energy reduction.

Potential implications on adjacent areas, particularly those not under the Multi-Agency Board Conservation Plan, should be clarified more clearly in the document, result in an identified buffer, and be recommended for maintenance. Fences are unlikely to be effective except as visual barriers.

String balding codes for fire-resistant materials, application to both new and existing structures, and reinforcement of those codes will save more lives in the near future than cleared vegetation will.

Evidence from the Cedar Fire showed that most homes ignited from fire carried on wooden fences and decks, from smokers leaving on cement roofs or wood siding, or from embers entering the house through unprotected ventilation elements.

Sincerely,

ANNIE S. FEGE, Ph.D.
Research Associate, San Diego Natural History Museum
And Regional Forest Supervisor, Cleveland National Forest
July 9, 2004

Ms. Allison Racey
Environmental Planner
City of San Diego Development
Services Center
1222 First Avenue, MS 501
San Diego, California 92101

VIA HAND DELIVERY

RE: Brush Management Revisions to Land Development Code
Project No. 31245, SCID No. 2064031941

Dear Ms. Racey,

Our firm represents Paladin Homes (“Paladin”) in connection with its ownership of several properties located in the City of San Diego. We have reviewed the May 2004 Draft Subsequent Environmental Impact Report/Environmental Assessment (“Draft SEIR”) which has been prepared by the City of San Diego (“City”) for the proposed brush management revisions to the City’s Land Development Code. Our client has the following comments:

Page S-2, Y1-E: The Draft SEIR only analyzes impacts from the application of the proposed brush management revisions to existing development, with no explanation why impacts from the application of the revisions on future development are not assumed. Future development, however, will inevitably occur. To fully and accurately assess the impact of the proposed brush management revisions, the impacts of the application of the revisions to future development must be considered.

In addition, the impacts of the application of the proposed revisions to ongoing development must be reviewed. Certainly the specific location of development projects either under construction or in the application/planning permitting/development phase could be incorporated into the analysis. Moreover, neither the proposed brush management revisions themselves nor the Draft SEIR explain how the proposed changes in Zone One and Zone Two will be applied to developmental projects in the approved but not yet developed or partially developed phase, the planning phase or the permitting phase. If such ongoing development projects are expected to incorporate the proposed buffer mandated in the revised Zone One and Zone Two, the physical impact of such a requirement on the ongoing development projects should be assessed and included in the SEIR.

Draft SEIR: Environmental review for future individual projects will cover potential impacts. Future development could not be assessed at the time this SEIR/EA was written.

Q-1

Comment noted. Projects within the permitting phase may need to revise plans, once ordinance is approved, prior to permit approval to meet the brush management requirements.

Q-2
Finally, Section 142.044(4) of the proposed brush management revisions provides that “all existing and new vegetation subject to this division shall comply with all requirements of Chapter 14, Article 5, Division 5 – Additional Building Standards for Buildings Located Adjacent to Hazardous Areas of Natural or Naturalized Vegetation.” As we have discussed, this is not the case with the city’s fire emergency and the provision that the city’s fire emergency is included in the revised section.

Q-3 The comment addresses the results of the project, not the summary of the SEIR/EA. No response is required.

Q-4 The comment addresses the results of the project, not the remedy or adequacy of the SEIR/EA. No response is required. Once the regulations are in effect, properties would be required to comply with the new regulations.

Q-5 The SEIR/EA analysis assumes that the City will implement the brush management regulations on its own property.

Q-6 The assumptions within the draft SEIR/EA were based on field observations by City Staff.
Ms. Allison Kemp
July 9, 2004
Page 9

Para. VA-13 - VA-15: The Draft EIR concludes that the proposed brush management revisions would have no significant land use effect, incurring on the BEPA. We agree and recommend that the Draft EIR clarify that the revisions would not affect the buffer land use effect or that any significant effect would be mitigated.

Para. VA-2: The Draft EIR concludes that impacts to Neighborhood Character/Aesthetics would be insignificant because “no mature trees would be removed with the proposed brush management.” The Draft EIR fails to explain the basis for its conclusion that no mature trees would be removed and that fact is not apparent from the proposed revisions themselves. The Draft EIR should provide fuller discussion on this issue.

It is fair to conclude that the increased depth of brush management levels could have a significant effect upon neighborhood character/aesthetics due to the additional depth of the zones and differing requirements.

Section 142.041.200: The proposed revisions in this section reduce the extent to which Zone Two may be decreased upon an increase in Zone One width. The Draft EIR does not address the physical impact such a change would have on the environment. Such a discussion should be incorporated into the document.

We thank you for the opportunity to comment on the Draft EIR and request that you please place any errors on your mailing list of persons seeking notices for future versions of the EIR.

Please call me at (617) 625-3203 if you have any questions or comments regarding the information contained in this letter.

Very truly yours,

[Signature]

Thomas E. Stefanik, Esq.
Salter Caplan Meiklejohn Vitale
A Law Corporation

TEL: 617-482-9000

cc: Project Owners

Q-7
Refer to comment Q-3. All potential significant impacts to land use and biological resources are mitigated to a level below significance.

Q-8
Cannot propose brush management revisions that do not require removal of mature trees. Proposed brush management revisions do not affect this black foot provision.

Q-9
Brush management zone two revisions require “clearing” not “clearing” as stated by the author of this letter.

Q-10
The proposed revised brush management revisions section 142.041.200 states The Zone Two width may be decreased by 1 ft per foot of increase in Zone One width up to a maximum reduction of 10 feet of Zone Two width. If this method was selected, zone two brush management could be increased from the proposed 6 feet to 10 feet and zone two would be increased from the proposed 6 feet to 9 feet resulting in a total brush management of 19 feet instead of the proposed 16 feet. All of Zone Two would be within the development footprint and would require appropriate mitigation per the City’s Biology Guidelines. Please see Appendix D for discussion on the methodology used for the biological impact assessment. Under this option, impacts to zone two would be reduced by 30 feet. The SERRA utilized a worst-case analysis and did not reduce potential impacts based on this option since there is no way to determine how often this option would be implemented.
June 30, 2004
Adrian Raqi, Environmental Planner
City of San Diego Development Services Center
1222 First Avenue, Mail 591
San Diego, CA 92110
Email: DSDDE@csd.ca.gov

Re: Project No. 31245, BOCF No. 296401341

Dear Ms. Raqi and City of San Diego,

My comments are addressed both to the wording of the proposed revisions to the ordinance and to the content of the draft subsequent PD/SA 1193...

A. Comments on the proposed revisions to Ordinance 1420422 of Article 2, Division 4, of the City Ordinance (feeder & numbers refer to those shown on revisions):

R-1 As drafted, the proposal of the ordinance is reducing a word, i.e., (CAIS)...

R-2 However, I think this part of the City Ordinance should be called "Sink Management" and should be titled something like "FUEL MANAGEMENT TO REDUCE FIRE RISK" or "FUEL MANAGEMENT TO REDUCE STRUCTURE AND SITE COMBUSTIBILITY." "Burns" is not, nor should it be, the sole focus of a policy intended to reduce fuels and therefore, combustion of sources. Using the term "burns" is not a clear way to define the needed work, but instead continues the issue. Further, I suggest this whole Ordinance does not belong in Division 4, Landscape Regulations, because in these revisions it may actually include built as well as living elements. I don't know what part of the Ordinance fits in any wise. The following sections could be "vegetation fuel or combustion management" and others could be "built element fuel or combustion management."

R-3 (a) Delete the following as follows: "...property this received..."

R-4 Distances to tree canopies in Zone 1, and heights of trees pruning, is not sensible. Please refer to the letter from the CRSA. I agree with their findings 100%.

R-5 (b) I want to thank the City for this section. How will it be implemented on existing properties, my question? Further, in the section (1)(c) of Zone 2, I can not reason why structures should be reduced in Zone 2. Rather, the wording should be just as in Zone One, that no combustible materials should be used. It's genesis has a lot of...
space, they may want to use it and the City has no right to forbid their use of it, but does have the authority to regulate the safe use of it.

(b)(3)(D) The term “thinned” is not used correctly in this statement, nor is the intent.

An example clearly described. I question that it is a required (or desirable) height. The 1/2 to 1/4 and the State Fire Code refer to 1/2 high, I suggest wording as follows: “Within Zone 2, 50% of the soil area shall have plants set over 18" in height reduced to height to 18" if possible, or cut off at the ground level. Starting with invasive exotic plants, then native species that produce shoots not killed by annual growth, and last native species that have excellent leaves and large-diameter branches.”

[Page 6]

R-6 Refer to comment R-1.

R-7 Refer to comment R-1.

R-8 Refer to comment R-1.

R-9 Refer to comment R-1.

R-10 Refer to comment R-1.

R-11 Refer to comment R-1.

R-12 Refer to comment R-1.

R-13 Refer to comment R-1.
As a small aside, City staff member Todd Gehrke described "Zones 1" as "neglected areas" in a presentation he gave at the Barn Institute last week. This is highly inaccurate and misleading. Talk of staff people of the town love much more accurately.

B. Comments to Draft Subsequent EIR/EA:

Appendix B, the brief survey conducted by City employee Holly Chang, observed a "false management zone". The brief survey confirms that the native vegetation and the same species are found and disturbed in places in the prohibition zone and the prohibition area. It illustrates that development of the zone leads to invasion of non-native vegetation area by non-native species. This, combined with the fact that the Ocean Park Division has a very little fuel load area, makes it necessary to wonder about the utility of changing the vegetation by going through all those hoops. It makes it feel like a bit stupid to be responding to it. However, I think that focusing on this issue may make us all do the right thing eventually, both for protecting the town and for protecting natural resources; at least I hope so.

For Gehrke: I didn't see any number of goats in the revised ordinance, yet the EIR/EA indicates that the prohibition is the City ordinance against using goats. I think that careful studies should be performed to see if non-native fuels can be controlled effectively by goats. I already established fuel management zones, I do not think the EIR/EA has persuaded that the impact of goats would be great. In particular, I do not think goats are useful for managing low fuel zones, for the following reasons:

1. Goats eat leaves and twigs, not dead wood (which needs to be removed to avoid low fuel management zones.) Their feeding on live fuels will just create more live fuel.

2. Their choice of foods may allow useful fuel fuels that can be protected into "live ones" and leave other species that are known to dry or quickly become wildfire risk, or not move to non-native plant species that contribute to fuel loading.

R-14 Refer to comment R-17.

R-15 For the Landscape Regulations, Section 142.04(13)(c), Brush management Zone One is the area adjacent to the structure shall be least combustible, and shall consist of pavement and permanently irrigated commercial planting.

R-16 Comment noted.

R-17 Comment noted. Additional language has been added throughout the final EIR/EA regarding utilizing goats for some non-fuel management.

R-18 Refer to comment R-17.

R-19 Refer to comment R-17.

R-20 Refer to comment R-17.

R-21 A statement, Section 142 of the Draft EIR/EA, includes infeasibility as well as rejected alternatives to the final document. Refer to comments B-14.

R-22 Refer to comment B-17.
R-22 Refer to comment A-14. The known nesting locations are known sittings of the species; these locations may be individual, pairs or nesting pairs. These locations do not necessarily all known nesting locations.

R-23 Refer to comment A-23. The total known locations of California Gnatcatcher's within the regional MHA are approximately 1,619. As such, there are 1,819 or more known individuals within the regional population. Therefore, the potential breeding management in five known locations within the regional population is 0.27% or less of the population.

R-24 Refer to comment A-24.

R-25 Use this is the MHA? As I read it, p. V.A-3 says the City of San Diego when MHA is 3,259,2 acres, while IV-3 says 4,259 acres. Do I miss something?

R-26 Comment unclear. The draft SEIRPA does not have an Executive Summary Finding section.

R-27 Sugared plants are invasive plants and it is not permitted within brush management zones. Sun.
Comment Letter S

In the Section 149 Management Order, under consideration, owners shall be required to perform a 100 foot clearance from their residence. The issue arises if the building of a residence is not carried out within a distance of 100 feet of their property if brush exists on the other side of the property line. There is no point in enforcing the 100 foot brush management standard if you permit the building of homes without those regulations that could not comply with the 100 foot regulation. Burns 20 feet from brush, even if the brush was removed, will not provide the same safety level.

Let us consider the owner of property that is adjacent to property on whose lot is growing up in the property line. The owner shall not be prohibited, and if the owner wish to build within the 100 foot distance from the property line. Otherwise, the goal of the entire ordinance is defeated. The more protection should be extended on all sides.

Then a row of trees or shrubs along the property line would have to have a net exclusion, a 100 foot brush management standard to achieve.

As a result, the ordinance would have direct impact on the planning of residences, individual or mutual in nature, that is adjacent to some of lots. Plans for residences, individual or collective, should also be restricted to use what they would comply with the plan, should be made to conform with the brush management ordinance to the consistency of the planning process is maintained.

Sincerely,

Andrew Wilson
1530 Old El Camino Real
San Diego
CA 92130
(9 July 2004)
Tel: 858 325 0137

S-1 The comment addresses the merits of this project, not the accuracy or relevancy of the SRR/SA. No response is required.

S-2 Refer to comment S-1.

S-3 Comment noted.
April 7, 2004

Alison Popen
City of San Diego
1222 First Avenue, MP 501
San Diego, CA 92101

Subject: Relocation and Environmental Studies to the Land Development Unit and Other Units from the Office of Environmental Services (OES), Federal Emergency Management Agency (FEMA)

Dear Allison Popen:

The State Clearinghouse is required to issue this 11 supplemental EIR in order to provide adequate information regarding the 11 project's potential environmental impacts. The review period closed on August 3, 2001, and the comments on the project's adequacy must be reviewed in the next 11 months. Please contact the State Clearinghouse if you have any questions regarding the environmental review process.

Sincerely,

Jerry Roberts
Manager, State Clearinghouse

This letter was received after the closure of the public review period, but is included for information purposes. No responses are required. Refer to comment Letter A.
Project Objectives

The three objectives of the proposed revisions, as provided in the SRVRA are:

a. Complete a timely and comprehensive review of the revisions to current brush management regulations;

b. Identify and implement efficient, effective, and environmentally sensitive means to accomplish the revised brush management Zones One and Two;

c. Minimize for effective and environmentally sensitive long-term maintenance of brush management areas in open space, private lands, and other environmentally sensitive lands.

The city's Fire-Research Department is proposing revisions to the brush management regulations in response to the first in the City and the City of San Diego in October 2003, and you are not in the pre-proposals of the Los Angeles and this year. Their purpose is to allow for a greater degree of flexibility in implementing fire prevention strategies. The proposed revisions are based on a review of the current regulations and recommendations by the Los Angeles Fire Department. The City's Fire-Research Department will seek to establish a 100-foot wide brush management zone consisting of 35 feet in Zone One and 65 feet in Zone Two to the south of the City. This would result in a 15-45 foot expansion of Zone Two, depending on the width of the current requirements. In addition, Zone Two would be expanded by 10 feet for every 10 feet by Zone One, which is 25 feet. Existing requirements allow for the decrease of Zone Two by 10 feet per 10 feet of increase in Zone One. The proposed revisions would limit this to a maximum reduction of 30 feet of Zone Two. Brush management with the city would likely occur every one to three years.

The SRVRA indicates that the proposed local management revisions would result in an additional City-wide impact of approximately 2,900 acres within Zone Two, or 71.5% of the 4,100 acres of the MSCP. This would represent an approximately 150 percent increase over the current coverage of Zone Two within the MSCP. The 17 square mile areas includes 46 square miles of open space, 113 square miles of urban habitat, and 113 square miles of urban habitat. In addition, the SRVRA indicates that the proposed project would result in the loss of five out of 631 acres of 0.577 acres of grasslands within the MSCP.

The SRVRA indicates that the impacts analysis of the MSCP Environmental Impact Statement (EIS) fully accounts for any potential project-related impacts to open space configuration, structure and use, and cultural resources within the MSCP. The SRVRA notes that conservation of several species would be enhanced and there would not be a significant increase in the likelihood that 10 percent of species would meet the criteria for listing under the federal or state Endangered Species Act. However, the SRVRA concludes that implementation of the proposed brush management revisions would result in significant impacts to the City.
Ms. Rossi (GW3-5204-43724.1)

I. Introduction

A. Biological Resources

1. Habitat and Wildlife

a. The L, I, and IIA and IIIA habitat within Zones One and Zone Two and

b. Additional areas.

In addition, several habitat-related to biological resources are considered to be significant threats. Although the SHBA identifies measures to mitigate some of these significant impacts, the City does not propose to implement any of these mitigation measures.

C. Conclusion

Feasible, the City, in accordance with Section 3.7 of the Mitigation Plan, should recommend to the City of El Dorado the proposed action would result in significant biological impacts, the Federal Emergency Management Agency (FEMA) should prepare an EIS as required by the National Environmental Policy Act. In addition, the action proposal may result in significant environmental or socio-economic impacts.

The City, in accordance with Section 3.7 of the Mitigation Plan, should recommend that the proposed action would result in significant biological impacts.
1. The SEIRBA Must Be Revoked

Several of our experts identify where the SEIRBA lacks information which we believe is necessary to determine whether the proposed land management plan would affect (a) the imperiled species that were made during the MSCP negotiations regarding the habitat that is to be preserved under the MSCP, and/or (b) the recovery status of any of the species covered by the MSCP. About this additional information, it is insufficient for us to make these determinations, and the SEIRBA is inadequate and unsupported relative to impending biological processes and the MHPA [CEQA Section 15168(f)(4)]. In addition, we have to note that there are still mitigations measures, considered different from the others previously adopted that we all know the potential of significant biological impacts (e.g., comment 120). The City's decision to adopt these measures would allow us the fulfillment of the SEIRBA [CEQA Section 15168(f)(7)].

The Department's NPS later explained that the SEIRBA must ensure and verify that all conditions and amendments of the MSCP include plans and adequate implementing agreements would be in place if the proposed land management plan was approved, as implemented. The NPS letter also indicated that the direction to the SEIRBA about the proposed project is to set forth all necessary conditions at the conclusion of the project and that the City would be responsible for the cost to implement the conditions within the MHPA, and the potential impacts on the SEIRBA covered species. The SEIRBA lacks adequate information regarding the above-identified known, unimportant and not complete data that need to determine the validity of several of the potential, unimportant, and unimportant biological impacts in the SEIRBA.

We appreciate the efforts of City staff in preparing the SEIRBA under the pressures of emergency conditions. However, because the Unincorporated Code gives the Fire District the authority to adopt the Unincorporated Code homosexuality, there is no change that would be able to adopt the project's regulations or agree upon them. Further, we are interested in the need to enforce (a) the protection of the existing land management regulations by the City in a public open space and by private parties, and (b) the success in building codes, e.g., requirements of City A's 'planning regulations, on wooden structures and wood structures.'

The January 21, 2006, City Manager order that the SEIRBA must be reviewed and that the conditions of the SEIRBA must be revised to ensure that the SEIRBA contains adequate information regarding the above-identified known, unimportant and not complete data that need to determine the validity of several of the potential, unimportant, and unimportant biological impacts in the SEIRBA.
b. The proposed revisions, as described in the preceding comments, do not add any significant new information to the Zone 2 area, and the MIPAs have not yet reviewed the proposed revisions for Zone 2. The MIPAs have not yet reviewed the proposed revisions for Zone 2.

c. The proposed revisions to the Zone 2 area are not described in the preceding comments. The MIPAs have not yet reviewed the proposed revisions for Zone 2.

d. The proposed revisions to the Zone 2 area are not described in the preceding comments. The MIPAs have not yet reviewed the proposed revisions for Zone 2.

4. The proposed revisions to the Zone 2 area are not described in the preceding comments. The MIPAs have not yet reviewed the proposed revisions for Zone 2.

Recommendations:

The MIPAs have not yet reviewed the proposed revisions for Zone 2. The MIPAs have not yet reviewed the proposed revisions for Zone 2.

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management area should be incorporated into the footprint of all future projects. Implementing a similar approach for the SEPA would facilitate this requirement.

The rationale for selecting the SEPA area should also consider its potential for additional habitat impacts. Within the SEPA, the impacts from the expansion of Zone Two would be negligible, as any additional development would be subject to existing regulations and constraints. The SEPA would also facilitate the conservation of sensitive species and habitats within the area.

The SEPA would also provide a buffer zone to prevent the expansion of Zone Two. If the SEPA is not selected, the impacts from Zone Two would be more significant, as the area would be subject to additional development pressures.

In conclusion, the SEPA should be implemented for the project, as it would facilitate the conservation of sensitive species and habitats, and prevent the expansion of Zone Two. The SEPA would also provide a buffer zone to prevent the expansion of Zone Two, and facilitate the conservation of sensitive species and habitats within the area.
We do not concur with the City's conclusions that the project-related potential impacts would be unlikely to affect the structural diversity within the MHW, and that the final... and that the habitat... would have no significant... direct impacts from the ongoing activities.

e. The maintained land use zone in SHPA should continue on the condition that the US news... level within the SEHBA. If... improvements... for more species under the SEHBA. We recommend that the re-evaluation... be completed and... measures will be taken.

5. Improvements to [redacted] should be considered as Mitigated.

Information in a SEHBA.

According to the SEHBA, implementation of the proposed activities would affect 15 acres of... from the potential impacts within the... SEHBA areas. However, the SEHBA also indicates... years on the... in the City... on the... of... It is... to... to... on the... A comprehensive survey of... from... within the City... of... The... in the... and... to... and... to... within Zone Two have been... to... within the... SEHBA areas... The... of... within the... at the... in the... which would result in a net loss of... the... We therefore recommend that... final... substantiate these conclusions.

Footnote:
7. The City's... the... the... the... that... the... of... the... the... to... the... to... the... the... to... the... in the... the... the... the... the... the... to... The... to... the... to... to... to... the... to... the... to... the... to...
Implementation of the Horizontal Engagement Framework (HEF) at the City of New York

The City of New York is implementing the Horizontal Engagement Framework (HEF) to enhance collaboration and communication among various agencies and departments. This framework aims to improve the effectiveness of city services by fostering a more integrated approach to problem-solving.

Key Components of the HEF:
1. **Common Goals**: Establishing shared objectives and outcomes that transcend traditional departmental boundaries.
2. **Cross-Disciplinary Teams**: Forming teams that include representatives from multiple agencies to address complex issues.
3. **Open Communication**: Encouraging transparent and frequent communication among team members.
4. **Data-Driven Decisions**: Utilizing data and performance metrics to inform decision-making processes.
5. **Continuous Improvement**: Implementing feedback mechanisms to continuously improve service delivery.

Benefits of the HEF:
- Enhanced collaboration among departments.
- Improved efficiency and effectiveness of city services.
- Greater accountability and transparency.

Challenges and Future Directions:
- Balancing departmental autonomy with integrated solutions.
- Overcoming communication barriers among different agencies.
- Ensuring equitable participation of all stakeholders.

Conclusion:
The implementation of the HEF is a significant step towards achieving more efficient and effective city services. Ongoing efforts are focused on refining the framework to address emerging challenges and opportunities.

---

**Exhibit A (BUS-40721-2)**

The City of New York, through its Department of Parks and Recreation, is currently engaged in the development of a new park in the North End area. The project aims to enhance the quality of life for residents by providing a green space that includes recreational facilities, walking trails, and community gardens.

Key Features of the Proposed Park:
- **Green Spaces**: Large areas dedicated to greenery and landscaping.
- **Recreational Facilities**: Baseball fields, tennis courts, and playgrounds.
- **Community Gardens**: Spaces for local residents to grow vegetables and flowers.
- **Paved Paths**: Accessible walking and cycling paths.

Community Engagement:
- **Public Meetings**: Regular meetings with residents to gather feedback and suggestions.
- **Workshops**: Interactive sessions to educate the community about the benefits of the park.
- **Volunteer Opportunities**: Inviting residents to help with park maintenance.

Expected Benefits:
- **Healthier Community**: Encouraging a more active and healthier lifestyle.
- **Environmental Sustainability**: Promoting the use of sustainable materials and practices.
- **Enhanced Quality of Life**: Providing a space for relaxation and social interaction.

Challenges:
- **Funding**: Securing adequate financial resources for the project.
- **Urban Development**: Navigating the complexities of urban planning and construction.
- **Community Buy-In**: Ensuring widespread support from the community.

Conclusion:
The project is expected to significantly contribute to the quality of life in the North End area, offering a valuable resource for recreation and community interaction. Ongoing efforts are focused on addressing challenges and ensuring the successful completion of the project.
habitat is solely or predominately occupied by native species. Based on the City’s
findings, staff concluded that invasion of exotic species into brush management areas
appears to be the greatest impact associated with biological controls and brush
management. We identify the invasion of exotic species as the most biologically
severe impact of brush management, for brush management itself results in
direct impacts on sensitive habitats and species.

The presence of invasive exotic species in brush-managed areas presents
twofold biological problems. These include the alienation of ecosystem functions such as
plant, animal, and interaction, as well as the biological diversity and coexistence
with native plants and the potential for hybridization of native species, which results in
deteriorated biological diversity and susceptibility to native plants, raising questions about
the changes brought by exotic species introductions. For example, the California Manual
Distinctly Dominant Provisions indicates that the management of sensitive habitats and
species is experiencing threats from invasive weeds (Serres et al. 2000). The introduction of invasive species also increases the potential for significant
introduction into sensitive habitats, and an increase in the availability of propagules to
the surrounding habitat. We are concerned that the proposed changes in the zoning laws which would expand the availability of
invasive species both within and between zones, and thus, may increase the risk of invasive
species spreading within the敏感 habitats, above the current levels, which now include only direct impacts.

1. Many exotic species that establish in the brush management areas including those owned by City staff, may be more problematic than the native species they displace (City of Laguna Niguel). Fire-prone exotic plant species include poison parrot (Ceraeris
sulphurea), yellow bur (Sphagneticolora californica), black walnut (Juglans nigra), and Dadzie (Balsamia neglecta), to name a few. The brush management activities
within the area have increased the risk of these exotic species spreading to sensitive habitats, as the presence of fire-prone species is clearly not
intentional to brush management activities.

A report by the San Diego City Wildfire Risk Assessment states, "Unfortunately, my
homeowners ignore the need for defensible space, because they misunderstand the
"defensible" concept. They believe it means the complete removal of all vegetation in
the area around their homes. Other homeowners do not want to touch any native
vegetation for environmental or aesthetic reasons. Other homeowners observe the area
as a source of moisture to remove and dispose of vegetation, which could involve costly
firefighting and landscape changes." (San Diego County, 2003). This report substantiates
this statement.

In conclusion of the proposed regulations, the SEMRA states, "It is assumed that
the person who requires brush management... would need to formulate a plan approved by the City for the proposed procedure in the regulation... and it is expected that it will take place in conjunction with a brush management permit..." (San Diego County, 2003).
possibly erosion, spread (e.g., by root), growth of invasive plant propagules from cut brush management areas to the road and stream banks, degradation of water quality from barren or disturbed areas, and impacts to rare or endemic plant species.

2. The Shasta EIR process is designed to identify impacts from invasive species, noting: "In order to evaluate impacts to plant communities and biodiversity, the zone must be identified as having an invasive species threat in question. The Shasta EIR process is designed to identify impacts from invasive species, which will be considered in the evaluation of the impacts from invasive species. Invasion of natural plant communities has been identified and provided for in the brush management regulation (including invasive species control) of the brush management regulations for both private and public lands. This is based on the definition of invasive species provided in the Zone Two Area of Special Concern.

3. To achieve the above, we recommend that the City take immediate action to establish a "no-go" zone for an extended period of time, until the City has sufficient funding for the enforcement. It difficult to initiate by the City. This is the key to avoiding compliance with the brush management regulations. We urge the City to make a decision on the enforcement of proposed brush management regulations until there is adequate funding to implement the existing and proposed regulations, and until the City has the funds to enforce them.

The City of Redding has adopted the brush management program since 1994, but has not yet implemented it. The City is currently reviewing the proposed brush management regulations. The one-time grant to the city of Redding from the State of California for the draft municipal code provides the City with the necessary funding to implement the proposed brush management regulations. The City is currently reviewing the proposed brush management regulations. The one-time grant to the city of Redding from the State of California for the draft municipal code provides the City with the necessary funding to implement the proposed brush management regulations. The one-time grant to the city of Redding from the State of California for the draft municipal code provides the City with the necessary funding to implement the proposed brush management regulations. The one-time grant to the city of Redding from the State of California for the draft municipal code provides the City with the necessary funding to implement the proposed brush management regulations. The one-time grant to the city of Redding from the State of California for the draft municipal code provides the City with the necessary funding to implement the proposed brush management regulations.

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5. The City of Redding has adopted the brush management program since 1994, but has not yet implemented it. The City is currently reviewing the proposed brush management regulations. The one-time grant to the city of Redding from the State of California for the draft municipal code provides the City with the necessary funding to implement the proposed brush management regulations. The one-time grant to the city of Redding from the State of California for the draft municipal code provides the City with the necessary funding to implement the proposed brush management regulations. The one-time grant to the city of Redding from the State of California for the draft municipal code provides the City with the necessary funding to implement the proposed brush management regulations. The one-time grant to the city of Redding from the State of California for the draft municipal code provides the City with the necessary funding to implement the proposed brush management regulations.
material alternative should be required, and not considered optional. As to existing structures, the code should be revised to require that certain features of structures of this type be included in the permit. The City Council may consider the inclusion of these features. The City Council may also consider the inclusion of these features to the building code regulations. The City Council may also consider the inclusion of these features to the building code regulations. The City Council may also consider the inclusion of these features to the building code regulations.

As discussed previously, the issues of the brush management regulations are related to the need for action that would reduce the need for the city to encroach on the already approved sections of the building code that reduce the furring density of the building code. The City Council may also consider the inclusion of these features to the building code regulations.

The table indicates that the SHRA/ERA should properly address the issues of the brush management regulations that reduce the furring density of the building code to achieve protection from fire of the urban environment.

6. Modifications to Proposed Brush Management Regulations

The section indicates that the SHRA/ERA is the authority to determine whether the proposed regulations are appropriate. Superficial suggestions are suggested, and additional suggestions are unavailable.

The SHRA/ERA may consider the inclusion of these features to the building code regulations. The City Council may also consider the inclusion of these features to the building code regulations.

7. Section 4.4.12(b) allows the Fire Chief to modify the brush management regulations to allow the widening of Zone One to Two beyond the existing 35-foot and 65-foot. In addition, the SHRA/ERA states that the LDC [Land Development Code] allows the alternative regulations to allow the brush management regulations in the city of cannabis for structures which may be included as permit conditions for projects requiring development permits. Where Section 4.4.12(b) is intended to modify this provision in the LDC, any language should be modified to make it more apparent.
1. The reference to the MESA should be spelled out, not a decile added that briefly explains to the reader the purpose of the MESA and what is intended to be included or excluded from the study. 

2. It is recommended that section 14.3.3(d)(7) be placed instead immediately after section 14.3.1.1(2). 

3. A site-specific design management reaches and requires compliance with the procedures and time periods for development. It is recommended that the latter be made explicit in the form with the former.


DRAFT FINAL
SUBSEQUENT ENVIRONMENTAL IMPACT REPORT/
ENVIRONMENTAL ASSESSMENT

BRUSH MANAGEMENT REVISIONS TO THE LAND DEVELOPMENT CODE
AND FEDERAL GRANT FROM THE OFFICE OF EMERGENCY SERVICES
(OES), FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

PROJECT No. 31245
SCH # 2004031041

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May September 2004
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LIST OF ACRONYMS

The following list of acronyms used within this SEIR/EA is provided for the reader's reference.

APE  Area of Potential Effect
BMPs  Best Management Practices
CDFG  California Department of Fish and Game
COP   Coastal Development Permit
CEQA  California Environmental Quality Act
DSD   City of San Diego Development Services Department
EAS   Environmental Analysis Section
EIR   Environmental Impact Report
ESL   Environmentally Sensitive Lands
GIS   Geographic Information System
LCP   Local Coastal Program
LDC   Land Development Code
LDR   Land Development Review
LUP   Land Use Plan
MSCP  Multiple Species Conservation Program
MHPA  Multi-Habitat Planning Area
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EXECUTIVE SUMMARY

A. BACKGROUND AND PROJECT DESCRIPTION

The current brush management regulations in the Land Development Code (LDC) were developed in conjunction with the Multiple Species Conservation Program (MSCP). The regulations were approved by City Council in November 1997 and by the California Coastal Commission in November of 1999. They were made effective with the entire Land Development Code Update on January 3, 2000.

Currently, Brush Management Zone One is the area adjacent to structures and consists of pavement and permanently irrigated ornamental plantings. Brush Management Zone Two is an area of native or naturalized plant material thinned to 50% to reduce fuel load. The width of Zone One currently varies from 20 feet to 40 feet west of Interstate 805 and El Camino Real, and 30 feet to 45 feet east. Zone Two currently varies from 20 feet to 30 feet west of Interstate 805 and El Camino Real, and 40 feet to 50 feet further east. Under the current Land Development Code Section 142.0412(h)(6), property owners are responsible for maintaining brush management zones to include weedng within brush management zone two.

Since the adoption of the MSCP in 1997, brush management zone one associated with new development has been located within the development footprint and is not allowed within the M1PA. With the proposed revisions to the LDC, zone one would be increased to thirty-five feet. For some existing structures, zone one may not be able to expand to thirty-five feet without impacting native habitat. In lieu of expanding zone one into native habitat, the proposed code amendments would increase the width zone two one foot for every one foot of zone one that could not be provided, unless the Fire Chief approved a modification on a case-by-case basis.

The proposed activities would be accomplished in accordance with the San Diego Municipal Code Chapter 14, Article 2, Division 4 and also proposed revisions to Chapter 4, Article 4, Division 3, Section 44.0307, et seq. These revisions to the regulations are proposed to address ministerial actions. Brush management thinning activities in zone two could be done by
livestock (goats). This would involve using goats as a supplement to existing crews to carry out brush management zone two thinning. Thinning of vegetation would include fencing the area to be thinned, bringing in a herd of goats, which would then feed on the vegetation, thereby reducing the fuel load and creating the defensible space for fire protection. The goat herd would remain in the fenced area for two to three days then be moved to another area. This rotational grazing is referred to as controlled grazing, compared to continuous grazing which allows grazing to occur over the same plot of land without rotation. Thinning would occur as the goats feed on the vegetation. Goats do not have a specific diet and will feed on most any type of shrubbery or vegetation. Studies have shown that they will eat plants almost to ground level but leave the roots and graze on the lower branches of large trees and shrubs.

The SEIR/EA is for public (including Right-Of-Entry Permits) and private activities on already developed properties, not for future brush management to facilitate future development. Zone two brush management would continue to be exempt from ESL; therefore, private brush management activities do not normally require a permit.

It is currently prohibited to use goats to thin vegetation in Brush Management Zone 2. However, the “project” for purposes of this SEIR/EA includes a proposed code amendment to allow Zone 2 thinning with goats; therefore, the impacts analysis includes impacts attributable to using goats.

B. ENVIRONMENTAL ANALYSIS

Implementation of the proposed Project would result in significant impacts to the following issue areas:

- Land-Use
- Biological Resources

Land-Use

The proposed revisions to the brush management regulations would be consistent with all of the applicable planning documents, land use plans and regulations with the exception of the Environmentally-Sensitive Lands regulations of the Land Development Code. As discussed in
Section V.B. Biological Resources, the proposed revisions could result in impacts to the California grackle/ner breeding season. This would not be consistent with the ESL regulations, therefore resulting in a significant land-use impact. Measures are available to mitigate these impacts, however the applicant has not agreed to them. Therefore, significant impacts associated with land-use would remain unmitigated.

**Biological Resources**

The proposed project would impact biological resources as a result of the establishment of invasive plant types once brush management activities have been conducted. Thinning in zone two would allow for the invasive plants to establish in zone two. City staff conducted site visits on a number of parcels and concluded that routine weeding as required by the code is not being implemented. The introduction of invasive plants in zone two would result in a significant impact to native habitat and sensitive biological resources. Invasive plant types would be introduced into zone two as a result of the thinning, creating a significant impact. Further, as goats digest certain plant types containing seeds, the goat feces could also spread invasive plants within zone two as the seeds could take hold in the soil and sprout. Measures are available to mitigate impacts to native habitat, however the applicant has not agreed to them.

The EIR/EIS for the MSCP concluded that impacts to covered species and their habitats from brush management were significant but mitigated to below a level of significance with the implementation of preserve management and planning guidelines identified in each City's MSCP Subarea Plan and associated implementing regulations. As documented in this SEIR/EA, impacts to biological resources that could result from implementation of the proposed brush management revisions would be significant in that the project would expand the area within which invasive weeds establish. In that the increase impacts would occur within the 200-foot edge affected area located within the MHPA. This SEIR/EA concludes, like the EIR for the Land Development Code, that the impacts are rendered less than significant by implementation of the MSCP except for impacts occurring outside the MHPA for significant impacts to non-covered species. Therefore, significant impacts associated with biological resources would remain significant and unmitigated.
The proposed project would also result in significant impacts to sensitive species, specifically the California gnatcatcher. Brush management thinning in zone two could impact the gnatcatchers due to incidental impacts to nesting birds and reduction of suitable habitat by brush thinning within the breeding season on lands within the MHPA. Mitigation in the form of acquiring approximately 198 acres of equal-value gnatcatcher habitat would mitigate impacts to the gnatcatcher to below a level of significance; however, the applicant has not agreed to it. Impacts to sensitive vegetation associated with the goat grazing would be significant as identified in the proposed project. This would also result in a significant impact to biological resources. Sensitive species impacts would also be significant as identified in the proposed project. The California gnatcatcher would also be impacted by vegetation thinning by goats or humans that could physically impact a nest. The Mitigation outlined in Section V.B. would reduce impacts to biological resources to below a level of significance; however, the applicant has not agreed to it. Impacts associated with the establishment of invasive plants would remain significant and unmitigated. Impacts to non-covered species outside the MHPA would remain significant and unmitigated.

**Hydrology/Water Quality/Erosion**

Implementation of the proposed brush management revisions would not change the course of surface water flow or result in the long-term change to hydrology/water quality. The minimal erosion and sedimentation associated with surface disturbance would not be significant. Further, any hand held landscaping equipment (i.e. weed whacker) that would operate within open space, private lands or other environmentally sensitive lands could release fluid or other substances. Due to the limited quantities of substances and typical distances for water quality, no impacts to water quality are anticipated.

According to the Biological resources report prepared for the project, two out of 25 sites that were observed show evidence of erosion. The erosion within the brush management areas can be attributed to the sandy soils on the slope and, in one case, the way the slope was constructed. In both cases, there is not a clear association between brush management and the erosion on the site. Based on the nature of the proposed brush management revisions, impacts to erosion are not expected to occur.
Neighborhood Character/Aesthetics

Implementation of the proposed Brush Management revisions would serve to improve the amount of defensible space from structures to vegetation. The brush management revisions would help avoid large brush fires, like the recent Cedar Fire of October 2003, thereby avoiding impacts to neighborhood character/aesthetics.

There is the potential that private land owners could impact mature trees with the proposed brush management revisions. However, the current brush management regulations require that trees be thinned, not removed from brush management zones one and two. Therefore, the proposed brush management revisions would not result in a significant impact to neighborhood character/aesthetics.

C. ALTERNATIVES ANALYSIS SUMMARY

Based on the results of the environmental analysis contained in Section V, implementation of the proposed project would have significant impacts related to land use and biological resources. The discussion of alternatives is intended to “substantially reduce significant impacts.”

No Project Alternative

Under the No Project Alternative, the existing brush management zones would remain in effect. Current brush management regulation state that the width of Zone one varies from twenty feet to thirty-five feet west of Interstate 805 and El Camino Real, and thirty feet to forty-five feet on the east. Zone two currently varies for twenty feet to thirty feet west of Interstate 805 and El Camino Real, and forty feet to fifty feet on the east.

In the absence of implementing any of the activities associated with the proposed brush management revisions, none of the environmental impacts described in Section V would directly occur. However, the Fire Marshall could still require thinning beyond the present Zone Two.
No Action Alternative

NEPA requires that the No Action Alternative be described. The No Action Alternative assumes that there would be no federal funding available for the implementation of the brush management revisions within City owned open space areas and as a result, no federal action to approve. The proposed brush management revisions could still be implemented by the City; however, funding would need to be acquired from different sources. This alternative would not achieve the objectives of the project of providing additional defensible space from structures to vegetation because the City does not have alternative sources of funding for the project.

Increasing Building Regulations

Under this alternative, proposed changes to the building regulations would occur thereby reducing the need for increased brush management zones. Revisions to the building regulations could include fire walls which would be constructed at the boundary between zone two and open space. Additional building regulations could include alternative architectural features for structures where brush management would normally be required. This revision to the Land Development Code regulations is included in the proposed ordinance which is attached to this SEIR/EA as Appendix C.

While the proposed project allows development features as an alternative to or in addition to reduced brush management zones, under this alternative there would be no impacts to biological resources or sensitive species because brush management would not occur. The building regulations would reduce the fire hazard to structures and the habitat on site would remain undisturbed.

No impacts associated with hydrology/water quality/erosion, land use or neighborhood character/aesthetics would occur with this alternative.
D. ALTERNATIVES CONSIDERED BUT REJECTED

Education/Training Alternative

The Education/training alternative would rely on existing or expanded information which is available to the public for the purposes of brush management and creating defensible space around structures. Much of this educational information is readily available to the public via the City of San Diego website, brochures and flyers which are available through the Fire-Rescue and Park and Recreation Departments. There has been a substantial amount of public outreach on the subject of brush management. This alternative is unreasonable due to the fact it is assumed that not everyone who requires brush management on their site would necessarily participate in any of the educational materials and/or conduct brush management per the required procedures in the regulations or as required in any development permit conditions.

Under this alternative, based on the assumptions mentioned above, there would be a significant impact to non-covered species located outside the MHPA sensitive biological resources as a result of the establishment of non-native plant species in zone two and down slope of zone two. In addition, impacts to the California gnatcatcher would occur as the assumption is that brush management could likely occur during the breeding season. Impacts associated with invasive plant species would remain significant and unmitigated; therefore, this alternative is rejected.

Prescribed Burn Alternative

Under this alternative, prescribed burning of vegetation would be allowed within or beyond brush management zone two to allow fuel load reduction. Prescribed burns can be used to create a mosaic of age-classes of shrublands; reducing fuel load adjacent to structures; protecting oak and conifer woodlands through understory burning; and removal of unwanted or exotic species. The effectiveness of prescribed burns is questionable. Research indicates that this type of fuel management may be effective at controlling fires that burn under moderate weather conditions, but ineffective at controlling fires that ignite under severe weather conditions (i.e., Santa Ana). It has been suggested that multiple prescribed burns to create a mosaic of fuel loads in the shrublands is not practical and focus should be on the interface between developments and native habitat areas.
Prescribed burns create a significant liability issue, and can only be conducted at certain times of the year based on humidity, wind, fuel load and availability of response crews to suppress unwanted burns. An incomplete assessment of any factor for a prescribed burn can lead to loss of property and life with serious liability questions to both the landowner and the one responsible for the burn. This alternative is rejected because it is not supported by the City of San Diego Fire-Rescue Department.

Clear and Re-plant Zone Two

Under this alternative complete clearing would occur in zone two and would be re-planted with low height native plant types. Proper planting protocol would be to lightly scarify the soil surface before planting for better seed/soil contact. Temporary irrigation would be installed for a period of up to two years for plant establishment. The assumptions associated with this alternative are that the irrigation would not be installed or monitored properly thereby allowing runoff to occur down slope of zone two. This can be substantiated by evidence that irrigation runoff is the primary source of water in our drainages within the City during the summer. The newly planted vegetation would be successful in reducing impacts to weed invasion. This alternative would have a significant impact on sensitive habitats; therefore, this alternative is rejected.

Thinning by Plant Type

Under this alternative, thinning of vegetation would occur based on the plant types located within brush management zone two for fuel load reduction. The first plant types to be thinned would be the most flammable and the most invasive within the specific brush management zone two area. Next, the more flammable native or naturalized plants would be thinned. Finally, the least flammable and more sensitive native or naturalized plants would be thinned for a total reduction in ground cover to 50%. The effectiveness of thinning by plant type is questionable. Thinning the most flammable and the most invasive plant types first would address the most harmful plant types, but these plant types could establish themselves rather quickly after the initial brush management occurs. This alternative is rejected because it is not potentially feasible to assume that everyone who requires brush management on their property would be able to identify all
plant types located in zone two brush managed areas.

E. CUMULATIVE IMPACTS

Land Use

As discussed in Section V.A, implementation of the proposed brush management revisions is not expected to result in land use impacts, with the exception of consistency with the Environmentally Sensitive Lands regulations as it relates to the greater fairy breeding season. These impacts when considered with other reasonably foreseeable projects are not considered to be cumulatively considerable.

Biological Resources

Wood invasive in conjunction with past, present and reasonably foreseeable projects is considered to be cumulatively significant and the contribution of the revised brush management regulations is considerable and therefore significant. Since the project is mitigated by the implementation of the MSCP, there are no cumulative impacts to biological resources with the proposed project.

Hydrology/Water Quality

As discussed in Section V.C, implementation of the proposed brush management revisions is not expected to require any groundwater dewatering. Based on the nature of the proposed brush management revisions, impacts to groundwater quality are not expected to occur. Based on the nature of the proposed brush management revisions, impacts to erosion are not expected to occur. Therefore, it is anticipated that the proposed brush management revisions would not contribute to the cumulatively significant hydrology/water quality/erosion impacts.
Neighborhood Character/Aesthetics

As discussed in Section V.D, implementation of the proposed brush management revisions would serve to minimize any potential impacts to mature trees, and any individual thinning projects on private lands, open space or other environmentally sensitive lands are not anticipated to result in changes to neighborhood characteristics or aesthetics during thinning activities. No mature trees will be removed with the proposed brush management zones. As such, the proposed brush management revisions would not contribute to any cumulatively significant neighborhood character/aesthetics impacts.

F. GROWTH INDUCEMENT

The proposed brush management revisions involves ongoing thinning activities located on private lands, open space and other environmentally sensitive lands that would serve to maintain the proposed 100-foot wide defensible space between structures and vegetation. The proposed brush management revisions would not have the potential to directly or indirectly induce growth or otherwise foster the potential for growth. Further, this SEIR/EA does not address brush management impacts that might result from future development. Therefore, no growth inducing impacts, direct or indirect, are anticipated to occur as a result of the implementation of the revised brush management regulations.
SECTION I
INTRODUCTION

Subsequent EIR/EA

This document is a Joint Subsequent Environmental Impact Report/Environmental Assessment (SEIR/EA) for Brush Management Revisions to the City of San Diego Land Development Code. The SEIR/EA must comply with the National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S.C., §4325 et seq.) and the California Environmental Quality Act (CEQA) of 1970, as amended (Public Resources Code, §21000, et seq.) and tiers off of the San Diego Municipal Code Land Development/Zone Code Update, LDR No. 96-0333, SCH No. 96081056. Pursuant to CEQA Guidelines, the NEPA format is used in preference to the City of San Diego CEQA Guidelines and City of San Diego Environmental Impact Report Guidelines (Revised September 2002). However, all mandatory CEQA sections are included and, where in addition to NEPA sections, follow the City of San Diego preferred format. Pursuant to CEQA Guidelines Section 15162, a Subsequent EIR may be prepared when substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

The advantages of a Subsequent EIR for this project include, but are not limited to, consideration of cumulative impacts that may not have been considered in the previous EIR; reduction in paperwork; avoidance of duplicative reconsideration of basic policy considerations; and use of the subsequent and previously approved EIR documents in evaluating subsequent activities.

The proposed project involves increasing the width of the current Brush Management Zones. Current Brush Management Zone One is the area adjacent to structures and consists of pavement and permanently irrigated ornamental plantings. The width of Zone One currently varies from 20 feet to 40 feet west of Interstate 805 and El Camino Real, and 30 feet to 45 feet east of I-805 and El Camino Real. Brush Management Zone Two is an area of native or naturalized plant material...
thinned to 50% to reduce fuel load. Zone Two currently varies from 20 feet to 30 feet west of Interstate 805 and El Camino Real, and 40 feet to 50 feet further east.

In light of the size and severity of the Cedar fire, and other wildfires in October of 2003, the Fire Chief is recommending a City wide 100 foot brush management area consisting of 35 feet of Zone One and 65 feet of Zone Two. In addition, it is proposed that Zone Two would be expanded accordingly to achieve 100 feet of brush management where Zone One is less than 35 feet from existing structures. A standard 100 foot brush management zone would allow for a greater defensible space against impending fire. The project is located within the limits of City of San Diego, and includes the City of San Diego Multi-Habitat Planning Area (MHPA) of the Multiple Species Conservation Program (MSCP), City of San Diego Open Space Lands, private property, and lands within the California Coastal Commission jurisdiction.

Since the adoption of the MSCP in 1997, brush management zone one associated with new development has been located within the development footprint and is not allowed within the MHPA. With the proposed revisions to the LDC, zone one would be increased to thirty-five feet. For some existing structures, zone one may not be able to expand to thirty-five feet without impacting native habitat. In lieu of expanding zone one into native habitat, the proposed code amendments would increase the width zone two one foot for every one foot of zone one that could not be provided, unless the Fire Chief approved a modification on a case-by-case basis.

The City of San Diego Park and Recreation Department is currently responsible for maintaining brush management in city-owned open space areas within the City of San Diego. Project implementation on City property would initially be partially funded by the Office of Emergency Services (OES), via a Federal Emergency Management Agency (FEMA) grant that is currently being applied for by the City of San Diego Park and Recreation Department, which is the basis for including NEPA analysis in this SEIR/EA.

Based on a review of the proposed project by the Lead Agency [City of San Diego Development Services Department (DSD)], and pursuant to CEQA Sections 15063(a) and 15081, as amended,
it has been determined that the proposed revisions to brush management zones may have a significant effect on the environment. The preparation of a draft Subsequent Environmental Impact Report (SEIR)/Environmental Assessment (EA), therefore, are required.

**A. CEQA REQUIREMENTS**

This SEIR/EA has been prepared in accordance with the requirements of CEQA (California Public Resources Code Section 21000 et seq.), the CEQA Guidelines, as amended March 29, 1999; (California Code of Regulations Section 15000 et seq.), City of San Diego Land Development Code (Sections 69.0201 – 69.0218) and the City of San Diego EIR Guidelines (Revised September 2002).

In accordance with the requirements of CEQA, the City of San Diego DSD has circulated a Notice of Preparation (NOP), dated March 9, 2004, to all interested agencies, groups, and individuals. All comments received were considered during preparation of this SEIR/EA. The NOP and comments received are attached in Appendix A to this SEIR/EA. Through the SEIR/EA scoping process, four environmental issue areas were identified and are addressed in this SEIR/EA. They include: (1) land use; (2) biological resources; (3) hydrology/water quality; and (4) neighborhood character/aesthetics. Other CEQA-required sections, such as Summary; Environmental Setting; Background and Description of Programs; Growth Inducement; Cumulative Impacts; Alternatives; Effects Found Not to be Significant; Significant Irreversible Environmental Changes That Would be Involved in the Proposed Action, Should it be Implemented; Significant Unavoidable Adverse Impacts; and Individuals and Agencies Consulted, are also included.

Issues that were determined not to be significant and reasons for the non-significance conclusions are identified in Section VIII of this SEIR/EA and include: Agriculture Resources/Natural Resources/Mineral Resources, Air Quality, Energy, Historical Resources (Archaeology), Human Health/Public Safety, Light/Glare/Shading, Noise, Odor/Nuisance, Recreational Resources.
Paleontology, Population and Housing, Public Services and Utilities, Transportation/Circulation, and Water Conservation.

Subsequent EIR Assessment Method

The proposed revisions to Brush Management Zones that are addressed in this SEIR/EA were identified through the application of a Geographic Information System (GIS) by overlaying a data layer that specified structures within the City of San Diego with a data layer that delineated areas adjacent to but outside of existing urban development (i.e., areas outside of development that would be open space, MHPA and other environmentally sensitive areas). Aerial photographs (digital orthophotos) were then carefully reviewed to confirm or refine the GIS mapping. All structures within the City of San Diego were reviewed to determine an average amount of defensible space for properties within the City of San Diego. Due to the nature of the data used to identify the average width of defensible space between structures and vegetation, the potential exists for structures to have more or less defensible space than of those identified in this SEIR/EA to be identified within environmentally sensitive lands.

Given the large number of open space, private lands, and other environmentally sensitive lands, impact analysis in the Subsequent EIR/EA is based on existing data such as Geographic Information System (GIS) data developed in 1995 for the Multiple Species Conservation Program (MSCP) and GIS data developed by the City of San Diego relative to land use plans.

For the review and analysis of the SEIR/EA an assumption has been made regarding future implementation of the proposed brush management revisions. City staff has assumed that all property owners who will perform brush management on their property will perform the correct amount of thinning, but it is not likely that the timing of the brush management will be in accordance with the breeding season of the California ground squirrel and that brush management activities will be performed outside of the California ground squirrel breeding season (March 1 - August 15) as outlined in the proposed revised ordinance.
C. **APPLICABLE LAND USE PLANS**

The following planning documents are applicable to the proposed Brush Management revisions:

City of San Diego Progress Guide and General Plan

Community, Park/Preserve, and Other City Area Plans (See Section IV.A Land Use for complete list)

City of San Diego Local Coastal Program Land Use Plan

City of San Diego Environmentally Sensitive Lands Regulations

City of San Diego Multiple Species Conservation Program (MSCP) Subarea Plan
SECTION III

BACKGROUND AND PROJECT DESCRIPTION

A. BACKGROUND OF BRUSH MANAGEMENT

Historical Development of Brush Management

The current brush management regulations in the Land Development Code (LDC) were developed in conjunction with the Multiple Species Conservation Program (MSCP). The regulations were approved by City Council in November 1997 and by the California Coastal Commission in November of 1999. They were made effective with the entire Land Development Code Update on January 3, 2000.

The primary focus of the 1997 changes was to simplify regulations, to improve predictability, to make them more enforceable, and to coordinate brush management requirements with the City’s goal to preserve environmentally sensitive habitat. Changes to the regulations included replacement of the complex three zone system of brush management of varying widths (50’ to 110’) based upon classifications of fire severity with a two zone system, based upon the location of the property’s location west or east of Interstate 805 and El Camino Real (Figure 2). The dividing line of Interstate 805 and El Camino Real was selected based upon analysis of historical fire data in and outside areas of climatic coastal influence. The recent Cedar Fire has prompted the Fire-Rescue Department to re-evaluate the current distinction and propose a single citywide brush management system.

Currently, Brush Management Zone One is the area adjacent to structures and consists of pavement and permanently irrigated ornamental plantings. Brush Management Zone Two is an area of native or naturalized plant material thinned to 50% to reduce fuel load. The width of Zone One currently varies from 20 feet to 40 feet west of Interstate 805 and El Camino Real, and 30 feet to 45 feet east. Zone Two currently varies from 20 feet to 30 feet west of Interstate 805 and El Camino Real, and 40 feet to 50 feet further east. Under the current Land Development Code Section 142.0412(h)(6), property owners are responsible for maintaining brush management zones to include weeding within brush management zone two. Site visits
performed by City Staff indicate that this current regulation has not been adhered to and that invasive plant species are able to grow within thinning brush management zone two areas. Additionally, the LDC allows for alternative compliance to brush management in the form of architectural features which can be included as permit conditions for projects requiring a development permit.

Development of the Brush Management revisions

In light of the size and severity of the Cedar fire, and other wildfires in October of 2003, the Fire Chief is recommending a City wide 100 foot brush management area consisting of 35 feet of Zone One and 65 feet of Zone Two. In addition, it is proposed that Zone Two would be expanded accordingly to achieve 100 feet of brush management where Zone One is less than 35 feet from existing structures. A standard 100 foot brush management zone would allow for a greater defensible space against impending fire (Figures 3 and 4).

Under the existing Municipal Code § 142.6412(i), the Fire Chief has the ability to enforce modification to the brush management regulations for purposes of fire protection on a case-by-case basis. As a result of the Cedar Fire, the Fire Chief is recommending implementation of the 100 foot citywide brush management regulations on a volunteer basis, until the proposed revisions to the brush management regulations can be considered for adoption by City Council. In the Coastal Zone, final adoption of the proposed revisions would require approval by the California Coastal Commission to modify the City’s Local Coastal Program.

B. PROJECT DESCRIPTION

Brush Management Revisions

Brush Management Revisions consist of a City wide 100 foot brush management area consisting of 35 feet of Zone One and 65 feet of Zone Two. In addition, it is proposed that Zone Two would be expanded accordingly to achieve 100 feet of brush management where Zone One is less than 35 feet from existing structures. Brush management activities would occur outside of the California gnatcatcher breeding season (March 1 – August 15). The proposed activities would be accomplished in accordance with the San Diego Municipal Code Chapter 14, Article 2, Division
4. These revisions to the regulations are proposed to address ministerial actions. The issuance of a Right-of-Entry permit by the Park and Recreation Department would be required for property owners to perform brush management in accordance with the regulations on City property. Since the adoption of the MSCP in 1997, brush management zone one associated with new development has been located within the development footprint and is not allowed within the MHPA. With the proposed revisions to the LDC, zone one would be increased to thirty-five feet. For some existing structures, zone one may not be able to expand to thirty-five feet without impacting native habitat. In lieu of expanding zone one into native habitat, the proposed code amendments would increase the width zone two one foot for every one foot of zone one that could not be provided, unless the Fire Chief approved a modification on a case-by-case basis. Per the revised brush management ordinance, the Fire Marshall could expand the total width of brush management zone one and two to exceed 100 feet. However, the SEIR/EA assumes a 100 foot average impact.

For any new discretionary projects, impacts will be assessed and mitigation required in accordance with the City of San Diego Biological resources guidelines.

Procedures
For any of the brush management methods described above, there are a number of steps that occur before, during, and after brush management activity. The following describes the typical sequence of steps in the implementing the proposed brush management revisions. Variations to these steps may sometimes occur based on site-specific characteristics. Further, the regulations are silent on methods for pruning and thinning. Pruning and thinning can be done by using hand held power tools, basic non-powered garden tools or goats.

Preliminary Site Evaluation: Before beginning brush management, verify where the property boundaries are to insure that the improvements you make are on the property. If brush management recommendations cannot be accomplished completely on the property and the adjacent property is City-owned open space or park land, contact the Park and Recreation Department Brush Management Section to review options to accomplish brush management requirements.
Brush Management Implementation: Based on the information collected through the preliminary site evaluation, a brush management plan is prepared. The plan identifies: locations of zone one and zone two; the thinning/pruning method(s) to be used; equipment type; proposed measures to avoid or minimize impacts to sensitive resources; and clearances and approvals required.

Permits and Clearances: Based on the nature, location, and extent of activities in open space and other environmentally sensitive lands that need to be completed, the necessary permits and clearances are obtained, including those from any appropriate regulatory agencies (specifically the Park and Recreation Department Right of Entry permit). A Right of Entry Permit from the Park and Recreation Department is required for any work taking place on Park and Recreation Department property.

Controlled Grazing
Brush management pruning and thinning activities in zone two could be done by goats. This would involve using goats as a supplement to existing crews to carry out brush management zone two thinning. Thinning of vegetation would include fencing the area to be thinned, bringing in a herd of goats, which would then feed on the vegetation, thereby reducing the fuel load and creating the defensible space for fire protection. The goat herd would remain in the fenced area for two to three days then be moved to another area. This rotational grazing is referred to as controlled grazing, compared to continuous grazing which allows grazing to occur over the same plot of land without rotation as referenced in Appendix G.

It is currently prohibited to use goats to thin vegetation in Brush Management Zone 2. However, the “project” for purposes of this SEIR/EA includes a proposed code amendment (Appendix G) to allow Zone 2 thinning with goats; therefore, the impacts analysis includes impacts attributable to using goats.

A pilot project within the City of San Diego has recently occurred on a site near the
Mission Trails Regional Park, which includes approximately 40 goats on one-third of an acre of land. Two additional sites have been added to the pilot program. It has been estimated that the goats can clear as much land as a human crew at less than half the cost. There have been cases in California, in Alameda and Contra Costa counties that have been effectively using goats as a tool for fire prevention since 1983. Additional cities in California which use this methodology include Laguna Beach, Malibu and Glendale.

Goats brought in temporarily for brush management purposes will be regulated through the San Diego Municipal Code, Chapter 4, Article 4, Division 3, Section 44.0307, et seq., which addresses the use of livestock within the City of San Diego. This section is in the process of being amended to permit the use of goats for brush management in non-agricultural areas, if certain very specific criteria are met.

Goats will be permitted to browse during the day, and will be moved along as the amount of vegetation thinned reaches the 50% level. They will be fenced with electric fencing, and will be at a density of no more than 75 goats per acre. At night, goats will be penned in a small staging area, which is required to be cleaned daily, and the goats droppings disposed of properly. Goats may not be used in coastal sage scrub habitat during gnatcatcher nesting season between March 1 and August 15.

C. OBJECTIVES OF BRUSH MANAGEMENT REVISIONS

The objectives of the brush management revisions can be summarized as follows:

• To complete in a timely and comprehensive manner the revisions to current brush management regulations.

• To identify and implement efficient, effective, and environmentally sensitive means to accomplish the revised brush management zones one and two.
To provide for effective and environmentally sensitive long-term maintenance of brush management zones in open space, private lands and other environmentally sensitive lands.

To refine the regulations that provide an acceptable risk to structures and fire personnel from wildfires.

D. DISCRETIONARY ACTIONS

City Permits

City Council approval of the proposed brush management revisions to the City's Land Development Code is required to implement the proposed brush management revisions city wide. Other applicable regulations of the City's Land Development Code include Best Management Practices (Sections 142.0101 & 142.0201) and erosion control in the Landscape Regulations.

With approval of the proposed revisions and certification of this SEIR, an amendment to Chapter 14, Article 2, Division 4, of the San Diego Municipal Code by amending sections 142.0402; 142.0403; and 142.0412 would be implemented and also amendments to Chapter 4, Article 4, Division 3, sections 44.0307.1, 44.0307.2 and 44.0307.3 and 44.0307.4. The SEIR/EA is for public (including Right-Of-Entry Permits) and private activities on already developed properties; not for future brush management to facilitate future development. Zone two brush management would continue to be exempt from ESL; therefore, private brush management activities do not normally require a permit.

E. HISTORY OF PROJECT CHANGES

Since the ordinance was originally drafted by City Staff, the SEIR/EA has been modified as follows: There have been project changes for the proposed brush management revisions. 1.) Added to this Draft SEIR/EA the project was the assumption that no impacts to wetlands would occur. 2.) Deleted from this Draft SEIR/EA the project is the ability of the Fire Marshall to expand the width of zone two brush management. 3.) The text of the proposed revisions was
changed to delete the word "cleared" and replaced with "thinned". 4. Time of year restrictions are included in the revised ordinance which prohibits brush management activities within coastal sage scrub during California gnatcatcher breeding season (March 1 - August 15).

F. PROJECT ASSUMPTIONS

For purposes of this SFIR/EA the following assumptions have been made with respect to the proposed revisions to the brush management regulations:

- Brush management will be conducted any time of the year. This is based on the fact that Park and Recreation Department needs to conduct brush management any time of the year. Additionally, as temperatures get warmer people tend to think about the threat of fire and conduct brush management.

- The site visits conducted by City staff revealed that weeding consistent with the regulations is not occurring in brush management zone two.

- Brush management will occur consistent with the regulations in terms of thinning and time of year restrictions within coastal sage scrub habitat.
SECTION IV

AFFECTED ENVIRONMENT

This section includes the NEPA-required brief description of the affected environment, including the population, social, and economic characteristics providing enough detail to understand the effects of the Proposed Action and other alternatives. The location and environmental setting for the proposed action is required by CEQA is also provided.

A. LOCATION

The San Diego region covers over 4,200 square miles in the southwest corner of the continental United States, bordered by Mexico and the Pacific Ocean. The region includes 18 incorporated cities and many unincorporated communities. The 18 cities and over 90 percent of the population are located in the western half of the region. The City of San Diego covers nearly 330 square miles and is located in the southwestern corner of California.

B. BACKGROUND

The current brush management regulations in the Land Development Code (LDC) were developed in conjunction with the Multiple Species Conservation Program (MSCP). The regulations were approved by City Council in November 1997 and by the California Coastal Commission in November of 1999. They were made effective with the entire Land Development Code Update on January 3, 2000.

The primary focus of the 1997 changes was to simplify regulations, to improve predictability, to make them more enforceable, and to coordinate brush management requirements with the City's goal to preserve environmentally sensitive habitat. Changes to the regulations included replacement of the complex three zone system of brush management of varying widths (50' to 110') based upon classifications of fire severity with a two zone system based upon the location of the property's location west or east of Interstate 805 and El Camino Real. The dividing line of Interstate 805 and El Camino Real was selected based upon analysis of historical fire data in and outside areas of climatic coastal influence.
SECTION V
ENVIRONMENTAL ANALYSIS

This section of the SEIR/EA provides a detailed discussion of subject areas that would be significantly impacted by the proposed action as well as a description of the proposed mitigation measures. This includes information developed during the Initial Study process and the response period for the Notice of Preparation. It includes a discussion of impacts as they relate to all Specific Impact Categories as a requirement of NEPA and discussion of any additional considerations necessary to satisfy CEQA guidelines.

A. LAND USE

EXISTING CONDITIONS

Existing Land Use Setting

The San Diego region has one of the most biologically diverse environments in the continental United States, supporting a variety of species and habitat types. This is partially due to the region's varied topography, climate, and soils. The region supports many types of environmental areas such as deserts, coasts, mountains, and maritime communities. The various topography affects all types of development on canyon rims and adjacent to other natural open spaces. Older developments have lots that run to the bottom of the adjacent canyons. More recent developments require easements in the canyons. For the most part, larger canyon areas found throughout the City are city owned. Each of these areas supports a unique assemblage of plant and animal species. There are approximately 1,700 species of plants, 80 of mammals, over 400 of birds, 75 of reptiles and amphibians, 125 of butterflies, and over 10,000 terrestrial and aquatic invertebrates known to occur within the region.
Relevant Planning Documents

City of San Diego General, Community, Park/Preserve and Other Plans

Land use regulations are guided by the City of San Diego Progress Guide and General Plan (City of San Diego 1979). The Progress Guide and General Plan provide overall land use goals, objectives, and recommendations for the entire City.

On October 22, 2002, the City Council adopted the City of Villages – Strategic Framework Element (SFE), a new long-term growth strategy that would replace the existing chapter "Guidelines for Future Development" within the City of San Diego Progress Guide and General Plan. The SFE provides policies to direct future growth as San Diego shifts from an era of building upon abundant open land to one of reinvesting in existing communities.

In addition to the Progress Guide and General Plan, there are 38 community plans in San Diego, as well as a number of adopted area planning documents for parks, special resource areas, and specific plan areas.

Community and Other City Area Plans

- Carmel Valley (North City West) Community Plan
- Clairemont Mesa Community Plan
- Del Mar Mesa Specific Plan
- East Mesa Precise Plan, Balboa Park
- Elliot Community Plan
- Fairbanks Ranch Country Club Specific Plan
- Golden Hill Community Plan
- Greater North Park Community Plan
- Kearny Mesa Community Plan
- La Jolla Community Plan and Local Coastal Program (LCP) Land Use Plan (Draft)
- Linda Vista Community Plan and LCP Land Use Plan
- Mid-City Communities Plan
- Mid-City Design Plan
- Midway Pacific Highway Corridor Community Plan
- Mira Mesa Community Plan
- Miramar Ranch North Community Plan
- Mission Valley Community Plan
- Navao Community Plan
- Ocean Beach Precise Plan and LCP Addendum
Old Town San Diego Community Plan
Otay Mesa Community Plan
Otay Mesa-Nestor Community Plan
Pacific Beach Community Plan and LCP Land Use Plan
Pacific Highlands Ranch Subarea Plan
Peninsula Community Plan and LCP Land Use Plan
Rancho Bernardo Community Plan
Rancho Peñasquitos Community Plan
Sabre Springs Community Plan
San Pasqual Valley Plan
San Ysidro Community Plan
Scripps Miramar Ranch Community Plan
Serra Mesa Community Plan
Skyline-Paradise Hills Community Plan
Southeastern San Diego Community Plan
Tierrasanta Community Plan
Tijuana River Valley LCP Land Use Plan
Torrey Highlands Subarea Plan
Torrey Pines Community Plan
University Community Plan
Uptown Community Plan
Via de la Valle Specific Plan

Park/Preserve and Other Plans
Balboa Park Master Plan
Balboa Park Master Plan Amendment
Chollas Creek Enhancement Program
Famosa Slough Enhancement Plan
First San Diego River Improvement Project Natural Resource Management Plan (Draft)
Los Penasquitos Canyon Preserve Master Plan
Los Penasquitos Canyon Preserve Natural Resource Management Plan
Marian Bear Memorial Park Natural Resource Management Plan
Mission Bay Park Master Plan Update
Mission Bay Park Natural Resource Management Plan
Mission Trails Regional Park Master Development Plan
Otay Valley Regional Park Concept Plan
San Dieguito River Park Concept Plan
Tecolote Canyon Natural Park Master Plan
Western Otay Valley Regional Park Natural Resource Management Plan (Draft)
City of San Diego Local Coastal Program

The City's Local Coastal Program (LCP) governs the decisions that determine the short- and long-term conservation and use of the City's coastal resources. The LCP consists of two components: the land use plan (LUP) and the implementing ordinances found in the zoning and land development sections of the Land Development Code. The City of San Diego has elected to divide their coastal zone jurisdictions into twelve segments. Thus, there are twelve LUPs that make up the City's overall LUP. Policies and recommendations that make up the various LUPs are included and incorporated into the community plans and/or other planning documents for the segment areas. The following LUPs and associated community and other planning documents may be affected by, or relevant to, the implementation of the Brush Management Revisions:

- North City LUP – (Carmel Valley (North City West) Community Plan, Los Penesquitos Canyon Preserve Natural Resource Management Plan, Mira Mesa Community Plan, Pacific Highlands Ranch Subarea Plan, Torrey Pines Community Plan, University Community Plan and Via de la Valle Specific Plan)
- La Jolla/La Jolla Shores LUP (La Jolla Community Plan and LCP Land Use Plan)
- Pacific Beach LUP (Pacific Beach Community Plan and LCP Land Use Plan)
- Mission Bay LUP (Mission Bay Park Master Plan Update and Linda Vista Community Plan and LCP Land Use Plan)
- Peninsula LUP (Peninsula Community Plan and LCP Land Use Plan)
- Otay Mesa/Nestor LUP (Otay Mesa/Nestor Community Plan)
- Tijuana River Valley LCP Land Use Plan

All twelve of the City's LUPs have been certified by the California Coastal Commission; thus, the City is the governing agency for issuance of Coastal Development Permits. However, there are some "areas of suspended certification" within various coastal zone segments that await resolution by the Commission. Within these suspended certification areas, the California Coastal Commission is the governing agency for the issuance of Coastal Development Permits.
City of San Diego Environmentally Sensitive Lands Regulations

The purpose of the Environmentally Sensitive Lands (ESL) Regulations (San Diego Land Development Code, Chapter 14, Article 3, Division 1) is to protect, preserve, and, where damaged, restore the environmentally sensitive lands of San Diego and the viability of the species supported by those lands. The ESL regulations serve to implement the MSCP by placing priority on the preservation of biological resources within the MHPA.

ESL regulations apply to all proposed development when any of the following environmentally sensitive lands are present on the project area: sensitive biological resources; steep hillsides (defined generally as all lands that have a slope with a natural gradient of 25 percent or greater); coastal beaches; sensitive coastal bluffs; and 100-year floodplains.

All proposed developments that encroach into environmentally sensitive lands must obtain either a Neighborhood Development Permit or a Site Development Permit. If development is proposed in the Coastal Overlay Zone, a Coastal Development Permit is also required. Limited exceptions to ESL regulations, including Zone Two brush management, apply in certain circumstances.

The ESL regulations contain development regulations for each type of sensitive land (sensitive biological resources, steep hillsides, coastal beaches etc.). Within the Coastal Overlay Zone (Figure 5), the ESL regulations generally establish a 25 percent allowable development area in steep hillside areas, although development of up to 40 percent is permitted under certain circumstances for certain types of development, including public utility systems. Additionally, the ESL regulations for projects occurring within the Coastal Overlay Zone require a 100-foot buffer to be maintained around all wetlands, as appropriate, to protect the functions and values of the wetland. A lesser or greater buffer may be warranted based on consultation with the resources agencies (i.e., USACE, USFWS, and CDFG).
effective on July 16, 1997, and allows the City to issue Incidental Take Authorizations for listed species under the provisions of the MSCP without having to obtain separate permits from the state or federal governments. Applicable state and federal permits are still required for wetlands and listed species that are not covered by the MSCP.

The MSCP also provides protection for narrow endemic species. Narrow endemics are species with restricted geographic distribution, soil affinities, and/or habitats and are considered sensitive biological resources. Narrow endemic plant species have been identified in the City of San Diego’s MSCP Subarea Plan (p. 106) and include Acanthomintha ilicifolia (San Diego thornmint), Agave shawii (Shaw’s agave), Ambrosia punila (San Diego ambrosia), Aphanisma blitoides (aphanisma), Astragalus tener var. tith (coastal dunes milk vetch), Deinandra conjugens (Otay tarplant), Dudleya biochmaniae ssp. brevifolia (short-leaved dudleya), Dudleya variegata (variegated dudleya), Navarretia fossalis (prostrate navarretia), Opuntia parravii var. serpentine (snake cholla), Orcuttia californica (California orcutt grass), Pogogyne abramsii (San Diego mesa mint), Pogogyne nudiflora (Otay mesa mint), Baccharis vanessae (Encinitas baccharis) and Eryngium aristulatum var. parishii (San Diego button celery).

The latter two species were added during the final MSCP plan (p. 3-27) or identified in Table 3-5 of the City of San Diego’s MSCP Subarea Plan. Table V.A-1 provides information on the various narrow endemics, their lifeforms, flowering periods, and habitat associations.

<table>
<thead>
<tr>
<th>Species</th>
<th>Lifeform</th>
<th>Flowering Period</th>
<th>Habitat</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aphanisma</td>
<td>Annual herb</td>
<td>Apr-May</td>
<td>Southern foredunes</td>
</tr>
<tr>
<td>San Diego thornmint</td>
<td>Annual herb</td>
<td>Apr-May</td>
<td>CSS, Chaparral, Native grassland</td>
</tr>
<tr>
<td>San Diego ambrosia</td>
<td>Perennial herb</td>
<td>May-Oct</td>
<td>CSS</td>
</tr>
<tr>
<td>Shaw’s agave</td>
<td>Leaf succulent</td>
<td>Sep-May</td>
<td>Southern Maritime, CSS</td>
</tr>
<tr>
<td>Coastal dunes milk vetch</td>
<td>Annual Herb</td>
<td>Mar-May</td>
<td>Southern foredunes</td>
</tr>
<tr>
<td>Species</td>
<td>Lifeform</td>
<td>Flowering Period</td>
<td>Habitat</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>------------------</td>
<td>------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>Encinitas baccharis</td>
<td>Deciduous shrub</td>
<td>Sep-Nov</td>
<td>Chaparral</td>
</tr>
<tr>
<td>Short-leaved Dudleya</td>
<td>Perennial herb</td>
<td>Apr-Jun</td>
<td>Open areas within chaparral</td>
</tr>
<tr>
<td>Variegated Dudleya</td>
<td>Perennial herb</td>
<td>May-Jun</td>
<td>Open areas within chaparral or CSS</td>
</tr>
<tr>
<td>Otay Lupine</td>
<td>Annual herb</td>
<td>May-Jun</td>
<td>CSS, Grassland</td>
</tr>
<tr>
<td>Prostrate pavaertia</td>
<td>Annual herb</td>
<td>Apr-Jun</td>
<td>Vernal Pools</td>
</tr>
<tr>
<td>California oregen grass</td>
<td>Annual herb</td>
<td>May-Jul</td>
<td>Vernal Pools</td>
</tr>
<tr>
<td>Snake cholla</td>
<td>Stem succulent</td>
<td>Apr-May</td>
<td>Chaparral, CSS</td>
</tr>
<tr>
<td>San Diego mesa mint</td>
<td>Annual herb</td>
<td>Apr-Jun</td>
<td>Vernal Pools</td>
</tr>
<tr>
<td>Oat mesa mint</td>
<td>Annual herb</td>
<td>May-Jun</td>
<td>Vernal Pools</td>
</tr>
<tr>
<td>San Diego button celery</td>
<td>Annual/perennial</td>
<td>Mar-July</td>
<td>Vernal Pools, Grassland</td>
</tr>
</tbody>
</table>

CSN - Coastal sage scrub

Inside the Multi-Habitat Planning Area (MHPA) of the MSCP, narrow endemic species require avoidance; outside the MHPA they must be avoided, managed, enhanced, or transplanted as appropriate (p. 105 of City of San Diego Subarea Plan).

The subregional MSCP Plan (August 1998) specifically addresses fire management (section 6.3.4) and acknowledges that brush management is necessary for human safety, protection of property, and hazard reduction. The Subregional MSCP Plan allows the fuel management zone between development and the preserve to vary in width and to be within the preserve. Fire management for human safety was to be implemented in a manner that is compatible with the conservation of biological resources. To accomplish this objective, a Wildland Urban Interface Task Force was assembled to draft countywide planning and construction standards and fuel modification standards. The Task Force consisted of the San Diego County Fire Chiefs' Association, USFWS, CDFG, California Department of Forestry and Fire Protection (CDF), U.S. Forest Services, and staff from various jurisdictions. The City of San Diego is a member of the San Diego County Fire Chiefs' Association. A Memorandum of Understanding (MOU) among
these parties was developed with the purpose to manage fire hazards in concert with habitat protection. The MOU was signed by all parties in February 1997.

The purpose of the MOU was to establish guidelines so that CDF, Fire Chiefs and the Districts could continue to protect lives and property from the threat of fire through the abatement of flammable vegetation pursuant to State law, County and District ordinances and Cities' municipal codes. Also, it was to establish a cooperative mechanism whereby the USFS and CDFG could assess, minimize, and help account for potential adverse impacts to sensitive species and habitats resulting from vegetation abatement activities. Through the MOU, the USFWS (under Chapter 1.5 Division 3 of the Fish and Game Code) authorized take of species listed as threatened or endangered, or candidate species (under Chapter 1.5 of Division 3 of the Fish and Game Code) for management purposes necessitated by or incidental to those measures necessary to implement minimum fire safety standards related to defensible space.

The MOU allows property owners, their lessees, CDF, fire districts, and cities to thin all flammable vegetation within a one hundred (100) foot radius of all structures using methods, such as mowing and trimming that would leave the plant root structure intact to stabilize the soil. The MOU requires that the fire agencies develop guidelines for the public which include directions as to the limits for brush management and acceptable thinning methods. Additionally, the MOU states that wetlands should be avoided, unless vegetation abatement is deemed necessary by the Fire Chief. If deemed necessary, then consultation with the USFWS and CDFG shall be required ten days prior to any wetland abatement activities. No wetlands impacts are anticipated to occur with implementation of the proposed changes to the LDC, brush management regulations.

On June 6, 1997 the USFWS issued a Biological and Conference Opinion (Biological Opinion) on issuance of an Incidental Take Permit to the City of San Diego pursuant to the MSCP (1-6-97-FW-47). The Biological Opinion anticipated that impacts from development could include direct take such as killing or injuring individuals, or damaging plants, harm resulting from habitat loss, and/or harassment due to edge effects. The Biological Opinion determined that the biological integrity of habitats adjoining development could be diminished by adverse edge
within the MHPA. The Subarea Plan, section 1.4.3, addresses the adjacency of existing and planned land uses to the MHPA. The Land Use Adjacency Guidelines include drainage, toxics, lighting, noise, barriers, invasives, brush management, and grading/land development. The adjacency guidelines are addressed during the approval process for proposed public and private projects.

In accordance with the City's current regulations and policies brush management zone two is allowed year-round within the MHPA and elsewhere and is considered impact neutral (not considered an impact and not considered acceptable as a mitigation area). Per Section 143.0110 of the Land Development Code (LDC), a Neighborhood Development Permit or Site Development Permit is not required for Zone Two brush management activities if the brush management complies with Section 142.0412 of the Land Development Code (Brush Management) and the City of San Diego, Biology Guidelines. The following are the current requirements for brush management zone two; the only revision proposed to these requirements in changing the word "cleared" to "thinned":

- 50 percent of the plants over 18 inches in height shall be cut and cleared to a height of 6 inches
- all plants remaining after 50 percent are cut and cleared shall be pruned to reduce fuel loading
- no non-native plant material may be planted inside the MHPA or adjacent to areas containing sensitive biological resources
- no permanent irrigation is allowed
- Zone Two shall be maintained on a regular basis by pruning and thinning plants, controlling weeds, and maintaining any temporary irrigation system

A three zone system of brush management, consistent with Uniform Fire Code Appendix IIA, with widths varying from fifty to one hundred and ten feet was in effect when the MSCP was adopted in 1997. The current brush management regulations (Land Development Code, Section 142.0412) were developed in conjunction the MSCP. The regulations were approved by City Council in November 1997 and by the California Coastal Commission in November of 1999. The current code is a two zone system based upon the property's location west or east of...
Interstate 805 and El Camino Real. The width of Zone One currently varies from twenty feet to thirty-five feet west of Interstate 805 and El Camino Real, and thirty feet to forty-five feet on the east. Zone two currently varies for twenty feet to thirty feet west of Interstate 805 and El Camino Real, and forty feet to fifty feet on the east. Under the current LDC regulations, there are no restrictions on the timing of brush management activities and no changes are proposed with this project and the proposed brush management revisions do not allow brush management activities to occur during California gnatcatcher breeding season (March 1 – August 15).

As a result of the Cedar Fire and other wildfires in October of 2003, the Fire Chief is proposing a city-wide one hundred foot brush management area consisting of a thirty-five foot brush management zone one and a sixty-five foot brush management zone two.

**Water Quality Regulatory Framework**

The regulatory framework for water quality includes the 1972 Clean Water Act, which established the National Pollutant Discharge Elimination System (NPDES) permit program to regulate the discharge of pollutants from industrial, commercial, and institutional processes, and point sources to waters of the United States, and the Porter-Cologne Water Quality Act and the Federal Water Pollution Control Act Amendments of 1972 which require that Water Quality Control Plans (Basin Plans) be prepared for the nine state-designated hydrologic basins in California, including the San Diego Region basin. The water quality regulatory framework is more fully described in Section V.E, Hydrology and Water Quality. As indicated in Section V.E, the City of San Diego has prepared an Urban Runoff Management Plan (URMP- adopted by the City Council on January 28, 2002) as part of the City of San Diego’s Stormwater Pollution Prevention Plan (SWPPP), and the Standard Urban Stormwater Mitigation Plan (SUSMP – completed by the San Diego co-permittees on February 7, 2002), in accordance with requirements of the State Water Resources Control Board NPDES permit procedure. These documents address the process that the City will undertake to improve water quality. In addition to the URMP and SUSMP, protection of surface water quality is also provided through the NPDES General Construction Permit for the State of California.
ISSUE STATEMENTS

1. Would the project result in a conflict with the purpose and intent of any current planning process or adopted environmental plans or policies in the City of San Diego, including lands within the California Coastal Commission jurisdiction?

2. Would the proposed project result in a conflict with the purpose and intent of the Environmentally Sensitive Lands (ESL) regulations of the Land Development Code (LDC)?

3. How is the project consistent with the region’s Multiple Species Conservation Program (MSCP) and the City of San Diego - MSCP Subarea Plan?

IMPACT

Criteria for Significance Determination

The following criteria were used to assist in making determinations of significant land use impacts (City of San Diego, 2001):

1. Inconsistency/conflict with the environmental goals, objectives, or guidelines of a community or general plan.

2. Inconsistency/conflict with an adopted land use designation or intensity and indirect or secondary environmental impacts occur (for example, development of a designated school or park site with a more intensive land use could result in traffic impacts).

3. Substantial or extreme use incompatibility, for example, a rock crusher in a residential area; Conditional Use Permits sometimes create impacts because conflicting uses are proposed.

4. Development or conversion of general plan or community plan designated open space to a more intensive land use.

5. Inconsistency/conflict with adopted environmental plans for an area. For example, development of a non-designated use within the boundaries of a park master plan would fall into this category.
Analysis of Impacts

The proposed revisions to the Land Development Code related to brush management, zone two would result in an estimated City-wide impact of 2,880 acres. Of this total, 715 acres would be within the MHPA, of which 242 acres would be within the core biological areas and habitat linkages. The MHPA will preserve 52,912 acres, which includes 35,648 acres within the core biological and habitat linkages areas. Therefore, impacts from the thinning and pruning activities associated with zone two brush management would potentially impact 1.4 percent of the MHPA and 0.7 percent of the core/linkages areas. The following Table V.A-12 further identifies the anticipated impacts that would occur habitats by Tier (see Biological Resources Section V.B. for a full discussion of biological impacts). No impacts to wetlands are expected to occur with implementation of the proposed LDC code revisions, because no brush management is required within wetland areas.

Table V.A-12

<table>
<thead>
<tr>
<th>Habitat Type</th>
<th>Citywide Impacts</th>
<th>MHPA Impacts</th>
<th>Core/Linkage Impacts</th>
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<tbody>
<tr>
<td>I</td>
<td>75</td>
<td>46</td>
<td>30</td>
</tr>
<tr>
<td>II</td>
<td>708</td>
<td>312</td>
<td>81</td>
</tr>
<tr>
<td>III</td>
<td>465</td>
<td>222</td>
<td>81</td>
</tr>
<tr>
<td>IV</td>
<td>1632</td>
<td>135</td>
<td>50</td>
</tr>
<tr>
<td>Totals</td>
<td>2880</td>
<td>715</td>
<td>242</td>
</tr>
</tbody>
</table>

A majority of the impacts from the proposed revisions to brush management zone two would occur within smaller urban canyons and would not be part of the larger core biological areas and linkages. Impacts to the core biological and linkages areas would be limited to 0.7 percent (242 acres). Additionally, all impacts would be within the 200-foot buffer identified in the MSCP EIR/EIS for edge effects. No impacts to narrow endemic species are expected to occur because these species are generally less than eighteen inches in height and would not be subject to
thinning per the brush management regulations. The exception would be Encinitas baccharis, which has an average height of eighty inches; however no known locations of this species are within the proposed brush management zone two areas. Where brush management conducted by humans could avoid impacts to narrow endemics, it is conceivable that goats could indiscriminately graze on narrow endemics.

The areas identified for expanded brush management activities are not located within any of the narrow endemic species' major population areas discussed in the MSCP Plan Table 3.5 ‘details for the rationale for identifying species as covered.’ Additionally, the MSCP database identifies no narrow endemic species locations within the areas identified for expanded brush management. As discussed above, impacts to narrow endemics within the MHPA must be avoided, and outside the MHPA they must be avoided, managed, enhanced, or transplanted as appropriate.

As proposed, brush management would be prohibited from (March 1 – August 15) in gnatcatcher habitat (i.e., coastal sage scrub and southern maritime scrub). This period coincides with the flowering periods of many narrow endemic species. The prohibition on brush management activities during the gnatcatcher breeding season would eliminate impacts on narrow endemics in coastal sage scrub and southern maritime scrub during this time.

Vernal pools were extensively mapped by the City in 2002-2003: no vernal pools are located in the proposed brush management area. As such, no impacts on vernal pool narrow endemic species would result from the proposed project. Potential impacts on narrow endemics from the proposed project would be less than significant.

Since potential project impacts would be within the 200-foot buffer analyzed in the MSCP EIR/BIS for edge effects, no additional impacts to the preserve configuration, structural diversity and habitat interfaces of the MHPA would occur. Impacts would generally be limited to areas outside the core biological areas and would not impact major habitat linkages or wildlife corridors, therefore, the conservation of covered species would be maintained and there would not be a significant increase in the likelihood that an uncovered species will meet the criteria for listing under either the federal or state Endangered Species Act. The proposed 100-foot brush...
management zones would be consistent with the MOU between the USFWS, CDFG, and various Fire agencies as well as the MSCP Subregional Plan and MSCP Subarea Plan.

The MSCP Subarea Plan (Table 3-5) and City of San Diego Biology Guidelines places restrictions on grading, thinning, and grubbing during the breeding season of seven sensitive species. Six of these species would not be affected by the proposed change to the brush management regulations because either they occur outside of the areas proposed for brush management (e.g. beach areas) or the habitats they occur in will not be impacted (e.g. wetlands). These species include western snowy plover, southwestern flycatcher, least tern, cactus wren, least bell's vireo, and the tricolored black bird. For the remaining species, the California gnatcatcher, no timing restrictions apply outside the MHPA. Within the MHPA, restrictions on grading, thinning, and grubbing activities apply during the breeding season (March 1 – August 15).

Under the current LDC regulations, there are no restrictions on the timing of brush management activities, and no changes are proposed with this project however, this project proposes to restrict brush management activities during the California gnatcatcher breeding season (March 1 – August 15). The MOU (page 2) between the USFWS, CDFG, and various Fire agencies allows for take of species (under Chapter 1.5 of Division 3 of Fish and Game Code) listed as threatened or endangered, or candidate species for management purposes necessitated by or incidental to fire protection measures, including fire safety standards related to defensible space and does not limit the timing of the brush management activities. The MOU is referenced in the subregional MSCP Plan (section 5.3.4) and Biological Opinion (page 68) for the City’s MSCP Subarea Plan. Additionally, as addressed above in the MSCP land use adjacency guidelines discussion, potential noise impacts from the additional brush management activities would be less than significant.

Compatibility with Surrounding Land Uses

Land uses within the City of San Diego are currently guided by the individual community plans; the plans for areas along the coast also serve as local coastal plans. The Strategic Framework Element (SFE) of the City’s General Plan and Progress Guide, a new city wide
The growth/development strategy, was adopted by the City Council on October 22, 2002. The SFE also known as the City of Villages, is a vision for the continuing growth in the City through urban infill and redevelopment, and it attempts to focus future mixed use development along established, major transit corridors and combines intensified urban land uses with walkability, public open spaces, and enhanced urban design. The adoption of the SFE and its accompanying Action Plan also starts the process of updating the various elements of the City's General Plan and Progress Guide. As part of this elements update process in addition to the community-specific land use policies and designations in the individual community plans, a new Land Use Element will be written. This proposed Land Use Element would provide city wide guidance for the implementation of the City of Villages strategy.

Consistency with City Planning Documents

The following discussion includes proposed revisions consistency with relevant planning documents.

The consistency of the proposed city wide, expanded brush management zones to city wide land use policies/regulations was analyzed with a survey of the adopted, individual community plans and a few appropriate precise or specific plans for planning areas either containing or adjoining large naturally-vegetated open space areas. These areas include slopes of the San Dieguito River, Gonzales Canyon, Torrey Pines Preserve, Mission Trails Regional Park, Black Mountain Park, eastern MCAS Miramar, southern slopes and side canyons of Mission Valley, Chollas Creek drainages, Tecolote Canyon, San Clemente Canyon, Penasquitos Canyon, Deer Canyon, Rose Canyon, Boccal Canyon, Murphy Canyon, Dentery Canyon, Spring Canyon, Crest Canyon, Switzer Canyon, Kate Sessions Park, canyons of Mt. Soledad, Otay River, canyons of Balboa Park, slopes along Martin Luther King Freeway (SR 94), and the watersheds of Chollas Lake, Lake Murray, and Miramar Lake.
City of San Diego Local Coastal Program

As indicated previously, the policies and recommendations that make up the various LUPs of the City's overall LCP are included and incorporated into the goals, objectives, and recommendations of the community plans and/or other area planning documents.

City of San Diego Environmentally Sensitive Lands Regulations

Although the proposed revisions to brush management zones would be designed to avoid or minimize impacts to environmental sensitive lands, some brush management zones are expected to encroach upon sensitive lands, including those that contain sensitive biological resources, steep hillsides, and 100-year floodplains (please refer to Section V.B, Biological Resources, for a discussion of potential impacts to sensitive biological resources). Some of the brush management zones may also encroach onto coastal beaches and/or sensitive coastal bluffs. As discussed in Section V.B, Biological Resources, the proposed revisions could result in impacts to the California Gnatcatcher during the breeding season. This would not be consistent with the ESL regulations. Additionally, there is the potential that some individual projects within the City of San Diego would not be consistent with the allowed encroachment percentages into steep hillside if brush management zone one would be located within open space or other sensitive lands described in the ESL regulations.

City of San Diego Multiple Species Conservation Program (MSCP) Subarea Plan

The proposed project would be located within the limits of the City of San Diego, and would include locations within the MHPA, City of San Diego Open Space Lands, private property, and lands within the Coastal Commission jurisdiction. Current brush management regulations in the Land Development Code (LDC) were developed in conjunction with the MSCP. Since the adoption of the MSCP in 1997, brush management zone one associated with new development has been located within the development footprint and is not allowed within the MHPA. With the proposed revisions to the LDC, zone one would be increased to thirty-five feet. However,
For some existing structures, zone one may not be able to expand to thirty-five feet without impacting native habitat. In lieu of expanding zone one into native habitat, the proposed code amendments would increase the width zone two one foot for every one foot of zone one that could not be provided, unless the Fire Chief approved a modification on a case-by-case basis.

According to the Subregional MSCP Plan, Section 6.3.4 and the City of San Diego Biology Guidelines, brush management zone two is allowed within the MHPA and is considered impact neutral. The current regulations were approved by the City Council in November 1997 and by the California Coastal Commission in November of 1999. They were made effective with the entire LDC on January 3, 2000. The Table V.A-23 below depicts impacts from the proposed additional brush management zone two requirements. The proposed project would increase brush management requirements zone two within the MHPA by 715 acres. Of that acreage, impacts to core habitat and linkage areas would be limited to 242 acres.

<table>
<thead>
<tr>
<th>Region</th>
<th>Citywide Impacts</th>
<th>MHPA Impacts</th>
<th>Core/Linkage Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coastal Zone</td>
<td>413 acres</td>
<td>102 acres</td>
<td>70 acres</td>
</tr>
<tr>
<td>West of I-805</td>
<td>1148 acres</td>
<td>223 acres</td>
<td>50 acres</td>
</tr>
<tr>
<td>(outside of Coastal zone)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>East of I-805</td>
<td>1319 acres</td>
<td>390 acres</td>
<td>122 acres</td>
</tr>
<tr>
<td>Totals</td>
<td>2880 acres</td>
<td>715 acres</td>
<td>242 acres</td>
</tr>
</tbody>
</table>

In the EIR/EIS, a number of assumptions were used to evaluate whether the proposed MHPA preserve would result in adequate coverage of species and habitats. The assumptions included factors such as proposed habitat conservation (amount and spatial configuration) management actions, and existing, local, state, and federal regulations and policies that would continue to be applied both within and outside the preserve. A minimum edge effect of 200 feet along the
inside boundary of the preserve was assumed for indirect impacts. The EIR/EIS evaluated indirect impacts that could potentially occur within and adjacent to the preserve. Indirect impacts could include, but are not limited to, human intrusion, toxic chemicals (fertilizers, pesticides, herbicides, and other hazardous materials), noise, dust, lighting, soil erosion, exotic plants and animals, fire management, and hydrologic and drainage changes. The EIR/EIS assumed a 200-foot wide strip along the inside edge of the regional preserve boundary, as much as 20% (34,000 acres) or greater, could be subject to existing or future edge effects. The 200-foot buffer area for the City of San Diego MHPA would total 17,634 acres.

The EIR/EIS determined that indirect impacts to covered species, uncovered species, and sensitive vegetation communities/habitats would result from permitted uses within the preserve, edge effects from uses adjacent to the preserve, and increased development pressure outside the preserve. These impacts were considered significant. The City's MSCP covers eighty-five targeted animal and plant species and their habitat including fifteen narrow endemic species. The EIR/EIS determined indirect impacts to covered species and uncovered non-wetland sensitive species/habitats would be mitigated to below a level of significance with implementation of preserve management/planning guidelines identified in the MSCP Subarea Plan and the City's associated ordinances (i.e. Resource Protection Ordinance, Environmental Sensitive Lands). The MSCP Subarea Plan specifically addresses brush management in section 1.4.3, Land Use Adjacency Guidelines.

The City Council directives related to brush management were incorporated into the MSCP Subarea Plan, Land Use Adjacency Guidelines (section 1.4.3). A three zone system of brush management with total widths varying from fifty to one hundred and ten feet was in effect when the MSCP was adopted in 1997. The Policy direction regarding brush management was incorporated into the Land Development Code under section 142.0412 brush management regulations and became effective on January 1, 2000. Other issues addressed in the MSCP Land Use Adjacency Guidelines are addressed below:

Drainage: The current regulations state no permanent irrigation is allowed within zone two. If new plantings occur within zone two, the plantings shall be temporarily irrigated until
established. The overspray and runoff from the irrigation shall not drift or flow into adjacent areas of native or naturalized vegetation. There are no changes proposed to these requirements, therefore no impacts due to drainage would occur from the project proposal.

Toxics: Brush management zone two involves the thinning and pruning of vegetation and would not introduce toxics into the MHPA.

Lighting: All work would occur within daylight hours; therefore no impacts related to lighting would occur.

Noise: The proposal would include an incremental increase in zone two brush management activities. The increased width in zone two would range from twenty-five to forty-five feet within or adjacent the MHPA. Currently, there are no timing restrictions on brush management activities and no changes are proposed with this project. Brush management, zone two would involve thinning and pruning of vegetation. Hand tools and small mechanical tools, such as weed whackers or goats would be utilized. Brush management activities would likely occur every one to three years and last for one to two days. The principal concern relating to indirect noise and activity impacts is the potential for disturbance of nesting that would result in nest site abandonment for periods long enough to affect eggs or young through chilling, predation, or starvation. Due to the short duration of the work and localized activities associated with brush management zone two, it is not anticipated that a significant noise impact would occur during the breeding season of sensitive species.

Barriers: The adjacency guidelines require that all new development provide barriers along the MHPA boundaries to direct public access to appropriate locations and reduce domestic animal predation. Implementation of zone two brush management activities would not conflict with these requirements or provide additional public access to the MHPA.

Invasives: Current regulations require that no non-native plant material may be planted in zone two either inside the MHPA or adjacent to areas containing sensitive biological resources. The current regulations are consistent with the MSCP adjacency guidelines and there are no changes.
proposed to these requirements. Furthermore, the proposed city-wide one hundred foot brush management area would be well within the two hundred foot buffer identified in the MSCP EIR/EIS for edge effects. Edge effects include indirect impacts from thinning and pruning activities associated with fire management activities.

Grading/Land Development: No grading would occur with the implementation of the additional zone two brush management activities.

**Water Quality Regulatory Framework**

As discussed in Section V.C, Hydrology/Water Quality, implementation of the proposed brush management revisions would not result in the potential for significant impacts to erosion in open space, private lands and other environmentally sensitive lands. The proposed revisions would support the intent, goals, objectives, and policies of the San Diego Basin Plan, as well as the URMP and SUSMP, in protecting surface water quality within the region.

**SIGNIFICANCE OF IMPACT**

The surveyed plans showed that while all plans called for preservation of naturally vegetated, open spaces within their planning area, there is a wide range of treatment of brush management; it varies from tacit reference to the City’s Land Development Code (the municipal code) to stated reference to the code to statements regarding brush thinning and/or transition to open space, and to specific reference to brush management. These references were found in various places within the plan texts including sections dealing with open space, landscaping, fire protection, or a few specific brush management sections. Specific references to brush management were referenced in the plans for Clairemont Mesa, Miramar Ranch North, Black Mountain Ranch, Torrey Pines, Sorrento Hills, Rancho Penasquitos, and Pacific Highlands (Subarea III). Written or silent in the individual plan text, brush management is a important consideration in citywide land use and in development adjoining portions of the City which has been designated for natural open space.

The areas identified for potential villages by the recently adopted citywide development and growth strategy, the SFE, are mostly urban infill/redevelopment located along established major
transit corridors. Potential villages were identified and limited to those which avoid naturally vegetated open space and/or the MHPA. Therefore, brush management should not be an issue with this citywide strategy.

Land use regulation such as brush management is one of the police powers which has been long upheld as legitimate use by municipalities in protecting public health and safety. There is a need to balance protection of structures from wildfires and the preservation of natural open space. This balance has been addressed by the City of San Diego (as well as the subregion) evidenced by its adoption of the Multiple Species Conservation Program (MSCP) and by its continuing implementation of the Multi-Habitat Planning Area (MHPA), the planned habitat preserve. (See following discussion of the MSCP-MHPA and the related separate biological impact analysis.)

In a more practical view, the proposed sufficient brush management expansion as determined for this project, is a necessity for public safety as well as a tool to not only balance land uses by buffering open space and development but also to allow these seemingly divergent land uses to coexist side-by-side in our semi-arid climate. Brush management is a demonstrated need in a populated region with prolonged dry, hot summers.

The proposed brush management expansion would not pose a significant land use effect because it is generally consistent with the goals and policies of community and specific plans of the City, it would not impact the regional planned land use balance of development and open space-habitat preservation within a urbanized area, and it is a demonstrated, needed public safety measure.

The Biological Opinion acknowledged that edge effects from fire management could occur (page 67) and that direct and indirect effects to the gnatcatcher will be minimized through preservation of large, connected blocks of habitat (page 70). The proposed increase in the brush management zone two would have minimal impacts to the core/linkages areas (0.7 percent) and the 12,176 acres of associated coastal sage scrub habitat (81 acres/0.5 percent). Per the regional vegetation database developed for the MSCP, only 5 sites out 377 of known gnatcatcher locations would be potentially impacted by the additional thinning and pruning activities associated with the increased width of brush management zone two. The proposed project would be in compliance
with the MOU between the USFWS, CDFG, and various fire agencies and would have a low potential to impact gnatcatchers during the breeding season within the MHPA.

MITIGATION, MONITORING, AND REPORTING PROGRAM

Impacts to land use would be less than significant; therefore, no mitigation measures are required.
B. BIOLOGICAL RESOURCES

The following discussion is based on a biological resources study completed for the Canyon Sewer Cleaning Program and Long-Term Sewer Maintenance Program EIR (LDR No. 6020, SCH No. 2002041129) by Merkel & Associates in December 2002 and a biological technical report written by Holly Cheong, City of San Diego, MSCP-Planning staff. A copy of the biological technical report written by Holly Cheong is included as Appendix B.

EXISTING CONDITIONS

The existing biological resources documented in this section were determined through an extensive review of the most current biological literature and Geographical Information Systems (GIS) data available for the City of San Diego. Vegetation communities and the distribution of the proposed brush management regulations relative to the MHPA and sensitive plant and animal species were identified based on the regional vegetation map, prepared by the City of San Diego, which is incorporated into the MSCP database (SANGIS 1995).

General flora and fauna species were determined based on the identified vegetation communities and the species that typically occur in these habitats. The presence or potential for presence of sensitive biological resources was assessed based on the California Natural Diversity Database (CNDDB 2002) records and general knowledge of species-specific habitat requirements.

Biological Habitats and Communities

A host of upland and wetland vegetation communities, defined according to the current Holland Code (HC) classification system (Holland 1986) and San Diego County terrestrial vegetation community descriptions (Oberbauer 1996), occur within the City of San Diego. Only those communities which could potentially be impacted by the proposed brush management revisions within the project area are discussed. For ease discussion, some of the habitats have been grouped under broader habitat categories that are specifically addressed within the City Land Development Manual – Biology Guidelines (as amended May 19, 2001). These categories are organized by habitat tiers, as specified in the City’s Biology Guidelines, rather than natural habitat groupings (Table V.B-1).
Table V.B-1 - Habitat Types within the City of San Diego

<table>
<thead>
<tr>
<th>UPLAND HABITATS</th>
<th>Habitat Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tier I: (rare uplands)</td>
<td>Southern Foredues</td>
</tr>
<tr>
<td></td>
<td>Torrey Pines Forest</td>
</tr>
<tr>
<td></td>
<td>Coastal Bluff Scrub</td>
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<tr>
<td></td>
<td>Maritime Succulent Scrub</td>
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<tr>
<td></td>
<td>Maritime Chaparral</td>
</tr>
<tr>
<td></td>
<td>Scrub Oak Chaparral</td>
</tr>
<tr>
<td></td>
<td>Native Grassland</td>
</tr>
<tr>
<td></td>
<td>Oak Woodland</td>
</tr>
<tr>
<td>Tier II: (uncommon uplands)</td>
<td>Coastal Sage Scrub (CSS)</td>
</tr>
<tr>
<td>Tier III A: (common uplands)</td>
<td>Chaparral</td>
</tr>
<tr>
<td></td>
<td>Mixed Chaparral</td>
</tr>
<tr>
<td></td>
<td>Chamise Chaparral</td>
</tr>
<tr>
<td>Tier III B: (common uplands)</td>
<td>Valley and Foothill Grasslands</td>
</tr>
<tr>
<td>Tier IV: (other uplands)</td>
<td>Urban/Developed</td>
</tr>
<tr>
<td></td>
<td>Disturbed</td>
</tr>
<tr>
<td></td>
<td>Agriculture</td>
</tr>
<tr>
<td></td>
<td>Eucalyptus Woodland</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>WETLAND HABITATS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Coastal</td>
<td>Salt Marsh</td>
</tr>
<tr>
<td></td>
<td>Salt Panne/Mudflat</td>
</tr>
<tr>
<td>Riparian</td>
<td>Oak Riparian Forest</td>
</tr>
<tr>
<td></td>
<td>Riparian Forest</td>
</tr>
<tr>
<td></td>
<td>Riparian Woodland</td>
</tr>
<tr>
<td></td>
<td>Riparian Scrub/Riparian Scrub in the Coastal Overlay Zone</td>
</tr>
<tr>
<td>Freshwater Marsh</td>
<td>Freshwater Seep</td>
</tr>
<tr>
<td></td>
<td>Freshwater Marsh/Freshwater Marsh in the Coastal Overlay Zone</td>
</tr>
<tr>
<td>Disturbed Wetland</td>
<td>Disturbed Wetland</td>
</tr>
<tr>
<td>Unvegetated Freshwater</td>
<td>Non-vegetated Channel, Floodway, Lakeshore Fringe</td>
</tr>
<tr>
<td></td>
<td>Unvegetated Habitat Freshwater</td>
</tr>
<tr>
<td>Marine Habitats</td>
<td>Unvegetated Habitat Estuarine</td>
</tr>
<tr>
<td></td>
<td>Unvegetated Habitat Beach</td>
</tr>
<tr>
<td></td>
<td>Unvegetated Habitat Marine Intertidal</td>
</tr>
<tr>
<td></td>
<td>Unvegetated Habitat Marine Subtidal</td>
</tr>
<tr>
<td></td>
<td>Unvegetated Habitat Shallow Bay</td>
</tr>
<tr>
<td></td>
<td>Unvegetated Habitat Intermediate Bay</td>
</tr>
</tbody>
</table>

Upland Habitats

Tier I Habitats – Rare Uplands

Tier I habitats include the upland habitats that are considered to be rare within the City of San Diego. These habitats have suffered substantial historic losses on top of naturally narrow distribution patterns, such as in the case of southern foredunes and Torrey pine woodlands. Alternatively, the habitats were once common, as was the case for native grasslands, but historic land conversion has resulted in precipitous declines that threaten the continued persistence of the habitats in the region.

Southern Foredunes

Southern foredunes (HC 21230) are a relatively uncommon constituent of today’s City beaches, but two hundred years ago were widely dispersed at the upper edge of the region’s oceanic high tides where they occupied hummocky areas of sand and the interstitial swales. The most common components of this vestigial vegetation are two species of abronia (Abronia maritima, A. umbellata), beach evening primrose (Camissonia cheiranthifolia), and beach ambrosia (Ambrosia bipinnatisecta).

Torrey Pines Forest

This remnant coniferous forest habitat (HC 83140) is now restricted in mainland United States to several stands of Torrey pines at Torrey Pines State Park and around the City of Del Mar. It appears to rely on moisture supplied by frequent fogs and is strongly correlated with marine sandstone substrate.

Coastal Bluff Scrub

Few native plants can survive on the erosive slopes of San Diego’s coastal bluffs. Typically, this scrub (HC 31000) is comprised of plants that are adapted to a regime of fogs, and a generally wetter environment that is found a short distance inland, including some succulent-leaved plants such as Coreopsis spp. and coast pincushion flower (Chaenactis glabriflora var. oreutiana). Other plants are adapted to salt tolerant conditions and include species of saltbush (Atriplex spp.)
and pineapple weed (Chamomilla suaveolens). This vegetation community is declining as the bluffs erode, where very disturbed weedy mesa vegetation is replacing the existing coastal bluff scrub.

**Maritime Succulent Scrub**
This scrub (HC 32400) is largely associated with the flora in northern Baja California. It occurs in the United States primarily in the extreme southwestern portions of San Diego County near the Mexican border. Dominant shrubs here typically include jojoba (Simmondsia chinensis) and flat-top buckwheat (Eriogonum fasciculatum). This phase of sage scrub also includes several desert elements such as four-wing saltbush (Atriplex canescens), waterjaeket (Lycium andersonii), and sometimes very unusual species for western San Diego County such as smooth-stemmed fagonia (Fagonia laevis) and desert filaree (Erodium texanum).

**Maritime Chaparral**
This phase of coastal chaparral, southern maritime chaparral (HC 37C30) is a vestigial remnant of the wetter and cooler Pleistocene. It generally is restricted to sandstone substrates and usually includes at least one of the following shrub species: Del Mar manzanita (Arctostaphylos glandulosa ssp. crassifolia), Nuttall’s scrub oak (Quercus dumosa), and/or coast white lilac (Ceanothus verrucosus).

**Scrub Oak Chaparral**
Scrub oak chaparral (HC 37900) is a dense, evergreen chaparral reaching up to 20 feet tall. The vegetation is dominated by Nuttall’s scrub oak (Quercus dumosa), with inclusions of interior mountain-mahogany (Cercocarpus betuloides var. betuloides) and a substantial accumulation of leaf litter. This chaparral type typically occurs in more mesic locations, and often at a slightly higher elevation, than other chaparral types, thus enabling the vegetation to recover more quickly from fire.

**Native Grassland**
Valley needlegrass grassland (HC 42110) typically supports extensive stands of purple needlegrass (Nasella pulchra) as the indicator species for its presence. A limited association of
herbaceous perennials and annuals are often found growing among the clumps of needlegrass – including several rare species.

**Oak Woodland**

Oak woodlands within the City of San Diego are dominated by coast live oak woodlands (HC 71160). These habitats are evergreen woodlands primarily dominated by coast live oak (*Quercus agrifolia*), with a relatively open and low-growing understory that supports perennial grasslands, annuals, and herbaceous perennials, as well as a mix of shrubs and sometimes-dense thickets of western poison oak. Additional characteristic flora species include California blackberry, San Diego sedge (*Carex spissa*), California coffeeberry (*Rhamnus californica*), California rose (*Rosa californica*), nodding needlegrass (*Nassella cernua*) and large clarkia (*Clarkia purpurea*).

Dense coast live oak woodland (HC 71162) is a dense phase of oak woodland characterized by a contiguous canopy of coast live oak with few additional tree or shrub components. Understory may be less diverse than one associated with a less mature phase of oak woodland.

**Tier II Habitats – Uncommon Uplands**

**Coastal Sage Scrub**

The most common native vegetation type remaining within the boundaries of the City of San Diego (MSCP Table of Vegetation Communities 1998) is Diegan coastal sage scrub (HC 32500). This phase of sage scrub is a low-lying, relatively open scrub with desert affinities, and is comprised of soft-woody, drought deciduous species that provide the majority of the vegetative cover. Characteristic flora species include California sagebrush (*Artemisia californica*), coyote brush (*Baccharis pilularis*), California encelia (*Encelia californica*), goldenbush (*Isocoma menziesii*), laurel sumac (*Malosma laurina*), foothill needlegrass (*Nassella lepida*), lemonadebush (*Rhus integrifolia*), black sage (*Salvia mellifera*), San Diego monkeyflower (*Mimulus aurantiacus*), and California brickellbush (*Brickellia californica*).

A disturbed form of coastal sage scrub is broom baccharis scrub. This habitat supports many of the same species as Diegan sage scrub, but is typically found as a disturbance following
community that is generally best developed along alluvial floodplains and within areas of sandy soils. The habitat is dominated by broom baccharis (Baccharis sarothroides).

**Coastal Sage Scrub/Chaparral**

This "hybrid" of two common vegetation types (HC 37G00) usually indicates either an area of seral sage scrub growing on disturbed substrates, converting into a mature chaparral vegetation; or a mature ecotone in which ecological conditions for each of these two vegetation types does not allow one habitat type to out-compete the other.

**Tier IIIA Habitats - Common Uplands**

**Chaparral**

Chaparral (HC 37200), generally including mixed chaparral and chamise chaparral as described below, typically occupies dry, rocky, and often steep north-facing slopes, and is dominated by relatively tall (between 1.5-3 meters), broad-leaved, deep rooted woody shrubs. Chaparral vegetation located on south facing slopes is typically more open and can form a mosaic with sage scrub vegetation. Identification of shrub dominants usually allows for a more specific phase of chaparral to be identified.

**Mixed Chaparral -** Southern mixed chaparral (HC 37120) is a mid-sized to tall chaparral, with limited shrub diversity in drier areas, but a floristically varied understory with numerous species of subshrubs, herbaceous perennials, bulbs and annuals in shaded and wetter areas. Characteristic flora species include mission manzanita (Arctostaphylos andromeda), Ramona ceanothus (Ceanothus tomentosus), San Diego mountain-mahogany (Cercocarpus minutiflorus), holly-leaf red-berry (Rhamnus ilicifolia), sugar bush (Rhus ovata) and fuchsia-flowered gooseberry (Ribes speciosum).
Chamise Chaparral - Chamise chaparral (HC 37200) is locally common on poorly developed soils throughout the City, and is a lower growing chaparral community dominated by chamise (Adenostoma fasciculatum), with comparatively limited shrub diversity and arid understory conditions.

Tier IIIB Habitats - Common Uplands

Valley and Foothill Grassland
This general vegetation category indicates there is insufficient information to more accurately identify the grassland components present (HC 42000). Included here may be areas of scattered native perennial grasses interspersed with larger stands of introduced non-native grasses. This habitat is classified as a Tier IIIB habitat for this analysis since it is highly probable that the majority of this habitat will ultimately be determined to be non-native grasslands rather than native grasslands when reviewed at the project-specific level.

Non-native Grassland
Non-native grasslands (HC 42200) are widely dispersed throughout the San Diego region. This "introduced" grassland consists of a dense to open cover of predominantly Eurasian grasses that have become widespread on disturbed or heavily grazed lands. Local grasslands are dominated by non-native grasses such as elomes (Bromus madritensis ssp. rubens, B. hordeaceus and B. diandrus) and slender wild oat (Avena barbata), as well as non-native forbs, such as mustard (Hirschfeldia incana and Brassica nigra), and filarees (Erodium brachycarpum, E. cicuanarium, and E. moschatum). The quality of these grasslands is expected to coincide with the quality of the surrounding vegetation communities and land uses.

Tier IV Habitats - Other Uplands

Urban/Developed
Much of the peripheral study area (OC 12000) is comprised of residential and commercial development dominated by non-native/exotic vegetation, eucalyptus woodland, and disturbed habitats. Urban and semi-urban areas contain numerous and varied horticultural plantings.
located within residential yards, active-use parklands, and golf courses. In the older, urbanized portions of the City, tall exotic plantings, such as eucalyptus trees (Eucalyptus sp.) with allelopathic toxins that tend to inhibit understory growth, form well-developed, dense woodlands. Occasionally, other planted woodlands such as introduced pines, ash, and elm are present. Disturbed areas are typically located adjacent to urbanization and contain a mix of primarily weedy species, including non-native forbs, annuals, and grasses, usually found pioneering on recently disturbed soils. Characteristic weedy species include prickly sow thistle (Sonchus asper), common sow thistle (Sonchus oleraceus), bristly ox-tongue (Pieris echioides), Russian thistle (Salsola tragus), giant reed, hotted-tail-fog (Corobromus eutolis), wild lettuce (Lactuca serriola), tree tobacco (Nicotiana glauca), castor-bean (Ricinus communis), pampas grass, smooth cat's-ear (Hypochaeris glabra), red-stem filaree (Erodium cicutarium), short-beak filaree (Erodium iracycharpum) and white-stem filaree (Erodium moschatum). These urban lands do not typically contain native vegetation or provide essential habitat connectivity; and therefore, tend to have reduced biological value.

**Disturbed Habitats**

Disturbed habitat is another broad category of disturbed lands (OC 11500) that usually supports no vegetation, or retains only pioneering weedy species, but does not include a disproportionately strong component of non-native grasses. Such disturbed habitats may establish on recently graded or severely brushed lands.

**Agriculture**

Agricultural practices throughout the City are quite varied. They include orchards and vineyards, intensive agriculture such as dairies, and extensive field crop and livestock grazing agriculture.

While once a distinctive characteristic of the region in the late 1800s and early 1900s, today only small portions of the City of San Diego are still comprised of groves/orchards (OC 18100), consisting primarily of woody crops such as citrus fruits and avocados. The majority of these crops are located to the east of the City infrastructure -- within the foothills and along the San Pasqual Valley. Herbaceous understory growth may be planted or provide natural cover, and is
typically open in density to facilitate with crop harvesting. Although groves and orchards also tend to have reduced biological value, they do provide cover for wildlife movement, as well as perch and rest sites for raptorial and passerine species.

Few such areas under the general agricultural heading (OC 18200) remain within the City. Where present, such as in portions of the San Pasqual Valley, habitat within the active footprint areas is usually extremely degraded and devoid of any significant biological resources.

Truck crops (OC 18300) are still occasionally planted in the extreme northern and southern portions of the City of San Diego. Typically all areas historically used for agriculture (controlled by the owner/renter) that can be deeply disked and planted for harvest are employed for that purpose. Fallow areas of agricultural fields overwhelmingly consist of non-native weedy species. Occasionally, rare bulbs may survive in lightly disked fields that have not been regularly planted.

**Eucalyptus Woodland**

Eucalyptus woodland (OC 11100) is a prominent component of the City's canyon lands, but is a relatively late introduction into the region. Quite a few eucalyptus species were intentionally introduced from arid portions of Australia to provide a readily grown tree. The understory within eucalyptus woodland is often devoid of all but the most ubiquitous non-native weeds.

**Botanical Resources-Flora**

San Diego County has the highest floristic diversity of any county in the continental United States and the City of San Diego hosts the highest floristic diversity of any City in the county. The diversity of the City of San Diego is attributable both to the size of the City as well as the diverse array of habitats that it includes. Among the most floristically diverse regions of the City are coastal canyons that support remnants of once more common scrub communities. In a general sense, the diversity of the City's flora decreases away from the coast and to the north, such that the highest floristic diversity in the City is observed in the southwestern regions while the lowest floristic diversity is found in the northeastern portions of the City. Over the past
In the century, the native flora of the City has been increasingly impacted. This has occurred as a result of rapidly changing land uses that have led to the loss of much of the region's native habitat, particularly on the immediate coast and over the flat coastal plains. In addition, there has been a continued degradation of the remaining natural areas by intensifying recreational pressures, alteration of fire conditions, and perhaps most importantly, the expansion of invasive exotic plant species. As a result of these historic impacts, the flora with the highest affinity for coastal environments has been tremendously diminished within the City, and only remnant representatives of the original floral diversity remain along the coastal fringe and within urban canyons. Conversely, the data are too coarse to include smaller drainages that may be found via field surveys.

Zoological Resources—Fauna

The City of San Diego is located within a coastal plain largely developed with urban and agricultural uses, but still retains a network of undeveloped canyonlands. Such development now limits the extent and connectivity of the wildlife habitat; however, the identified native vegetation communities, and to some extent the non-native categories, support a number of locally common, as well as sensitive species. The following text discusses many of the faunal groups occurring within the City limits. Faunal species are discussed in a regional context; therefore, existing site-specific conditions may differ from this more generic coverage. Sensitive species are not specifically discussed in these summary sections since they are addressed in more detail later in this document.

Invertebrates

Limited cohesive information is available to provide a thorough description of the many invertebrate fauna found within the City of San Diego region, however, the range of butterfly species and vernal pool branchiopods have been fairly well documented within the City. Butterfly species occur in a wide range of habitats; including sage scrub and chaparral, open areas devoid of substantial shrub cover such as non-native grasslands and agricultural/disturbed land, as well as more densely vegetated areas such as riparian habitat and oak woodlands. These habitats provide various host-specific plants suitable for larval development, adult nectar
resources; as well as topographical features, such as hilltops or open ground that aid in courtship and mating. In contrast, vernal pool Branchiopods are strongly restricted to vernal pool habitat, and consequently, many of these species are considered to be sensitive. According to City MWWD staff, no vernal pools are expected to occur in close proximity to canyon/other environmentally sensitive land pipeline projects. As a result, vernal pools are not addressed in this analysis (i.e., impacts to vernal pools are not anticipated to occur).

**Fishes**

Insufficient information exists to provide a complete description of the freshwater fish associations found within the City of San Diego. While fish species within the various reservoirs are fairly well known, fish occurring along the City's streams are not well documented. The only native freshwater fish species potentially present within the study area is an almost extinct race of steelhead trout (*Oncorhynchus mykiss*) that once spawned in some of the larger stream systems of Southern California. Within the City of San Diego, this species once occurred in such drainages as the San Diego River and Rose Creek; however, it was extirpated in the middle of the last century. The freshwater fish community occurring in the area's reservoirs and streams are presently believed to consist exclusively of exotic species that have been introduced at various times over the past two centuries to provide game fish and a forage base. Fish species found in the City include largemouth bass, a number of centrarchid sunfish, bluegill, black crappie, threadfin shad, several catfish, rainbow trout, carp and goldfish, several minnows, and the ubiquitous mosquitofish (*Gambusia affinis*). While most of the established fish populations are found in association with the major reservoirs and deeper ponds along perennial streams and rivers in the City, mosquito-fish have been introduced in nearly every freshwater body as a biotic control to mosquitos.

**Amphibians**

Amphibians typically occur in riparian habitats with peripheral upland vegetation. Riparian ecosystems often provide temporary ponding water used as breeding habitat by various amphibious species, as well as abundant vegetation for cover and foraging. Amphibians will also create burrows in adjacent upland habitats, such as sage scrub and non-native grasslands, where they will aestivate (or spend time in a dormant state, similar to hibernation). Amphibian
species known or with a potential to occur in the San Diego region include the garden slender salamander (*Batrachoseps major*), arboreal salamander (*Aneides hiqueras*), western toad (*Bufo boreas*), California chorus frog (*Pseudacris cadaverina*), Pacific chorus frog (*Pseudacris regilla*), and the bullfrog (*Rana catesbeiana*), a non-native species. Two sensitive species, the western spadefoot toad (*Scaphiopus hammondii*) and arroyo toad (*Bufo californicus*) also occur within the City at a few locations.

**Reptiles**

Relatively uncommon in coastal canyons and other environmentally sensitive lands is the western whiptail lizard (*Cnemidophorus tigris*); a species more typically seen in the inland arid foothill region. In contrast, the sensitive caneground whiptail (*Cnemidophorus hyperythrus*), which has a sporadic but widespread range in coastal San Diego County, is locally common within areas of native vegetation, including peripheral wetlands habitat. Western fence lizards (*Sceloporus occidentalis*) and side-blotched lizards (*Uta stansburiana*) are common to abundant in open areas throughout the City's canyons. Southern alligator lizards (*Egernia multicarinata*) are regularly found in ecotonal habitat on the periphery of residential areas. Expected to occur occasionally in open, sandy habitat in areas of sage scrub is the coast horned lizard (*Phrynosoma coronatum blainvillai*). This lizard needs an abundant supply of ants as a food source, and is heavily predated upon by feral cats and pet collecting children.

Western pond turtle (*Clemmys marmorata*) are known to occur in many stock ponds and riverine pools within the City's canyon, but are now extirpated from most of their natural habitats. The pond slider (*Chrysemys scripta*) is an introduced species that is also found regionally. This large aquatic turtle is native to the eastern United States and various areas of Mexico.

The western rattlesnake (*Crotalus viridis kiieleri*) is commonly found within the canyons of the City and is most often encountered along the riparian fringe of urban canyons. During the summer months, this species often moves up to irrigated yards along canyon crests where it is often killed. While regionally common, this snake is being depleted in more urbanized areas. The larger ponds and marsh areas along the major rivers are particularly suitable to the requirements of the two-striped aquatic garter snake (*Thamnophis hammondii*). This species has
been historically observed in many of these wetlands regionally. Common reptiles such as the gopher snake (*Pituophis melanoleucus*), the coachwhip (*Masticophis flagellum*), the California striped racer (*Masticophis lateralis*), and common kingsnake (*Lampropeltis getula*) occur within many of the region’s canyons. Herpetologist Lawrence Klauber’s field notes (unpublished/undated) from the first half of the 20th century include a variety of canyon sightings for now locally uncommon or infrequently observed species such as the glossy snake (*Arizona elegans*), the ringneck snake (*Diadophis punctatus*), the night snake (*Hypsiglena torquata*), and the long-nosed snake (*Rhinechis lecontei*). These species are likely depleted from the levels noted by Klauber.

Numerous species of lizards and snakes use rock crevices for cover within sage scrub and open chaparral habitat, and feed on small insects and insect larvae among the leaf litter. Other species are found in grasslands and agricultural/disturbed land, or in riparian areas and hunt small rodents. Quality reptilian habitat, primarily consisting of sage scrub, rocky outcrops, chaparral and oak woodland, is still located at many canyon sites; however, the small patch size available for various species makes local population extirpations increasingly more difficult to deter.

**Birds**

Over four hundred species of birds have been reported within the environs of the City of San Diego, supporting some of the highest avian diversity in the United States. Both yellow-breasted chats (*Icteria virens*) and yellow warbler (*Dendroica petechia*) also nest locally in this habitat. Also noteworthy due to its sensitive status is the California gnatcatcher (*Polioptila californica*). There are many historical sightings of this gnatcatcher in open space, privately owned lands and on other sensitive lands.

A number of common birds, which nest in riparian woodland or adjacent sage scrub uplands in San Diego County are known to nest in the City’s canyons and other environmentally sensitive lands. These include the Anna’s hummingbird (*Calypte anna*), black-chinned hummingbird (*Archilochus alexandri*), mourning dove (*Zenaida macroura*), great horned owl (*Bubo virginianus*), burrowing owl (*Athene cunicularia*), black phoebe (*Sayornis saya*), cliff swallow (*Hirundo pyrrhonota*), common raven (*Corvus corax*), bushtit (*Psaltriparus minimus*), house finch (*Carpodacus mexicana*), black-headed grosbeak (*Pheucticus melanocephalus*), spotted
towhee (Pipilo maculatus), California towhee (Pipilo crissalis), red-winged blackbird (Agelaius phoeniceus), tricolored blackbird (Agelaius tricolor), phainopepla (Phainopepla nitens), ash-throated flycatcher (Myiarchus cinerascens), orange-crowned warbler (Vermivora celata), common yellowthroat (Geothlypis trichas), song sparrow (Melospiza melodia), hooded oriole (Icterus cucullatus), northern oriole (Icterus galbula), lesser goldfinch (Carduelis psaltria), and American goldfinch (Carduelis tristis). Many other birds, primarily migrants and winter visitors, use the riparian trees as they pass through the coastal lowlands to and from their breeding grounds to the north and south. Migrant songbirds from the Emberizidae family found in spring include Nashville warbler (Vermivora ruficapilla), black-throated gray warbler (Dendroica nigrescens), hermit warbler (Dendroica occidentalis), Townsend’s warbler (Dendroica townsendi), MacGillivray’s warbler (Oporornis tolmiei), and Wilson’s warbler (Wilsonia pusilla).

Some species of waterfowl more typically found in large bays and ponds occur seasonally and sporadically in coastal canyon wetlands and on the City’s reservoirs. These include lesser scaup (Aythya affinis), bufflehead (Bucephala albeola), northern pintail (Anas acuta), ruddy duck (Oxyura jamaicensis), cared grebe (Podiceps nigricollis), Clark’s grebe (Aechmophorus clarki), western grebe (Aechmophorus occidentalis), northern shoveler (Anas clypeata), canvasback (Aythya valisineria), and redhead (Aythya americana). Other species detected that are often associated with freshwater marshes and ponds include pied-billed grebe (Podilymbus podiceps), green-winged teal (Anas crecca), cinnamon teal (Anas cyanoptera), sora rail (Porzana carolina), common moorhen (Gallinula chloropus), and American coot (Fulica americana).

Some avian species such as the greater roadrunner (Geococcyx californianus) are now rarely observed in the City open space. These large ground-dwelling cuckoos are becoming less and less common in coastal Southern California as their open scrubland habitat is developed.

Numerous birds of prey still regularly use open space for hunting. These include white-tailed kite (Elanus leucurus), northern harrier (Circus cyaneus), red-tailed hawk (Buteo jamaicensis), sharp-shinned hawks (Accipiter striatus) and merlin (Falco columbarius) in the winter, golden eagle (Aquila chrysaetos), peregrine falcon (Falco peregrinus), Cooper’s hawk (Accipiter cooperii), American kestrel (Falco sparverius), and red-shouldered hawk (Buteo lineatus).
Native and non-native vegetation communities provide habitat for numerous species of resident and migratory birds. A number of common avian species breed within sage scrub and chaparral habitats, and forage among the leaf litter in the vegetative understory. Rocky outcrops, particularly on undisturbed slopes or peaks can provide significant perching or roosting sites for raptors, and grasslands and agricultural lands located adjacent to woodland areas provide significant foraging habitat for resident, wintering and migrant raptors. Avian diversity and abundance is substantial within riparian and oak woodland habitats. These habitats are comprised of several horizontal niches including canopy, shrub, herb, and ground, which provide a network of valuable roosting, foraging and breeding areas for birds. Quality avian habitat within the City of San Diego is concentrated where the vegetation is less disturbed and provides habitat connectivity; however, the various creeks and tributaries within the City of San Diego, also provide some measure of habitat connectivity, and potential avian breeding and foraging areas.

**Mammals**

Without trapping, the presence of mammal species must be discerned through habitat suitability, species range and biological records. Many mammals are nocturnal and secretive, and indirect signs for a number of species, particularly rodents, can be similar. Small mammal species typically occur in sage scrub, chaparral, grasslands and agricultural/disturbed areas, and several of these species will intermittently use riparian and woodland habitats for foraging and cover. Various species of bats will also forage in grasslands and woodland habitats. Larger mammals often require greater blocks of connected habitat for hunting and travel within their range. Quality habitat for small mammal species is generally located throughout the study area, but as with reptiles, small remaining patch size can undercut the ability of some species populations to survive in open space.

Despite the extensive urban development within the City core, a number of regionally common mammals still reside within City open space and other now often isolated pockets of remaining native vegetation. Included are coyote, desert cottontail, California ground squirrel, Virginia opossum, and striped skunk.
Wildlife Corridors

A wildlife corridor is considered herein to represent linear landscape features that allow animal movement between two patches of more substantial habitat. A corridor is not expected to provide sufficient space and resources to meet all of the life history needs of its target species.

Depending upon the species considered, corridors function in a variety of ways and may function differently over the course of a year. For the purposes of general discussion, wildlife corridors can be broken down into three categories: regional corridors, local corridors, and short corridors.

Regional corridors accommodate the needs of a broad suite of animals. Such corridors are especially important to dispersing individuals (i.e., juveniles) that use these corridors to find unoccupied ranges and mates. This effectively links otherwise distinct populations of animals and serves to maintain genetic diversity. Because of the high degree of habitat fragmentation in coastal Southern California, particularly to Diegan coastal sage scrub vegetation, regional wildlife corridors have received considerable attention by resource agencies and conservation groups, and have been a focus of regional conservation planning. In regional planning, attention often focuses on large, wide-ranging “umbrella” species. Under this concept, if a preserve plan can accommodate the needs of wide-ranging species, it will allow sufficient connectivity to meet the lesser needs of other species. A typical width of greater than 1,000 feet is recommended for regional corridors serving large mammals (Ogden 1992). Constructed sections of the corridor should have maximum lengths of less than 500 feet and a minimum width of 400 feet. Where possible, canyon corridors should extend from rim to rim (Ogden 1992, 1998). For planning purposes, widths of a 2:1 proportion (length to width) are generally considered to be necessary for wildlife corridors on an average basis to provide essential buffering of wildlife activities. Narrower or wider corridors may also function depending upon the particular physiography, adjacent land uses, and corridor lengths. Spencer and Mock (1997) noted the value of transmission casements as potential contributors to meeting corridor needs in urbanized environments. Where corridors are narrow and already tenuous, special management measures are required including implementing measures to control runoff, noise, lighting, exotic predators and invasive plants. Such measures have been adopted as the MHPA Land Use Adjacency Guidelines (see Section V.A, Land Use).
Local corridors are much shorter than regional corridors and permit movement between discrete vegetation patches, thereby forming "habitat linkages." These corridors allow two or more small connected patches of habitat to function as a larger block of habitat. The larger interconnected block enables viability and promotes population stability through regular genetic interchange, even though each individual habitat patch may be too small for the long-term survival of a wildlife population. To serve effectively as wildlife corridors, habitat linkages must permit unobstructed movement of the species. This becomes an important consideration with respect to connectivity between preserve areas, particularly where additional urban development is to occur on a limited basis. Depending upon the particular parameters of the linkage, connectivity may also be made by utility corridors, emergency access routes, and recreational trail facilities. Local corridors are generally considered to require widths of 400 to 600 feet to function for wildlife movement, depending upon the corridor lengths, species using the corridor, cover, topography, as well as adjacent land uses (Ogden 1998).

Short corridors function like their larger counterparts, but typically serve the daily needs of individuals. These corridors allow animals to move through unsuitable habitat to access bedding sites, watering sites, and foraging areas. Because of their frequent and regular use, such areas of concentrated wildlife movement are often referred to as "travel routes."

**Threatened, Endangered, Endemic and Sensitive or MSCP Covered Species**

**Sensitive Flora**

Table V.B-2 summarizes the sensitive plant species that could be affected by the proposed Programs. Sensitive plants include those listed by USFWS (1999), CDFG (2002), the California Native Plant Society (CNPS) (Smith and Berg 1988), and Narrow Endemic Species (City of San Diego 2001). The following abbreviations are used in the table: FE = Federally Endangered, FT = Federally Threatened, FSC = Federal Species of Special Concern, SE = State Endangered, SR = State Rare, NE = Narrow Endemic Species; habitat codes are synonymous to those used in the California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of California (Skinner and Pavlik 1994), including CCPrs = closed-cone conifer forest, Chprr = chaparral, CoSct = coastal scrub, CmWld = cismontane woodland, MsSrh = marshes and
swamps, Medw = meadows and seeps, RpWld = riparian woodland, VFGrs = valley and foothill grassland.

<table>
<thead>
<tr>
<th>Scientific Name</th>
<th>Common Name</th>
<th>Habitat</th>
<th>Federal Status</th>
<th>California Status</th>
<th>CNPS List</th>
<th>MSCP Status</th>
<th>Status On-site</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asecolastrum laevigatum</td>
<td>San Diego thyme mint</td>
<td>Cmplt, Cmplt, VFGs, s only</td>
<td>FT</td>
<td>SE</td>
<td>IB</td>
<td>Covered NE</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Adiatheria californica</td>
<td>California adiatheria</td>
<td>Cmplt, Cmplt</td>
<td>None</td>
<td>None</td>
<td>2</td>
<td>Not Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Agave shawii</td>
<td>Shaw's agave</td>
<td>Cmplt</td>
<td>None</td>
<td>None</td>
<td>2</td>
<td>Covered NE</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Arbovena punicea</td>
<td>San Diego embrossa</td>
<td>Cmplt, RpWld</td>
<td>TE</td>
<td>None</td>
<td>IB</td>
<td>Covered NE</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Asphodelus biflorus</td>
<td>asphodelus</td>
<td>Cmplt</td>
<td>None</td>
<td>None</td>
<td>IB</td>
<td>Covered NE</td>
<td>Not Expected</td>
</tr>
<tr>
<td>Aveneaphila bivallata</td>
<td>Del Mar mountain</td>
<td>Cmplt</td>
<td>FE</td>
<td>None</td>
<td>IB</td>
<td>Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Arthrocneophila asperula</td>
<td>Owy mountain</td>
<td>Cmplt</td>
<td>FE</td>
<td>None</td>
<td>IB</td>
<td>Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Asphodelus desert</td>
<td>Dawn's milk-veins</td>
<td>Cmplt, Cmplt</td>
<td>None</td>
<td>None</td>
<td>IB</td>
<td>Covered</td>
<td>Potentially Present</td>
</tr>
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<td>coastal dunes milk-veins</td>
<td>Dawn</td>
<td>FE</td>
<td>SE</td>
<td>IB</td>
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<td>Not Expected</td>
</tr>
<tr>
<td>Asphodelus roseus</td>
<td>Eucalyptus (bush)</td>
<td>Cmplt (bushland)</td>
<td>FT</td>
<td>SE</td>
<td>IB</td>
<td>Covered NE</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Bergenianum canescens</td>
<td>golden-haired saxifrage</td>
<td>Cmplt, Cmplt</td>
<td>None</td>
<td>None</td>
<td>2</td>
<td>Not Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Brachytrites verrucosa</td>
<td>Green's bristle</td>
<td>Cmplt, Cmplt, RpWld, Medw, VFGs, clay</td>
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<td>None</td>
<td>IB</td>
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<td>Potentially Present</td>
</tr>
<tr>
<td>Calathodes ramosa</td>
<td>flame-red grass</td>
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<td>None</td>
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</tr>
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</tr>
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<td>slender poppy clover</td>
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</tr>
<tr>
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<td>lake-side creamcup</td>
<td>Cmplt</td>
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<td>None</td>
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</tr>
<tr>
<td>Calathodes ramosa</td>
<td>western-scented creamcup</td>
<td>Cmplt</td>
<td>NCR</td>
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<td>Covered</td>
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</tr>
<tr>
<td>Calathodes perpusat</td>
<td>smooth meadow</td>
<td>VFGs</td>
<td>None</td>
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<td>IB</td>
<td>Not Covered</td>
<td>Not Expected</td>
</tr>
<tr>
<td>Scientific Name</td>
<td>Common Name</td>
<td>Habitat</td>
<td>Federal Status</td>
<td>California Status</td>
<td>CNPS List</td>
<td>MSCT Status</td>
<td>Status On-site</td>
</tr>
<tr>
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</tr>
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<td>Chiastratus spicata</td>
<td>California native</td>
<td>Chip</td>
<td>None</td>
<td>None</td>
<td>4</td>
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</tr>
<tr>
<td>Chiastratus arizonicus</td>
<td>Orcutt's spicata</td>
<td>CoSe</td>
<td>FF</td>
<td>SE</td>
<td>18</td>
<td>Covered</td>
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</tr>
<tr>
<td>Convolvulus sp.</td>
<td>summer-bells</td>
<td>Chip</td>
<td>None</td>
<td>None</td>
<td>18</td>
<td>Not Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Coreopsis simulans</td>
<td>small-flowered hoarybells</td>
<td>Chip (speciosus)</td>
<td>None</td>
<td>None</td>
<td>4</td>
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</tr>
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<td>Coreopsis auriculata</td>
<td>Orcutt's bird's-eye</td>
<td>CoSe</td>
<td>None</td>
<td>None</td>
<td>2</td>
<td>Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Coreopsis auriculata var. aurea</td>
<td>Point Loma sand aster</td>
<td>Chip</td>
<td>None</td>
<td>None</td>
<td>18</td>
<td>Not Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Coreopsis auriculata var. hirsuta</td>
<td>Del Mar sand aster</td>
<td>CoSe, Chip, VGEn</td>
<td>None</td>
<td>None</td>
<td>18</td>
<td>Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Delosperma congestum</td>
<td>Oat implant</td>
<td>VGEn</td>
<td>FT</td>
<td>SE</td>
<td>18</td>
<td>Covered NE</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Dieckmannia occidentalis</td>
<td>western dieckmannia</td>
<td>Chip, CoSe</td>
<td>None</td>
<td>None</td>
<td>4</td>
<td>Not Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Didyma phloemennoides ssp. phloemennoides</td>
<td>Blanchard's dudleya</td>
<td>CoSe</td>
<td>FSC</td>
<td>SE</td>
<td>18</td>
<td>Covered NE</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Didyma variegata</td>
<td>variegated dudleya</td>
<td>CoSe</td>
<td>None</td>
<td>None</td>
<td>18</td>
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</tr>
<tr>
<td>Didyma viscosa</td>
<td>sticky dudleya</td>
<td>Chip, CoSe (typing needed)</td>
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<td>None</td>
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<td>Potentially Present</td>
</tr>
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<td>Euphorbia nitschiana</td>
<td>stiff eurpean</td>
<td>CoSe</td>
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<td>None</td>
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<td>Not Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Ferocactus viridescens</td>
<td>San Diego barrel cactus</td>
<td>Chip, CoSe</td>
<td>MagaC</td>
<td>None</td>
<td>2</td>
<td>Covered</td>
<td>Potentially Present</td>
</tr>
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<td>Pitullis buxifolia var. buxifolia</td>
<td>chocolate lily</td>
<td>Chip, CoSe, VGEn</td>
<td>None</td>
<td>None</td>
<td>Unlisted</td>
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</tr>
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<td>Glaucium flavum var. flavum</td>
<td>mission cayton bluecup</td>
<td>Chip (speciosus)</td>
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<td>3</td>
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<td>Potentially Present</td>
</tr>
<tr>
<td>Haplopappus pulchellus var. foliosus</td>
<td>Palm's grapplebun</td>
<td>Chip, CoSe, VGEn</td>
<td>None</td>
<td>None</td>
<td>4</td>
<td>Not Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Hesperosera campana</td>
<td>CoSe's hesperosera</td>
<td>Chip</td>
<td>None</td>
<td>Candidate</td>
<td>18</td>
<td>Not Covered</td>
<td>Not Exposed</td>
</tr>
<tr>
<td>Holocarpha vagans</td>
<td>graceful trumpet</td>
<td>VGEn</td>
<td>None</td>
<td>None</td>
<td>4</td>
<td>Not Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Hesperila truxilla</td>
<td>Rana's hawkweed</td>
<td>Chip, CoSe, VGEn</td>
<td>None</td>
<td>None</td>
<td>18</td>
<td>Not Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Euphorbia crenata var. dem SOUTH</td>
<td>document's eucalyptus</td>
<td>CoSe</td>
<td>None</td>
<td>None</td>
<td>18</td>
<td>Not Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Lepechinia cordifolia var. pilos Funny</td>
<td>CoSe's pilos funny</td>
<td>Chip</td>
<td>None</td>
<td>None</td>
<td>18</td>
<td>Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Menyanthes trifoliata</td>
<td>rush-like bristlewood</td>
<td>Chip, CoSe</td>
<td>None</td>
<td>None</td>
<td>4</td>
<td>Not Covered</td>
<td>Potentially Present</td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th>Scientific Name</th>
<th>Common Name</th>
<th>Habitat</th>
<th>Federal Status</th>
<th>California Status</th>
<th>CNPS List</th>
<th>MSCP Status</th>
<th>Status On-Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>Microtus longicaudus</td>
<td>small-deer mouse</td>
<td>VFGr (chop)</td>
<td>None</td>
<td>None</td>
<td>4</td>
<td>Not Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Notomys hesperidicus</td>
<td>all-deer mouse</td>
<td>Chap</td>
<td>None</td>
<td>None</td>
<td>1B</td>
<td>Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Melamys clevelandi</td>
<td>San Diego fox</td>
<td>Chap, CoSc (openings)</td>
<td>None</td>
<td>None</td>
<td>1B</td>
<td>Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Notomys obesus</td>
<td>Desert hare</td>
<td>Chap</td>
<td>None</td>
<td>SE</td>
<td>1B</td>
<td>Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Opuntia californica var. californica</td>
<td>prickly pear cactus</td>
<td>CoSc</td>
<td>None</td>
<td>None</td>
<td>1B</td>
<td>Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Phaeoeca eisenia</td>
<td>Brand's phaeoeca</td>
<td>CoSc, Eumes</td>
<td>None</td>
<td>None</td>
<td>1B</td>
<td>Not Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Paua torquata</td>
<td>Torrey pine</td>
<td>Cenex, Forag</td>
<td>None</td>
<td>None</td>
<td>1R</td>
<td>Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Polygala californica var. fulva</td>
<td>Santa's milkwort</td>
<td>Chap, CoWld, RpWld</td>
<td>None</td>
<td>None</td>
<td>4</td>
<td>Not covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Quercus oblongifolia</td>
<td>Natal's scrub oak</td>
<td>Chap</td>
<td>None</td>
<td>None</td>
<td>1B</td>
<td>Not covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Quercus engelmanni</td>
<td>Englemann oak</td>
<td>Chap, CoWld, RpWld, VFGs</td>
<td>None</td>
<td>None</td>
<td>4</td>
<td>Not covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Rosa mcketii</td>
<td>small-leaved rose</td>
<td>CoSc, Chap</td>
<td>None</td>
<td>SE</td>
<td>2</td>
<td>Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Satureja chamillieri</td>
<td>San Miguel savory</td>
<td>Chap</td>
<td>None</td>
<td>None</td>
<td>1B</td>
<td>Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Senecio gandol</td>
<td>Gazdor's butterweed</td>
<td>Chap</td>
<td>None</td>
<td>SR</td>
<td>1B</td>
<td>Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Salvia sarothrae var. rugosa</td>
<td>narrow-leaved altitude</td>
<td>Chap</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Viguiera trilobata</td>
<td>San Diego County vigo</td>
<td>CoSc</td>
<td>None</td>
<td>None</td>
<td>4</td>
<td>Not covered</td>
<td>Potentially Present</td>
</tr>
</tbody>
</table>

NI = Narrow Endemic  Source: Merkle & Associates, 2002

**Sensitive Fauna**

Table V.B-3 summarizes the sensitive fauna species that could be affected by the proposed work. Sensitive animals include those listed by USFWS (1999) and CDFG (2002). The following abbreviations are used in the table: FE = Federally Endangered, FT = Federally Threatened, FSC = Federal Species of Special Concern, SE = State Endangered, SR = State Rare; habitat codes are synonymous to those used in the California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of California (Skinner and Pavlik 1994), including CCFRs = closed-cone conifer forest, Chap = chaparral, CoSc = coastal scrub, CnWld = cismontane woodland, MshSw = marshes and swamps, Medws = meadows and seeps, RpWld = riparian woodland, and VFGs = valley and foothill grassland.
<table>
<thead>
<tr>
<th>Scientific Name</th>
<th>Common Name</th>
<th>Habitat</th>
<th>Federal Status</th>
<th>California Status</th>
<th>MSCP Status</th>
<th>Status On-site</th>
</tr>
</thead>
<tbody>
<tr>
<td>Haploaedia adusta终端</td>
<td>Quino checkerspot</td>
<td>Open grassland and clearings within their habitat that support</td>
<td>FE</td>
<td>SA</td>
<td>None</td>
<td>Potentially Present</td>
</tr>
<tr>
<td></td>
<td>butterfly</td>
<td>煌豆 (Monteabaro creeks)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lycanthes hormes</td>
<td>Hermes copper</td>
<td>Owens in coniferous, associated with the broad leaf plant Spiny Redberry (Elaeagnus spinosa), adults feed on water from blooming buckwheat</td>
<td>FSC</td>
<td>SA</td>
<td>None</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Dendroideus picippeps</td>
<td>monarch butterfly</td>
<td>Migratory concentrations found on trees</td>
<td>None</td>
<td>None</td>
<td>None</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Callophrys nebulosa</td>
<td>southwestern</td>
<td>Shallow pools, open sand, and gravelly terrains of intermittent streams, may also occupy adjacent upland communities within 1.2 km</td>
<td>FE</td>
<td>CSC, Protected</td>
<td>Covered</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Spariphia spinifera</td>
<td>western spadefoot</td>
<td>Profiles sandpaper, soil in grasslands, sage scrub, open shrubland, and pinon-sage woodland; grasslands with shallow temporary pools are optimal</td>
<td>FSC</td>
<td>CSC, Protected</td>
<td>None</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>Phrynosaurus cornutus</td>
<td>San Diego horned</td>
<td>Lizard</td>
<td>FSC</td>
<td>CSC, Protected</td>
<td>Covered</td>
<td>Expected</td>
</tr>
<tr>
<td>Anceps flavescens terminatus</td>
<td>Coconino shank</td>
<td>Variety of habitats including grasslands, sage scrub, and various woodlands including oak, pine, juniper, and chaparral</td>
<td>FSC</td>
<td>CSC</td>
<td>None</td>
<td>Expected</td>
</tr>
<tr>
<td>Cnemaphleps hypersternum</td>
<td>orange checkerspot</td>
<td>Whiptail</td>
<td>FSC</td>
<td>CSC, Protected</td>
<td>Covered</td>
<td>Expected</td>
</tr>
<tr>
<td>Anaxius palustra</td>
<td>silvery wren</td>
<td>Shows a preference for leaf litter and sandy substrates</td>
<td>FSC</td>
<td>CSC</td>
<td>Not surveyed</td>
<td>Expected</td>
</tr>
<tr>
<td>Cnemaphleps phyllostomus</td>
<td>coastal western</td>
<td>Coast sage, shrub, chaparral, and grasslands</td>
<td>FSC</td>
<td>SA</td>
<td>None</td>
<td>Expected</td>
</tr>
<tr>
<td>Sceloporus graciosus</td>
<td>coastal brush</td>
<td>Chaparral and sage scrub; may require minimal brush or wooded sites for overwintering</td>
<td>FSC</td>
<td>CSC, Protected</td>
<td>None</td>
<td>Expected</td>
</tr>
<tr>
<td>Scientific Name</td>
<td>Common Name</td>
<td>Habitat</td>
<td>Federal Status</td>
<td>California Status</td>
<td>MSCP Status</td>
<td>Status On-site</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>-------------</td>
<td>--------------------------------------------------------------------------</td>
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<td>------------------</td>
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<td>---------------------</td>
</tr>
<tr>
<td>Dryobates peruviana strigilla</td>
<td>San Diego</td>
<td>Chaparral, forest, and grasslands</td>
<td>None</td>
<td>SA</td>
<td>None</td>
<td>Expected</td>
</tr>
<tr>
<td>Lekurumri striigata nanus</td>
<td>coastal lark</td>
<td>Rocky outcrops within chaparral and sage scrub</td>
<td>PSC</td>
<td>SA</td>
<td>None</td>
<td>Potentially Protect</td>
</tr>
<tr>
<td>Crotalus ruber ruber</td>
<td>northern red diamond rattlesnake</td>
<td>Occupies rocky outcrops and areas of heavy brush or clogged terrain in chaparral, sage scrub, or desert scrub on both coastal and desert shores, usually below 4000 ft</td>
<td>PSC</td>
<td>CSC</td>
<td>None</td>
<td>Expected</td>
</tr>
<tr>
<td>Crotalus tunda</td>
<td>turkey vulture</td>
<td>Open habitats with protected large trees and range</td>
<td>FSC</td>
<td>CSC</td>
<td>None</td>
<td>Expected</td>
</tr>
<tr>
<td>Stans leucura</td>
<td>white-tailed kite</td>
<td>Grasslands, agricultural fields, and open habitats with areas of dense deciduous trees for nesting</td>
<td>None</td>
<td>SA, Fully Protected</td>
<td>None</td>
<td>Expected</td>
</tr>
<tr>
<td>Aquila chrysaetos</td>
<td>golden eagle</td>
<td>Nests in trees (or trees), found in generally montaneous or hilly terrain</td>
<td>None</td>
<td>CSC, Fully Protected</td>
<td>Covered</td>
<td>Expected (to forage on occasion)</td>
</tr>
<tr>
<td>Falco peregrinus esgus</td>
<td>American peregrine falcon</td>
<td>Forages near cows</td>
<td>FZ</td>
<td>CH</td>
<td>Covered</td>
<td>Expected (to forage on occasion)</td>
</tr>
<tr>
<td>Accipitrid christi</td>
<td>sharp-shinned hawk</td>
<td>Mixed woodlands near open areas, prefers box not restricted to riparian habitats</td>
<td>None</td>
<td>CSC</td>
<td>None</td>
<td>Expected (seasonally)</td>
</tr>
<tr>
<td>Gavia immeri</td>
<td>northern harrier</td>
<td>Forages over marsh and open terrain</td>
<td>None</td>
<td>USC</td>
<td>Covered</td>
<td>Expected</td>
</tr>
<tr>
<td>Buteo regalis</td>
<td>ferrugineous hawk</td>
<td>Ury, open terrain</td>
<td>FSC</td>
<td>USC</td>
<td>Covered</td>
<td>Expected (seasonally)</td>
</tr>
<tr>
<td>Lamus ludovicianus</td>
<td>loggerhead shrike</td>
<td>Found within grazed or open habitats with bare-ground and sparse shrubs and/or tree cover for nesting and foraging</td>
<td>FSC</td>
<td>USC</td>
<td>None</td>
<td>Potentially Protect</td>
</tr>
<tr>
<td>Progne subis sphenosticta</td>
<td>California least wek</td>
<td>Grasslands, disturbed areas and open habitats with sparse, low vegetation</td>
<td>None</td>
<td>USC</td>
<td>None</td>
<td>Potentially Protect</td>
</tr>
<tr>
<td>Scientific Name</td>
<td>Common Name</td>
<td>Habitat</td>
<td>Federal Status</td>
<td>California Status</td>
<td>MSCP Status</td>
<td>Status On-site</td>
</tr>
<tr>
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<td>----------------------------------------------</td>
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<td>-------------------</td>
<td>-------------</td>
<td>------------------</td>
</tr>
<tr>
<td>Speotypos vallisulcatus brevirostris</td>
<td>burrowing owl</td>
<td>Hunts upon terrain generally with burrow at a slight elevational rise</td>
<td>None</td>
<td>CSC</td>
<td>Covered</td>
<td>Potentially present</td>
</tr>
<tr>
<td>Polygala californica californica</td>
<td>California wallflower</td>
<td>Various unexpected stages of sage scrub</td>
<td>FT</td>
<td>CSC</td>
<td>Covered</td>
<td>Expected</td>
</tr>
<tr>
<td>Sitta nunicans</td>
<td>western bluebird</td>
<td>Open woodlands, shrublands, and meadows</td>
<td>None</td>
<td>None</td>
<td>Covered</td>
<td>Potentially present</td>
</tr>
<tr>
<td>Campylopterus convexus brevicaulis cerasus</td>
<td>desert cactus wren</td>
<td>Areas of sage scrub with robust stands of prickly pear and cholla</td>
<td>None</td>
<td>CSC</td>
<td>Covered</td>
<td>Potentially present</td>
</tr>
<tr>
<td>Astrapia mangleigerus coryneus</td>
<td>Southern California cactus-coneflower</td>
<td>Rocky hillocks supporting sage, low scrub or chaparral, sometimes mixed with grass</td>
<td>FSC</td>
<td>CSC</td>
<td>Covered</td>
<td>Expected</td>
</tr>
<tr>
<td>Amphipetes lehmbelli bell</td>
<td>Bell's sage sparrow</td>
<td>Chaparral and dense sage scrub</td>
<td>FSC</td>
<td>CSC</td>
<td>None</td>
<td>Expected</td>
</tr>
<tr>
<td>Ameadiocranum renitiferum</td>
<td>grasshopper sparrow</td>
<td>Grasslands and pastures</td>
<td>None</td>
<td>SA</td>
<td>None</td>
<td>Expected</td>
</tr>
<tr>
<td>Felis concolor</td>
<td>mountain lion</td>
<td>Found in areas of extensive dense native vegetation</td>
<td>None</td>
<td>Calif Regulated</td>
<td>Covered</td>
<td>Potentially present</td>
</tr>
<tr>
<td>Odocoileus hemionus richardsoni</td>
<td>mountain mule deer</td>
<td>Found in areas of extensive dense native vegetation</td>
<td>None</td>
<td>Calif Regulated</td>
<td>Covered</td>
<td>Expected</td>
</tr>
<tr>
<td>Taxidea taxus</td>
<td>American bighorn</td>
<td>Found in open grasslands on the mid to the periphery of native vegetation</td>
<td>None</td>
<td>None</td>
<td>Covered</td>
<td>Expected</td>
</tr>
<tr>
<td>Lepus californicus nanus</td>
<td>San Diego black-tailed jackrabbit</td>
<td>Relatively open chaparral and sage scrub and grasslands</td>
<td>FSC</td>
<td>CSC</td>
<td>None</td>
<td>Expected</td>
</tr>
<tr>
<td>Poromys californicus pacificus</td>
<td>Drinker California pocket mouse</td>
<td>Found in areas of fine sandy ground, (Coastal sage scrub)</td>
<td>FSC</td>
<td>CSC</td>
<td>None</td>
<td>Potentially present</td>
</tr>
<tr>
<td>Scientific Name</td>
<td>Common Name</td>
<td>Habitat</td>
<td>Federal Status</td>
<td>California Status</td>
<td>MSCP Status</td>
<td>Status One-Site</td>
</tr>
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<td>---------------------</td>
<td>-------------------------------------------------------------------------</td>
<td>----------------</td>
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<td>-------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Chalinodon fasciatus</td>
<td>northwestern San</td>
<td>Found in Coastal sage scrub</td>
<td>FSC</td>
<td>CSC</td>
<td>None</td>
<td>Expected</td>
</tr>
<tr>
<td></td>
<td>Diego sage scrub</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notoryctes intermedia</td>
<td>San Diego desert</td>
<td>Characteristically abundant in areas of rocky outcrops</td>
<td>FSC</td>
<td>CSC</td>
<td>None</td>
<td>Expected</td>
</tr>
<tr>
<td></td>
<td>woodland</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Myotis yumanensis</td>
<td>Yuma myotis</td>
<td>Uses multiple habitats (primarily woodlands) but roosts over water</td>
<td>FSC</td>
<td>CSC</td>
<td>None</td>
<td>Potentially Present</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Myotis evotis</td>
<td>large-eared myotis</td>
<td>Uses multiple habitats for nesting (mainly crevices), roosts in woodlands</td>
<td>FSC</td>
<td>None</td>
<td>None</td>
<td>Potentially Present</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Myotis phayrei</td>
<td>fringed myotis</td>
<td>Uses multiple habitats for nesting (mainly crevices), feeds in waterless</td>
<td>FSC</td>
<td>None</td>
<td>None</td>
<td>Potentially Present</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Myotis volans</td>
<td>long-legged myotis</td>
<td>Uses multiple habitats for nesting (mainly crevices), feeds in waterless</td>
<td>FSC</td>
<td>None</td>
<td>None</td>
<td>Potentially Present</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Myotis californicus</td>
<td>small-footed myotis</td>
<td>Uses a variety of habitats, prefers open stands in forest/woodlands, bushy habitats, and riparian areas</td>
<td>FSC</td>
<td>None</td>
<td>None</td>
<td>Potentially Present</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Euderma maculatum</td>
<td>spotted bat</td>
<td>Roosts in high rocky cliffs, fringes in forest and edge habitats</td>
<td>FSC</td>
<td>CSC</td>
<td>None</td>
<td>Potentially Present</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corynorhinus</td>
<td>Townsend's big-eared</td>
<td>Cave roost, feeds in forest/woodland habitats or along habitat edges</td>
<td>FSC</td>
<td>CSC</td>
<td>None</td>
<td>Potentially Present</td>
</tr>
<tr>
<td>trivirgatus</td>
<td>bat</td>
<td>within 15 km of roost site</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. pallidus</td>
<td>pale bat</td>
<td>Uses open forest and grassland habitats for nesting and multiple habitats for roosting</td>
<td>None</td>
<td>CSC</td>
<td>None</td>
<td>Potentially Present</td>
</tr>
</tbody>
</table>
### Scientific Name | Common Name | Habitat | Federal Status | California Status | MSCP Status | Status On-site
--- | --- | --- | --- | --- | --- | ---
Nyctinomops jansoni | protected free-tailed bat | Cliff crevice, feeds in multiple habitats | None | CSC | None | Potentially Present

Nyctinomops australis | big free-tailed bat | Cliff crevice, prefers rugged, rocky canyons, feeds in multiple habitats including over water | None | CSC | None | Potentially Present

Eumops perotii (see California mastiff bat in text) | western mastiff bat | Extensive open areas with abundant mast locations in rock outcrops (found where cakes and chaparral occur) | BSC | CSC | None | Potentially Present

Source: Merkel & Associates, 2002

### ISSUE STATEMENTS

1. Would the project reduce the number of any unique, rare, endangered, sensitive, fully protected species of plants or animals?

2. Would the project interfere with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors?

3. Would the project impact any sensitive habitat, including, but not limited to oak woodland, coastal sage scrub or chaparral?

4. Would the proposal result in any conflict with the provisions of the City's Multiple Species Conservation Program Subarea Plan or other approved local, regional or state habitat conservation plan?

### IMPACT

### Criteria for Significance Determination

Impacts must be identified and quantified whenever possible to evaluate the potential environmental damages that could result from a proposed project. Impacts must be further
evaluated for significance. CEQA defines a "significant effect on the environment" as a "substantial or potentially substantial adverse change in the environment." According to CEQA, a mandatory finding of significance is appropriate for a project that has the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish and wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare or threatened species, or eliminate important examples of the major periods of California history or prehistory; the project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals; or the project has possible environmental effects which are individually limited but cumulatively considerable. The City of San Diego has developed the CEQA Significance Determination Guidelines (rev. July 2002) for evaluating biological impacts. Habitat impacts are anticipated to occur where there is vegetation removal. Pruning of limbs within brush management zone two are not considered to result in impacts and are currently considered impact neutral within the San Diego LDC.

The Guidelines follow a stepwise progression in evaluating the potential for biological effects to be considered significant under CEQA. The determinations contained herein are based on those Guidelines. Impacts would be considered significant under the following circumstances:

- Project encroachments into the MHPA are considered significant.
- Impacts to Tier I, II, IIIA and IIIB are considered significant based on site-specific circumstances. However, lacking the capacity to analyze project level information at the SEIR/EA level, these impacts are categorically significant.
- Any impacts to federal or state-listed threatened or endangered species, or impacts to narrow endemic species as specified in the City's Biology Guidelines (July 2002).
- Impacts to individual sensitive species may also be considered significant, based on the species rarity and extent of the impacts.

**Analysis of Impacts**

For the purpose of this analysis, the biological evaluation included brush management conducted by the City of San Diego, homeowner's associations, and private property owners. A total of 25
brush management areas were evaluated as part of this project. Of all the brush management areas evaluated, 13 were thinned by the City of San Diego Park and Recreation Department, 11 were thinned by private landowners, and one brush management area was thinned by a homeowner's association.

For purpose of comparison, adjacent areas that were not brush managed were also evaluated, if available. These areas are referred to as controls. However, it was difficult to find comparable control areas. Most brush management is conducted in a comprehensive manner so it was difficult to find comparable areas that had not been brush managed. Only two control areas have been evaluated as part of this effort.

A variety of brush management areas throughout the City were selected. Park and Recreation staff, David Monroe and Josh Woods, selected 13 areas where brush management was conducted by Park and Recreation staff. Areas selected by Park and Recreation varied in size and date of brush management conducted. For example, some of the brush management areas had been thinned as recently as February 2004 whereas others selected areas have not been thinned for over five years. This variety in brush management areas helped provide information on both the long term effects of brush management as well as the immediate impacts.

Planning Department staff, Khalil Martinez, selected an additional 12 areas where brush management was conducted by either the homeowner or the homeowner's association. Since there was no information available on the date of brush management for these sites, Mr. Martinez selected four brush management areas within three different canyons: Peñasquitos Canyon, San Clemente Canyon, and Tecolote Canyon. Areas were selected throughout the canyons to give a good evaluation of the different kinds of private brush management conducted.

Each site was visited during the daylight hours by Holly Cheong, Environmental Biologist for the MSCP. Sites were each visited once on either March 1, 2004, March 4, 2004, or March 9, 2004. The surrounding vegetation communities were surveyed to determine habitat type. Habitat type was considered disturbed if 50% or more of species cover within the habitat were exotic plant species. Undisturbed native habitat contained less than 50% exotic cover. Native
habitats observed included coastal sage scrub, mixed chaparral, chamise chaparral and oak woodland. Areas were considered ornamental if over 90% cover was attributed to exotic plant species. Eucalyptus woodland, which could also be considered an ornamental area, is identified specifically where observed. The percent cover of exotic and native species was estimated within each brush management area. Any dominant exotic and native species were noted. Plant regrowth within the brush management areas was evaluated and the height of vegetation within the brush management areas was estimated. Slope gradient and aspect were noted as well as any on-site irrigation. Soil type was also determined by visual observation. If it could be determined, it was noted whether the brush management area was on a manufactured or natural slope.

The date that brush management was first performed and the last date brush managed was performed was noted for each site if that information was available. The size of the brush management area was also noted. For Park and Recreation sites, this was based on the information provided by them for each site. For homeowner and homeowner's association sites, the size of the brush management area was estimated from the SANGIS parcel layer assuming that the brush management area would correspond to the area outside of the development area on the site. The date that brush management was conducted was not available for homeowner and homeowner's association brush management sites.

The conclusion from City staff evaluation is that invasion of exotic plant species into brush management areas appears to be the biggest impact associated with biological resources and performing brush management. Ninety-six percent (96%) of the twenty-five slopes evaluated contained some level of exotic plant invasion. Exotic invasion could not be directly attributed to the quality of the adjacent habitat. Thirteen of the 24 brush management areas (54%) with exotic plant invasion were adjacent to undisturbed native habitat. Exotic plant invasion may also be associated with what was planted within the brush management areas during the time of construction of the housing developments or what was installed by the owners or homeowner's association after construction. In many cases, this encroachment may be considered out of compliance with the City of San Diego Municipal Code and would not be included in the evaluation of impacts associated with the implementation of brush management as allowed by
the City of San Diego Municipal Code. Although the information from this report should be treated as purely anecdotal, evaluation of these 25 slopes can help the City of San Diego determine the general impacts associated with brush management. Please see Section V.A, Land Use/MSCP, Issue 3 for a full discussion on the project's consistency with the Multiple Species Conservation Program (MSCP) and other habitat conservation plans.

Direct Impacts

Direct impacts occur when biological resources are altered or destroyed during the course of work, or as a result of project implementation. According to the CEQA Guidelines (2001), direct impacts refer to a direct physical change in the environment that is caused by and immediately related to the project. Examples of such impacts include removal and grading of native vegetation. Other direct impacts may include substantial loss of foraging or nesting habitat, and loss of individuals of sensitive species as a result of brush management activities.

Habitat Loss

The aerial extent, or “footprint”, of surface impacts associated with the development of revised brush management zones was determined by evaluating current brush management zone impacts and comparing the existing conditions to the proposed impacts due to the implementation of the revised brush management zones that are included within the proposed brush management revisions. Some areas may be increasing the width of zone one and zone two, but the increases depend on the location of the property relative to Interstate 5 and Interstate 805. While the revised brush management zones are proposed to be, 100 feet wide, the 100-foot-wide average that was assumed for this analysis includes additional areas to address needs for increasing or decreasing existing widths of zone one and zone two brush management. However, at no time will the combined two brush management zones be more than 100 feet. Table V.A-23 (Land Use Section), quantifies the impacts of the proposed Brush Management revisions using this approach.
Using the regionally-based evaluation methods, the proposed actions would result in impacts to sensitive habitats, including sensitive uplands located within the boundary of established MHPA lands. In accordance with City Significance Determination Guidelines (July 2002), any encroachment into the MHPA is considered to be significant. Encroachment into the MHPA for brush management zone two is allowed, since brush management in zone two is considered impact neutral.

**Sensitive Species**

For the purpose of the present assessment, impacts to sensitive species that are considered direct impacts would be those that result in a direct physical loss of individuals in the case of plants and animals, or the loss of necessary supporting habitat in the case of animals. While an argument may exist that direct effects may also include such impacts as construction noise, lighting, or dust, these impacts rely on intermediate behavioral or physiological changes to be manifested as measurable impacts. Because these impacts are less tangible and certain to result in measurable adverse effects, they have been addressed as indirect effects rather than direct effects.

**Impacts to California Gnatcatcher**

The proposed changes to the brush management regulations would increase the width of the brush thinning zone (zone two) by approximately 20 to 60 feet. The proposed changes could result in potential direct impacts to the California gnatcatcher (*Polioptila californica californica*) due to incidental impacts to nesting birds, within the MHPA, and reduction of suitable habitat by brush thinning or controlled goat grazing. The California gnatcatcher is a federally threatened species under the Endangered Species Act.

A review of the regional sensitive species database, established for the Multiple Species Conservation Program, resulted in only five out of 377 occurrences proposed to be impacted within the MHPA by the new width of brush management zone two. This database however does not contain a comprehensive survey of all lands in the City of San Diego, and occupation of...
habitat by gnatcatcher will vary from year-to-year. As such, the true impacts to individual birds cannot be assessed.

To address impacts to the California gnatcatcher resulting from changes in the brush management regulations, an analysis was conducted using the coastal California gnatcatcher habitat evaluation model (2002) constructed for the U.S. Fish and Wildlife Service. The gnatcatcher habitat evaluation model classified potential gnatcatcher habitat into one of four categories: low/none, moderate, high and very high. The areas of potential impacts from brush management changes previously generated by City staff, were compared to the results of the gnatcatcher habitat model using a geographic information system. The results were divided into potential impacts Citywide and impacts to the Multi-Habitat Planning Area (MHPA) of the Multiple Species Conservation Program. The results are shown in Table V.B.-4.

### TABLE V.B.-4
Potential Impacts to California Gnatcatcher Habitat based upon the 2002 coastal California gnatcatcher habitat evaluation model.

<table>
<thead>
<tr>
<th>Category</th>
<th>Total Acres in City</th>
<th>Potential Impacts Citywide from proposed brush management changes (% of Total Acres in the City)</th>
<th>Total Acres in MHPA</th>
<th>Total Potential Impacts in MHPA from proposed brush management changes (% of Total Acres in MHPA)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low/None</td>
<td>78</td>
<td>0 (0%)</td>
<td>63</td>
<td>0 (0%)</td>
</tr>
<tr>
<td>Moderate</td>
<td>1566</td>
<td>33 (2.1%)</td>
<td>1037</td>
<td>14 (1.3%)</td>
</tr>
<tr>
<td>High</td>
<td>11617</td>
<td>257 (2.2%)</td>
<td>6182</td>
<td>106 (1.72%)</td>
</tr>
<tr>
<td>Very High</td>
<td>15545</td>
<td>139 (0.9%)</td>
<td>10317</td>
<td>78 (0.8%)</td>
</tr>
<tr>
<td>Total</td>
<td>28806</td>
<td>420 (1.5%)</td>
<td>17599</td>
<td>198 (1.1%)</td>
</tr>
</tbody>
</table>

The overall impacts to suitable gnatcatcher habitat citywide and within the MHPA are 1.5% and 1.1% of the total habitat area, respectively. While the coastal California gnatcatcher habitat evaluation model is not 100% accurate, it is useful in regional habitat impact assessment.
Sensitve Habitat

The proposed revisions to the Land Development Code related to brush management, zone two, would result in an estimated city-wide impact of 2,880 acres. Of this total, 715 acres would be within the MHPA which includes 242 acres within the core biological areas and habitat linkages. The MHPA will preserve 52,012 acres, which includes 35,648 acres within the core biological and habitat linkages areas. Therefore, impacts from the thinning and pruning activities associated with zone two brush management would potentially impact 1.4 percent of the MHPA and 0.7 percent of the core/linkages areas.

Table V. A-42, (Land Use section) further identifies the anticipated impacts that would occur by Habitats Tier. A majority of the city-wide impacts are to Tier IV which includes lands (i.e. disturbed land, agriculture, eucalyptus woodland, and ornamental plantings) that are not considered to be sensitive. No brush management is required within wetland areas; therefore, no impacts to wetlands are expected to occur with implementation of the proposed LDC code revisions.

A majority of the impacts from the proposed brush management revisions would occur within smaller urban canyons and would not be part of the larger core biological areas and linkages. Impacts to core biological and linkage areas would be limited to 0.7 percent (242 acres). Fifty of these acres would be Tier IV (lands that are not considered sensitive). Additionally, all impacts would be within the 200-foot buffer identified in the MSCP EIR/EIS for edge effects. No impacts to narrow endemic species are expected to occur because these species are generally less than eighteen inches in height and would not be subject to thinning or clearing per the brush management regulations. The exception would be Encinitas baccharis, which has an average height of eighty inches; however, no known locations of this species are within the proposed brush management zone two areas.

Where brush management conducted by humans could avoid impacts to narrow endemics, it is conceivable that goats could indiscriminately graze on narrow endemics. The areas identified for expanded brush management activities are not located within any of the narrow endemic species’ major population areas discussed in the MSCP Plan Table 3.5 ‘details for the rationale for
identifying species as covered.’ Additionally, the MSCP database identifies no narrow endemic species locations within the areas identified for expanded brush management. Any future projects located within or adjacent the MHPA would be reviewed by MSCP staff, and all brush management areas would be included in the review and impact analysis. As discussed above, impacts to narrow endemics within the MHPA must be avoided, and outside the MHPA they must be avoided, managed, enhanced, or transplanted as appropriate.

As proposed, brush management would be prohibited from (March 1 – August 15) in gnatcatcher habitat (i.e., coastal sage scrub and southern maritime scrub). This period coincides with the flowering periods of many narrow endemic species. The prohibition on brush management activities during the gnatcatcher breeding season would eliminate impacts on narrow endemics in coastal sage scrub and southern maritime scrub during this time.

Vernal pools were extensively mapped by the City in 2002-2003: no vernal pools are located in the proposed brush management area. No impacts on vernal pool narrow endemic species would result from the proposed project. Potential impacts on narrow endemics from the proposed project would be less than significant.

The MSCP Subarea Plan (Table 3-5) and City of San Diego Biology Guidelines places restrictions on grading, clearing, and grubbing during the breeding season of seven sensitive species. Six of these species would not be affected by the proposed change to the brush management regulations because either they occur outside of the areas proposed for brush management (e.g. beach areas) or the habitats they occur in will not be impacted (e.g. wetlands). These species include western snowy plover, southwestern flycatcher, least tern, cactus wren, least bell’s vireo, and the tricolored black bird. For the remaining species, the California gnatcatcher, no timing restrictions apply outside the MHPA. Within the MHPA, restrictions on grading, clearing, and grubbing activities apply during the breeding season (March 1 – August 15). This limitation is proposed in brush management activities performed within zone two.
SIGNIFICANCE OF IMPACT

The impacts to biological resources that could result from implementation of the proposed brush management revisions would be significant. While the impacts to biological resources that could result from implementation of the proposed brush management revisions would be significant, they are rendered less than significant by existing City regulations and implementation of the MSCP. These impacts are summarized as follows:

- The proposed brush management revisions would result in significant impacts to Direct and immediate impacts to Tier I, II, IIIA, and IIIB habitats within zone one and zone two (invasives) brush management implementation result in the loss of habitat value and invasion of non-native plants. These impacts could occur based on three types of scenarios: the first being where an existing home owner is doing brush management and zone one already exists; secondly, thinning activities performed by the City of San Diego Park and Recreation Department; and lastly, issuance of Right-Of-Entry permits to private citizens from the Park and Recreation Department to perform brush management activities. If the entire zone one requirement is not met then zone two would be included in these potential impacts.

The EIR/EIS for the MSCP concluded that impacts to covered species and their habitats from brush management were significant but mitigated to below a level of significance with the implementation of preserve management and planning guidelines identified in each City's MSCP Subareas Plan and associated implementing regulations. As documented in this SEIR/EA, impacts to biological resources that could result from implementation of the proposed brush management revisions would be significant in that the project would expand the area within which invasive weeds establish. In that the increase impacts would occur within the 200-foot edge affected area located within the MHPA. This SEIR/EA concludes, like the EIR for the Land Development Code, that the impacts are rendered less than significant by implementation of the MSCP except for impacts occurring outside the MHPA for significant impacts to non-covered species. The draft SEIR/EA erroneously
interpreted the LDC EIR to mean that biological resource impacts from implementation of Zone 2 was significant everywhere. Upon further review, it is clear that the conclusion of the LDC EIR that impacts are significant is limited to the situation described above.

New development would be required to comply with the City’s Biology Guidelines and would be required to mitigate significant brush management impacts to non-covered species outside the MHPA in accordance with Mitigation Method “D”, “Species Specific Mitigation”. Significant impacts from brush management for existing development to non-covered species outside the MHPA would remain significant.

- Properties located within the MHPA lands are normally required to restrict brush management activities within zone two to occur outside of the breeding season of gnatcatchers (March 1 through August 15). However, if the brush management activities cannot be conducted outside of the gnatcatcher breeding season, then the impact is considered significant. While limiting brush management activities within the MHPA, would mitigate impacts to gnatcatchers to below a level of significance, it is not and is proposed by the applicant. Brush management activities would be limited to occur outside of the California gnatcatcher breeding season (March 1 - August 15). Since brush management activities will be limited, direct impacts to gnatcatcher nests would not be significant; therefore, mitigation is not required. Mitigation is also available in the form of requiring a qualified biologist prior to commencing brush management activities to survey the project sites for gnatcatcher nests. This mitigation is not proposed as part of this SIIR/EA.

- Based on the results of City Staff’s evaluation of 25 sites within the City of San Diego, thinning within brush management zone two allows for invasive species to grow into the areas that previously contained native vegetation. Controlled goat grazing could be used for thinning activities in zone two. Goats do not have a specific diet and will feed on most any type of shrubbery or vegetation. Studies have
shown that they will eat plants almost to ground level but leave the roots, graze on the lower branches of large trees and shrubs. Goats are browsers, and are not likely to eat the ground-cover vegetation down to the soil level, particularly when they are moved along and managed correctly. They are much more likely to eat portions of the taller vegetation, thus retaining vegetation cover for the soil. They don’t tend to pull up the vegetation by the roots when they eat, and don’t eat as close to the ground as do sheep and cattle. They will do little actual ‘grazing’, unless the weeds and brush run out.

Impacts to sensitive vegetation associated with this alternative would not be significant whether thinning is conducted by humans or by goats. Invasive plant types would be introduced into zone two as a result of the thinning, creating a significant impact. Further, as goats digest certain plant types containing seeds, the goat feces could also spread invasive plants within zone two as the seeds could take hold in the soil and sprout. This would also result in a significant impact to biological resources by distributing the seed of non-native species into previously undisturbed areas. Impacts associated with the establishment of invasive plants are significant and unmitigated. Impacts associated with the establishment of invasive plants are mitigated by the implementation of the MSCP; therefore, biological impacts related to invasive plants are mitigated to a level below significance.

- The proposed brush management revisions would result in potentially significant impacts to sensitive species. [This has been deleted as a result of the discussion under the first two bullets above.]

Timing of Brush Management Activities

Properties located within the MHPA lands are normally required to restrict brush management activities within zone two to occur outside of the breeding season of great-tailed birds (March 1st through August 15th). However, if the brush-management activities cannot be conducted outside of the great-tailed breeder breeding season, then the impact is considered significant. While limiting brush management activities within the MHPA, would mitigate impacts to great-tailed
to below a level of significance, it is not proposed by the applicant. Mitigation is also available in the form of requiring a qualified biologist prior to commencing brush management activities to survey the project sites for gnatcatcher nests. This mitigation is not proposed as part of this SEIR/EA.

**Invasive Species**

Based on the results of City Staff's evaluation of 25 sites within the City of San Diego, thinning within brush management zone two allows for invasive species to grow into the areas that previously contained native vegetation. Controlled goat grazing could be used for thinning activities in zone two. Goats do not have a specific diet and will feed on most any type of shrubbery or vegetation. Studies have shown that they will eat plants almost to ground level but leave the roots, graze on the lower branches of large trees and shrubs. Impacts to sensitive vegetation associated with this alternative would not be significant whether thinning is conducted by humans or by goats. Invasive plant types would be introduced into zone two as a result of the thinning, creating a significant impact. Further, as goats digest certain plant types containing seeds, the goat feces could also spread invasive plants within zone two as the seeds could take hold in the soil and sprout. This would also result in a significant impact to biological resources by distributing the seed of non-native species into previously undisturbed areas. Impacts associated with the establishment of invasive plants are significant and unmitigated.

**MITIGATION, MONITORING, AND REPORTING PROGRAM**

Mitigation is available to mitigate the potentially significant impacts to the California Gnatcatcher to biological resources associated with implementation of the brush management revisions.

**Bio. 1**

Impacts associated with the California Gnatcatcher would be reduced to below a level of significance by acquiring an amount of acreage, approximately 198 acres, per table V.B.4 in the Biological Resources Section, of equal-value gnatcatcher habitat over a time period to be determined by the City Manager. This mitigation, however, has not been agreed to by the applicant. [This mitigation measure is no longer needed since the proposed revisions to the brush...
management ordinance has been revised to prohibit brush thinning during the breeding season of the California gnatcatcher (March 1 – August 15).

Bio. 2 In order to mitigate significant impacts to biological resources as a result of the establishment of invasive species in brush management zone two, the Land Development Code EIR identified that mitigation would be required to the same extent as brush management zone 1, based on the mitigation ratios per habitat type identified in the City of San Diego Biology Guidelines. This mitigation however, is not proposed.

Bio. 3 In order to mitigate significant impacts to non-covered species located outside the MHPA, a mitigation measure would be required to the same extent as brush management zone one, based on the mitigation ratios per habitat type identified in the City of San Diego Biology Guidelines. However, this mitigation is not agreed to by the applicant.
C. HYDROLOGY/WATER QUALITY/EROSION

EXISTING CONDITIONS

Hydrology, the study of water, encompasses the occurrence, distribution, movement, and chemistry of all waters of the Earth, including water in rivers, oceans, lakes, and subsurface. Hydrogeology is the field of hydrology that studies the interrelationships of geologic materials and processes with water, with an emphasis in groundwater. Groundwater is water that occurs below the ground surface and occupies open pore spaces, voids, and fractures in sediment and rock. Any rock or sediment that is water-bearing and that yields economical quantities of water to wells and springs is referred to as an aquifer. One or more aquifers composed primarily of unconsolidated deposits found in valleys of major rivers and streams are generally defined as groundwater basins. A hydrologic unit is the designation given by the State Water Resources Control Board (SWRCB) to define groundwater basins using surface drainage divides (highlands) to classify total watershed areas, including water-bearing and non-water-bearing formations. Each Hydrologic Unit is further divided into Hydrologic Areas (and Hydrologic Subareas) with unit boundaries generally based on surface drainage boundaries, although subsurface characteristics may also define a division of groundwater.

Surface and Groundwater Hydrology

Implementation of the proposed brush management revisions would occur within the City of San Diego. The City of San Diego region forms the southwest corner of California and occupies approximately 3,900 square miles of surface area. The western boundary of the region consists of the Pacific Ocean coastline, which extends approximately 85 miles north from the United States-Mexico border. The northern boundary of the region is formed by the hydrologic divide starting near Laguna Beach and extending inland through El Toro and easterly along the ridge of the Elsinore Mountains into the Cleveland National Forest. The eastern boundary of the region is formed by the Laguna Mountains and other lesser known mountains located in the Cleveland

National Forest. The southern boundary of the region is formed by the United States-Mexico border.

The San Diego Region encompasses most of San Diego County, parts of southwestern Riverside County and southwestern Orange County. The region is divided into 11 major hydrologic units, 54 hydrologic areas, and 147 hydrologic subareas. The hydrologic units that are within the jurisdiction of, or could be affected by, the City of San Diego (i.e., the proposed brush management revisions) include the San Dieguito Hydrologic Unit, Penasquitos Hydrologic Unit, San Diego Hydrologic Unit, Pueblo San Diego Hydrologic Unit, Sweetwater Hydrologic Unit, Otay Hydrologic Unit, and the Tijuana Hydrologic Unit.

Water Quality - Point and Non-Point Sources

The 1972 Clean Water Act established the National Pollutant Discharge Elimination System (NPDES) permit program to regulate the discharge of pollutants from industrial, commercial, and institutional processes, and point sources to waters of the United States. Since then, considerable progress has been made in reducing conventional forms of pollution from known sources such as sewage treatment plants and industrial facilities, through the implementation of the NPDES program and other federal, state, and local programs. The adverse effects of some of the persistent toxic pollutants were addressed through manufacturing and land use restrictions and through cleanup of contaminated sites. On the other hand, pollution from land runoff (including atmospheric deposition, urban, suburban, and agricultural) was largely unabated until the 1987 Clean Water Act amendments, which established a framework for regulating urban storm water runoff and other non-point source pollutants. These sources, including urban storm water runoff, now contribute a larger portion of many kinds of pollutants than those from the more thoroughly regulated point sources.²

Non-point source pollution, which is the diffused, fugitive pollution not traceable to a specific source, poses public health risk and safety concerns. Urban runoff potentially contains a host of pollutants ranging from aesthetic nuisances such as trash and debris to materials harmful to the

biological system such as oil and grease, sediments, nutrients, metals, and toxic chemicals to organisms that endanger human health such as bacteria and viruses. These contaminants can adversely affect receiving and coastal waters, associated biota, and public health. While the impact of urban runoff pollution may not be immediately realized, the eventual, cumulative effect can be dramatic. Urban runoff pollution is not only a problem during rainy seasons, but also year-round due to unconstrained use of imported water.\(^3\)

Stormwater pollution affects human life and plant and animal life. Potentially harmful viruses and bacteria are found in our coastal waters along with soil particles, solids/debris, litter, oil, and chemical compounds. Oil and grease from parking lots and roads, leaking petroleum storage tanks, pesticides, cleaning solvents, and other toxic chemicals can contaminate stormwater and this contamination can be transported into water bodies and receiving waters. Fertilizer constituents from lawns and golf courses can cause algal blooms and encourage microbial growth to create an increasing downward spiral of biological activity known as eutrophication. Disturbances of the soil from construction grading can allow silt to wash into storm channels and receiving waters making them muddy, turbid, and inhospitable to aquatic organisms. Many artificial surfaces of the urban environment such as galvanized metal, paint, or preserved wood containing metals, contribute to pollution by runoff or leaching by stormwater as the surfaces corrode, flake, dissolve, or decay. Heavy metals are toxic to organisms and may bio-accumulate to eventually affect animals high on the food chain including humans.

**Impaired Water Bodies within the City**

Section 303(d) of the federal Clean Water Act (CWA, 33 USC 1251, et seq., at 1313(d)), requires States to identify waters that do not meet water quality standards after applying certain required technology-based effluent limits ("impaired" water bodies). States are required to compile this information in a list and submit the list to U.S. EPA for review and approval. This list is known as the Section 303(d) list of impaired waters. As part of this listing process, States are required to prioritize waters/watersheds for future development of Total Maximum Daily Loads (TMDLs). The California SWRCB and local Regional Water Quality Control Boards

Regional Boards have ongoing efforts to monitor and assess water quality, to prepare the Section 303(d) list, and to subsequently develop TMDLs. The San Diego RWQCB (Region 9) most recent list, finalized in March 2002, includes 51 listed water bodies with 30 unique pollutants for the San Diego Region. The seven hydrologic units identified above (that are within, or could be affected by, the City of San Diego) contain some of the listed water bodies and pollutants/stressors. Many of the areas would be affected by the proposed brush management revisions, drain into listed impaired water bodies and has the potential to adversely affect water quality in listed water bodies, both directly and indirectly.

Regulatory Framework for Addressing Water Quality Within the City of San Diego

The Porter-Cologne Water Quality Act and the Federal Water Pollution Control Act Amendments of 1972 require that Water Quality Control Plans (Basin Plans) be prepared for the nine state-designated hydrologic basins in California. Basin Plans guide conservation and enhancement of water resources and establish beneficial uses of inland surface waters, tidal prisms, harbors, and groundwater basins for each of the nine regions within the state. The San Diego Region Basin Plan (Basin Plan) was approved by the SWRCB on March 20, 1975 and updated in 1994. The San Diego Regional Board's Basin Plan is designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Specifically, the Basin Plan: (1) designates beneficial uses for surface and ground waters; (2) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the State's anti-degradation policy; (3) describes implementation programs to protect the beneficial uses of all waters in the Region; and (4) describes surveillance and monitoring activities to evaluate the effectiveness of the Basin Plan [California Water Code §§ 13240 - 13244, and § 13050(j)]. Additionally, the Basin Plan incorporates by reference all applicable State and Regional Board plans and policies.

The Basin Plan is the Regional Board's plan for achieving the balance between competing uses of surface and ground waters in the San Diego Region. Accordingly, this Basin Plan establishes or designates beneficial uses and water quality objectives for all the ground and surface waters of the Region. Beneficial uses are the uses of water necessary for the survival and well being of man, plants and wildlife. Water quality objectives are the levels of water quality constituents or characteristics which must be met to protect the beneficial uses. This Basin Plan also establishes an implementation program describing the actions by the Regional Board and others that are necessary to achieve and maintain the designated beneficial uses and water quality objectives of the Region's waters.

The Regional Board regulates waste discharge and reclaimed water use to minimize and control adverse effects on the quality and beneficial uses of the Region's ground and surface waters. The Regional Board issues permits, called "waste discharge requirements" and "master reclamation permits", which require that waste and reclaimed water not be discharged in a manner that would cause an exceedance of applicable water quality objectives or adversely affect beneficial uses designated in the Basin Plan. The Regional Board enforces these permits through a variety of administrative means.

The City of San Diego has prepared an Urban Runoff Management Plan (URMP) as part of the City of San Diego's Stormwater Pollution Prevention Plan (SWPPP), and the Standard Urban Stormwater Mitigation Plan (SUSMP), in accordance with requirements of the State Water Resources Control Board NPDES permit procedure. These documents address the process that the City will undertake to improve water quality. The elements of the City program as described in the URMP and SUSMP documents are summarized below. In addition to the URMP and SUSMP, protection of surface water quality is also provided through the NPDES General Construction Permit for the State of California.

Urban Runoff Management Program

The requirement to implement a program for development planning is based on federal and state statutes including: Section 402 (p) of the Clean Water Act, Section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990 ("CZARA"), and the California Water Code. The Clean
Water Act amendments of 1987 established a framework for regulating urban runoff discharges from municipal, industrial, and construction activities under the NPDES program. The Municipal Permit requires the implementation of a Jurisdictional URMP. The primary objectives of the Jurisdictional URMP requirements are to:

- Ensure that discharges from municipal urban runoff conveyance systems do not cause or contribute to a violation of water quality standards;
- Effectively prohibit non-urban runoff discharges; and
- Reduce the discharge of pollutants from urban runoff conveyance systems to the Maximum Extent Practicable (MEP statutory standard).

Implementation activities for each program area listed above are contained in the URMP. Each City department is responsible for performing those tasks that are applicable and necessary to be in compliance with the City's Municipal Permit. This includes implementing the applicable procedures and policies to address the activities covered in the permit issued to the City of San Diego by the Regional Board, providing the appropriate staff training, keeping records of compliance activities, performing self-assessments, and preparing status reports for an annual report.

**Standard Urban Storm Water Mitigation Plan**

The Model SUSMP was developed to address post-construction urban runoff pollution from new development and redevelopment projects that fall under “priority project” categories. The goal of the Model SUSMP is to develop and implement practicable policies to ensure that urbanization does not increase the urban runoff flow rates, velocities or pollutant loads from a project site. This goal may be achieved through site-specific controls and/or drainage area-based or shared structural treatment controls. This Model SUSMP, collectively adopted by the Co-permittees (other governmental agencies in the County of San Diego), contains Best Management Practices (BMPs) that must be used for certain designated project types to achieve this goal. The Co-permittees are required to adopt the requirements set forth herein in their own Local SUSMP.
Under the Local SUSMP, the City of San Diego will approve the SUSMP project plan(s) as part of the development plan approval process for discretionary projects, and prior to issuing permits for ministerial projects. To allow flexibility in meeting SUSMP design standards, structural treatment control BMPs may be located on- or off-site, used singly or in combination, or shared by multiple developments, provided certain conditions are met.

All new development and significant redevelopment projects that fall into one of the following “priority project” categories are subject to these SUSMP requirements. In the instance where a project feature, such as a parking lot, falls into a priority project category, the entire project is subject to these SUSMP requirements. These categories are:

- Residential development of more than 100 units
- Residential development of 10 to 99 units
- Commercial development greater than 100,000 square feet
- Automotive repair shops
- Restaurants
- Hillside development greater than 5,000 square feet
- Projects discharging to receiving waters within Environmentally Sensitive Lands
- Parking Lots \( \geq 5,000 \) square feet or with \( \geq 15 \) parking spaces and potentially exposed to urban runoff
- Streets, roads, highways, and freeways
- Retail gasoline outlets

As indicated above, the majority of the categories pertains to urban development and would not apply to the types of activities anticipated under the currently proposed project. Of the two categories that could pertain to non-urban development, those categories being hillside development and projects that discharge to environmentally sensitive lands, the proposed project is not anticipated to require hillside development greater than 5,000 square feet and would not involve any discharges to environmentally sensitive lands.
In addition to the priority project categories indicated above, the City has established standard permanent stormwater requirements that apply to projects with any of the following:

- New impervious areas such as rooftops, roads, parking lots, driveways, paths and sidewalks;
- New pervious landscape areas and irrigation systems;
- Permanent structures within 100 feet of any natural water bodies;
- Trash storage areas;
- Liquid or solid material loading and unloading areas;
- Vehicle or equipment fueling, washing, or maintenance areas;
- Require a General NPDES Permit for Storm Water Discharges Associated with Industrial Activities (except construction);
- Commercial or industrial waste handling or storage, excluding typical office or household waste;
- Any grading or ground disturbance during construction; and
- Any new storm drains, or alterations to existing storm drains.

Projects involving one or more discretionary actions and include any of the above improvements or activities are subject to the City's Storm Water Standards as defined in the Land Development Manual (Manual for Construction & Permanent Storm Water Best Management Practices Requirements, October 23, 2002).

**General Construction Permit**

The State has issued a general permit for storm water associated with construction activities (State Board Order 99-08-DWQ, NPDES No. CAS000002), addressing both storm water and certain non-storm water discharges for construction-sites of five acres or more. The General Construction Permit requires development of a project-specific SWPPP that incorporates appropriate BMPs. Effective March 10, 2003, in conjunction with the State's most recent revisions to the General Construction Permit, Order 99-08-DWQ, the Permit extends to projects involving one or more acres of surface disturbance, providing that the applicant files a Notice of Intent (NOI) with the SWRCB and abides by the conditions and requirements of the Permit.
Watershed Management Plans

The City of San Diego is participating in a regional effort to develop plans to improve water quality on a larger watershed approach. The SWRCB set up requirements for improving water quality based on a watershed approach through passage of the Costa-Machado Water Act of 2000 (Proposition 13). Article 2 of the Costa-Machado Water Act established the Watershed Protection program to, "provide funds to assist in implementing watershed plans to reduce flooding, control erosion, improve water quality, and improve aquatic and terrestrial species habitats to restore natural systems of groundwater recharge, native vegetation, water flows, and riparian zones."

In accordance with the requirements of the SWRCB and the Costa-Machado Water Act, the City of San Diego, in conjunction with the City of Poway, City of Del Mar, and the County of San Diego, is in the process of developing a Watershed Management Plan, in accordance with the watershed urban runoff management plan requirements of the Municipal Permit, that will identify specific water quality issues and propose measures to improve water quality within the Los Peñasquitos watershed. The Los Peñasquitos Lagoon, the receiving body for the watershed, is considered impaired by the California Unified Watershed Assessment. Stressors such as sedimentation and encroachment of urban development are resulting in changes to velocity and volume of stream flow as well as increased pollutants in urban runoff. Based on an assessment of existing conditions within the watershed, the Watershed Management Plan will identify specific locations for wetland enhancement and restoration projects as well as measures to address hydrology, including adjustments to stream flows, velocity and volumes. The projects recommended in the Plan would provide for long-term solutions to water quality issues associated with the watershed.

The City of San Diego and the County of San Diego are also in the process of preparing watershed management plans for other watersheds in the region. Plans will be prepared based on the watershed approach adopted by the SWRCB and the Regional Board for the San Dieguito River, Mission Bay, and the San Diego River watersheds. Similar to the planning effort for the Los Peñasquitos watershed, these management plans will seek to identify solutions to specific issues affecting water quality. Each jurisdiction covered under the NPDES Municipal Permit is
required to prepare and submit a Jurisdictional Urban Runoff Management Plan (JURMP), which addresses water quality issues specific to each jurisdiction.

Information and measures identified in the individual watershed management plans will be integrated into a regional planning effort currently being completed. The SWRCB and the Regional Board have authorized the preparation of a Regional Wetlands and Watershed Management Plan for Coastal Southern California. It is anticipated that watershed plans completed in the next one to two years will be the basis for identifying any regional solutions available to improve water quality.

Storm Water Management through Multiple Species Conservation Program

The MSCP is a regional effort between local jurisdictions, as well as federal and state agencies, to develop a comprehensive habitat conservation planning program that addresses multiple species habitat needs and the preservation of native vegetation communities in southwestern San Diego County. The City of San Diego MSCP Subarea Plan has been prepared pursuant to the overall MSCP guidelines to address habitat conservation goals within the City boundaries. The City Multi-Habitat Planning Area (MHPA), which is identified in the City MSCP Subarea Plan, delineates a 52,000-acre core biological resource area and corridors targeted for conservation. The City MSCP Subarea Plan also includes a Framework Management Plan and specific management policies and directives for management of resources within the MHPA.

In association with management of MHPA lands, the City MSCP Subarea Plan contains guidelines for minimizing impacts of urban development on upland and wetland ecosystems and water quality. All developments proposed adjacent to the MHPA must conform to the Land Use Adjacency Guidelines of the City MSCP Subarea Plan. The Land Use Adjacency Guidelines require that all new and proposed parking lots and developed areas in and adjacent to the MHPA must treat urban runoff prior to discharging into the MHPA. All developed and paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials, and other elements that might degrade or harm the natural environment. Potential impacts can be minimized through the use of a variety of measures including natural detention basins, grass
swales or mechanical trapping devices. The MSCP also requires that these systems be maintained routinely throughout the life of a project.

The City MSCP Subarea Plan also requires that land uses such as recreation and agriculture, which use chemicals or generate potentially toxic byproducts, incorporate storm water best management practices to reduce impacts caused by the application and/or drainage of such materials into the MHPA. Where applicable, the requirement to minimize impacts to water quality is also incorporated into leases on publicly owned property as leases come up for renewal.

The City MSCP Subarea Plan provides specific management directives requiring that restoration of native riparian habitat take place within many of the important drainage systems and watersheds within the City. For example, the portion of the Los Peñasquitos Watershed located within the City of San Diego is addressed in the City MSCP Subarea Plan. Major drainages within the Los Peñasquitos watershed including Los Peñasquitos Canyon, Lopez Canyon, Carmel Creek, and portions of Carroll Canyon are located within the MHPA. The guidelines and specific management policies of the City MSCP Subarea Plan require that enhancement of these drainages take place, where appropriate. The Subarea Plan also requires restoration and enhancement of native riparian lands within the Otay River Valley, Tijuana River Valley as well as several smaller "urban canyons" within the central and southern portions of the City. Many of these drainages are surrounded by urban development and restoration of native riparian areas is intended to minimize impacts from urban runoff to water quality as well as provide habitat for animal and plant species.

ISSUE STATEMENTS

1. Would the proposal result in an increase in pollutant discharges, including downstream sedimentation to receiving waters during or following construction?

2. Would the proposal result in substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes?

3. Would the proposed project affect slope stability and on or off-site soil erosion?
Criteria for Significance Determination

The following criteria were used to assist in making determinations of significant hydrology/water quality/erosion impacts (City of San Diego, 2003).

1. Impacts on stream hydrology may be significant due to increased sedimentation and erosion (i.e., erosion and sediment transport leading to the potential for deposit buildup to substantially alter stream hydrology) if a project, in general, were located on slopes over a 25 percent grade, and would drain into a sensitive water body or stream; except in limited cases, projects which would disturb over five acres of land would have a significant hydrology impact.

2. Impacts on existing drainage patterns may be significant if the project would result in substantial changes to stream-flow velocities or if existing vegetation would decline because long- or short-term, soil-plant-water relationships would no longer meet habitat requirements.

3. Impacts on downstream properties may be significant if the project, when identified in a drainage study, would cause adverse impacts on downstream properties as a result of increased runoff.

4. Impacts on water quality from pollutants/contaminants may be significant if: (1) the project would generate or accidentally release any amount of highly noxious substance; (2) the project would generate large amounts of substances which in small amounts are insignificant, but are cumulatively hazardous; and (3) the project would result in the deterioration of the quality of a drinking water source.

5. Impacts on water quality may have significant impacts on biological communities if the project would generate, accidentally release, or result in the accumulation of substances which affect health or cause genetic defects of wildlife, either by direct physical contact with contaminated water, or by water quality changes which cause a decline in riparian or lacustrine vegetation which provides wildlife habitat.
Analysis of Impacts

Hydrology

Implementation of the proposed brush management revisions would include the creation of brush management zones located in open space, private lands and other environmentally sensitive lands. Creation of the proposed brush management zones could involve several activities/techniques, depending on the physical/biological conditions of the project site. The various types of potential activities/techniques are described below:

1. **Thinning** – utilizing a landscaping piece of equipment or goats to thin existing native vegetation to 50% within Brush Management Zone Two.
2. **Mowing** – mowing of brush and other vegetation on the surface to allow adequate Brush Management Zone One. This technique is not allowed within Brush Management Zone Two.
3. **Trimming/Pruning** – trimming 50% of existing vegetation to 6 inches and then pruning remaining plants within Brush Management Zone Two.

Each of the techniques described above would not involve minimal surface disturbance and would not substantially affect existing hydrologic conditions. Surface water transport of sediments to downstream receiving water bodies and possible buildup of sediment deposits could result in incremental impacts to stream hydrology including stream flow velocities. However, since the proposed brush management zones are not disturbing the existing soil conditions, impacts are limited to water creating new ruts in the soil where the soil erodes more quickly. Implementation of the proposed brush management revisions would not require any groundwater dewatering.

Water Quality

Current brush management regulations, based on the current assumptions and existing GIS data, would impact approximately 3,753 acres of vegetation. Implementation of the proposed brush management revisions would impact an additional 2,880 acres, for a total impact to vegetation of 6,663 acres. In addition to the potential for stream hydrology impacts, the
minimal erosion and sedimentation associated with surface disturbance would not pose the potential for water quality impacts to receiving water bodies and streams. The minimal amount of erosion and sedimentation would be filtered by existing vegetation and would not reach receiving water bodies and streams.

Further, any landscaping equipment (i.e. weed-whacker) that would operate within open space, private lands or other environmentally sensitive lands could affect water quality through unintentional releases of fluids or other substances. Any such releases from equipment are not expected to be substantial given that very limited quantities of hazardous substances would be present and that, should a spill or release occur, there would be trained personnel present that could respond immediately, when brush management is occurring on city owned property.

Based on the currently listed contaminants of potential concern (COPC) in the Section 303(d) list for the San Diego Region, the greatest potential for water quality impacts to affected impaired water bodies from implementation of the proposed brush management revisions would be related to the following constituents: siltation/sedimentation and total dissolved solids resulting from exposure of soils in open space areas; trash, either introduced from thinning activities in open space, private lands and other environmentally sensitive lands, or existing trash would be mobilized/released during thinning of vegetation; and trace toxic or other elements that could result from the operation of landscaping equipment in open space, private lands and other environmentally sensitive lands. Such potential for water quality impacts is considered minimal, given the relatively minor amounts of soil disturbance and the benign nature of the operation of landscaping equipment (as relates to release of toxic substances).

Currently, Municipal Code Section 44.0307.1 states that “Droppings from cattle, goats or sheep shall not be permitted to accumulate so as to create a health or sanitation problem, or the breeding of flies.” This section has been amended to add “or the potential for discharge into the storm water system.” Additionally, a new Section 44.0307.3 has been added that includes the following criteria for goats being brought in for brush management: “Goats shall be within a secure enclosure at all times. They may be moved to a separate holding pen at night, which shall
be located as far as possible from residences. In addition to the requirements of Section 44.0307.1, droppings in the holding pen shall be removed and properly disposed of daily."

According to the City of San Diego Metro Wastewater Stormwater Section, as long as goat droppings are not stockpiled or allowed to accumulate in pens, it would be consistent with the City's current Best Management Practices. Additionally, sunlight kills bacteria in a short period of time. The goats will be browsing at the top of slopes, not at the bottom of canyons, thus the potential for water quality impacts will be further reduced. Only an intense rain event could wash some of the droppings downstream. Goat feces are hard pellets with low water content, and do not easily dissolve in water. Typically, goats do not like to enter water and will avoid direct water contact if possible.

Based on the nature of the proposed brush management revisions, impacts to groundwater quality are not expected to occur.

**Erosion**

Implementation of the proposed brush management revisions would include the creation of brush management zones located in open space, private lands and other environmentally sensitive lands. According to the Biological Technical Report prepared by Holly Cheong, Environmental Biologist City of San Diego Multiple Species Conservation Program, out of 25 sites that were analyzed, two brush management areas showed evidence of erosion on the site. The proposed techniques for thinning would not result in a significant impact to potential erosion and sedimentation. The potential for erosion and sedimentation would be greater in cases where creation of the proposed brush management zones requires a notable amount on steep slopes (i.e., more than one acre on slopes of greater than 25 percent grade).

Soil erosion was observed on two slopes that had been brush managed. These areas were brush managed by homeowners. The erosion within the brush management areas can be attributed to the sandy soils on the slope and, in the case of brush management area 24, the way the slope was constructed. Brush management area 24 was cut quite steep in order to accommodate a utility.
access road. The sandy soils have moderate erosion due to this steep cut. In both cases, there is no clear association between brush management and the erosion on-site. Surface water transport of sediments to downstream receiving water bodies and possible buildup of sediment deposits could result in incremental impacts to water quality.

Potential erosion impacts associated with livestock stem from mismanagement—such as too high stocking rates of livestock per area, kept in one area too long, or animals having become feral—resulting in overgrazing and over-browsing. A common source of erosion and/or soil compaction stems from the animals using the same entry and exit from pens over a long period of time, or when they congregate around watering areas, feed troughs, supplement containers, salt/mineral blocks for long periods of time.

Per the proposed amendments to Section 44.0307, goats would be restricted to 75 per acre and would be moved along as soon as the 50% thinning goal is reached. Additionally, all feeding and most of the watering would occur in the holding pens, located in non-sensitive areas away from the slopes. Any water available on the slopes would be moved constantly as the goats are moved. These restrictions would minimize the opportunity for either erosion or soil compaction impacts.

Goats are cloven/split hooved, which means they have two toes on each hoof, not one large solid hoof like a horse. Less soil compaction results from a cloven hoof than a solid foot or hoof, or from a heavier animal. The toes act separately and grip the soil, and even though there are eight toes per animal, damage is minimal. Goats' smaller feet tend to not create slouching-off of slopes and are less destructive on the underlying vegetation, even compared to a human adult.

Additionally, goats are browsers, and are not likely to eat the ground-cover vegetation down to the soil level, particularly when they are moved along and managed correctly. They are much more likely to eat portions of the taller vegetation, thus retaining vegetation cover for the soil. They don't tend to pull up the vegetation by the roots when they eat, and don't eat as close to the ground as do sheep and cattle. They will do little actual 'grazing' unless the weeds and brush run out. All of these characteristics reduce the soil erosion potential.
Goats also tend to spread out when browsing and not congregate in a group. They tend to not use the same trail, or follow one another, like cattle and people do, so path/trail making, bare areas and resulting compaction would not be as likely, therefore reducing the potential for soil erosion.

Based on the nature of the proposed brush-management revisions, manner in which goats would feed and move, impacts to erosion are not expected to occur. Surveys of existing zone two brush managed areas indicate that human brush management activities do not cause erosion; therefore, humans nor goats would cause erosion in expanded zone two brush managed areas.

SIGNIFICANCE OF IMPACT

As described above, based on current assumptions and existing GIS data, proposed brush management revisions would not exceed the City's significance thresholds relative to hydrology, water quality and erosion, and are not considered to have significant impacts.

MITIGATION, MONITORING, AND REPORTING PROGRAM

Impacts to hydrology, water quality, and erosion would be less than significant; therefore, no mitigation measures are required.
D. NEIGHBORHOOD CHARACTER/AESTHETICS

The following analysis of potential impacts to neighborhood character and aesthetics focuses on impacts associated with proposed brush management revisions.

EXISTING CONDITIONS

The existing brush management regulations throughout the City of San Diego are intended and designed to protect structures of potential fire hazards while also being considerate of existing vegetation in open space, private lands and other environmentally sensitive lands. Current brush management regulations for zone one allows for pavement and permanently irrigated ornamental planting. Current brush management regulations within zone two require that 50% of the plants over eighteen inches in height shall be cut to six inches in height with the remaining plants to be pruned. Trees and shrubs within zone two are to be pruned to three times the height of the lower plants within the zone. Trees and shrubs are not removed from zone two. No permanent irrigation is allowed within brush management zone two.

ISSUE STATEMENT

1. Does the proposed project impact mature trees which could have a significant effect on neighborhood character/aesthetics?

IMPACT

Criteria for Significance Determination

The City of San Diego Development Services Department, Environmental Analysis Section's Significance Determination Guidelines Under the California Environmental Quality Act (April 2001) evaluates the significance of impacts to visual quality relating to public views, neighborhood character/architecture and aesthetics. CEQA Guidelines (Appendix G, I), states that a Lead Agency should evaluate the environmental effect of a project on aesthetics including visual quality using the following criteria: (a) substantial adverse effect on a scenic vista; (b) substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and
historic buildings within a state scenic highway; (c) substantially degrade the existing visual character or quality of the site or its surroundings; and (d) create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Projects that severely contrast with the surrounding neighborhood character are considered significant if one or more of the following conditions apply: (a) project exceeds the allowed height or bulk regulations by a significant margin; (b) project would have an architectural style or use building materials in stark contrast to adjacent development where the adjacent development follows a single or common architectural theme; (c) project would result in the physical loss, isolation or degradation of a community identification symbol or landmark (ex. a stand of trees, coastal bluff, historic landmark) which is identified in the General Plan, applicable community plan or local coastal program; (d) project is located in a highly visible area (ex. on a canyon edge, hilltop or adjacent to an interstate highway) and would strongly contrast with the surrounding development or natural topography through excessive bulk, signage, or architectural projections; and (e) project would have a cumulative effect by opening up a new area for development or changing the overall character of the area.

Analysis of Impacts

Implementation of the proposed Brush Management revisions would serve to improve the amount of defensible space from structures to high fuel load vegetation. The brush management revisions would help avoid large brush fires, like the recent Cedar Fire of October 2003, thereby avoiding impacts to neighborhood character/aesthetics.

There is the potential that private land owners could impact mature trees with the proposed brush management revisions. However, the current brush management regulations require that trees be thinned, not removed from brush management zones one and two. Brush management zone two is thinned to 50% as shown in Figure 4 of Section III, Project Description. If controlled grazing is used to thin acreage it is likely that goats could be viewed for short periods of time from areas within the City. This would be a temporary situation. Therefore, the proposed brush management revisions would not result in a significant impact to neighborhood character/aesthetics.
SIGNIFICANCE OF IMPACT

The proposed brush management revisions would serve to minimize any potential impacts to mature trees, and any individual thinning projects on private lands, open space or other environmentally sensitive lands are not anticipated to result in changes to neighborhood characteristics or aesthetics. No mature trees will be removed with the proposed brush management zones. As such, no significant impacts are expected. The temporary situation of citizens being able to view goats in certain neighborhoods for a short period of time would not create a significant impact to neighborhood character/aesthetics.

MITIGATION, MONITORING, AND REPORTING PROGRAM

Impacts to neighborhood character/aesthetics would be less than significant; therefore, no mitigation measures are required.
SECTION VI
GROWTH INDUCEMENT

The purpose of this section is to discuss the ways in which the proposed Brush Management revisions could foster economic or population growth, or construction of additional housing. The proposed brush management revisions involves ongoing thinning activities located on private lands, open space and other environmentally sensitive lands that would serve to maintain the proposed 100 foot wide defensible space between structures and vegetation. The proposed brush management revisions would not have the potential to directly or indirectly induce growth or otherwise foster the potential for growth. This SEIR/EA does not address future development and is focused on existing developed properties. Therefore, no growth inducing impacts, direct or indirect, are anticipated to occur as a result of the implementation of the revised brush management regulations.
SECTION VII
CUMULATIVE IMPACTS

This section addresses the potential for impacts from the proposed Brush Management revisions to combine with impacts from other projects in the study area and result in cumulative impacts to the environment. Section 15355 of the CEQA Guidelines defines "cumulative impacts" as referring to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of a project when added to other closely related past, present and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

Section 15130(b) of the CEQA guidelines indicates that the discussion of cumulative impacts needs to include either of the following elements:

(A) A list of past, present, and probable future projects producing related cumulative impacts, including, if necessary, those projects outside the control of the agency, or

(B) A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact.

A. PROJECTS CONSIDERED IN CUMULATIVE IMPACTS DISCUSSION

There are several categories of projects, regional or citywide in scope, which could result in incrementally significant impacts. For purposes of this SEIR/EA, the Canyon Sewer Cleaning Projects EIR was used when considering cumulative impacts.
B. PLANS CONSIDERED IN CUMULATIVE IMPACTS DISCUSSION

The proposed brush management revisions would be implemented throughout the City of San Diego. It is anticipated that the future environmental conditions will be influenced by several citywide regional planning programs. Such regional plans and programs include the San Diego Multiple Species Conservation Program (MSCP), the City of San Diego Land Development Code (LDC), the City of Villages Growth Strategy – Strategic Framework Element and all of the community plans within the City of San Diego.

1. MULTIPLE SPECIES CONSERVATION PROGRAM (MSCP)

San Diego Regional Plan – MSCP was developed to provide a regional mitigation solution for impacts to multiple, rather than single, species and their habitats. The MSCP is a cooperative effort consisting of federal and state resource agencies, local jurisdictions, environmental groups, property owners, and experts in the fields of biology, environmental planning and conservation. The MSCP is part of the statewide Natural Community Conservation Plan (NCCP) program that was established under California law (Section 2800 et seq. of the California Fish and Game Code) “to provide for regional protection and perpetuation of natural wildlife diversity while allowing compatible land use and appropriate development and growth.” The MSCP is one of several regional conservation planner efforts coordinated with the California Department of Fish and Game (CDFG) and the U.S. Fish and Wildlife Service (USFWS). In conjunction with the MSCP, a Multiple Habitat Planning Area (MHPA) focused planning area for the City of San Diego comprised of over 50,000 acres was identified for the purpose of preservation. The 1996 Recirculated EIR/EIS (LDR, No. 93-0287, SCH No. 93121073) related to the MSCP found that the proposed MHPA would result in significant avoidable impacts for certain land use and community plans, including as related to population, housing, public services and utilities; however, cumulative impacts (with focus on biological resources, land use, and public facilities) would be less than significant.

2. LAND DEVELOPMENT CODE

In 1997, the San Diego City Council approved a comprehensive update and revision to various land development regulations in the form of the Land Development Code (LDC). Adoption of
the LDC included amendments to certain chapters of the Land Development Code, amendment of the Local Coastal Program, modification of existing zone regulations and of planning and zoning support documents, and readoption of the Uniform Building Code, the National Electrical Code, the Uniform Mechanical Code, and the Uniform Plumbing Code. In that the LDC applies Citywide to new development, the EIR (LDR No 96-0333, SCH No. 96081056) completed for the LDC considered potential impacts on a citywide basis and included in the cumulative effects analysis numerous regional plans and programs, various community plan updates and amendments, rezones associated with the MSCP, and regulatory relief amendments to the Land Development Code. Given that the LDC EIR evaluates development impacts on a Citywide basis relative to implementation of the LDC and other regional plans and programs, the cumulative impacts discussion in the LDC EIR provides a reasonable and appropriate basis by which to consider the additional effects of the proposed brush management revisions. Various plans and programs of a citywide or regional nature that are considered in the LDC EIR include a variety of conservation planning efforts ranging from the MSCP to the San Dieguito River Valley Regional Open Space Park, numerous community plan updates, and the 1996 regulatory relief amendments to the Land Development Code. Cumulative impacts associated with these plans and programs that were addressed in the LDC EIR include soils/erosion hazards, air quality, hydrology/water quality, biological resources, land use, transportation/circulation, neighborhood character/aesthetics, cultural resources, paleontological resources, human health and public safety – all of which were found to be cumulatively significant.

3. CITY OF VILLAGES GROWTH STRATEGY – STRATEGIC FRAMEWORK ELEMENT

The City of Villages Growth Strategy – Strategic Framework Element (SFE) provides a long-term strategy to direct future growth as San Diego shifts from an era of building upon abundant open land to one of reinvesting in existing communities. The City of Villages concept builds upon what the City already has by creating a network of village centers served by transit systems. The Final EIR for the SFE (October 2002, LDR No. 40-1027) addressed the potential environmental impacts associated with such development, along with proposed increased density and housing units that were subsequently deleted from the SFE that was approved by the City
Council on October 22, 2002. The EIR found project-related impacts that could not be mitigated to a level less-than-significant would include traffic and solid waste disposal, and impacts that could be mitigated to a level less-than-significant would include paleontological resources, geology hazards, noise, historic resources, and human health and safety. The Final EIR also considered the cumulative effects of future development associated with the subject proposal along with numerous other private and public development proposals as addressed within the 128 environmental impact reports completed by the City of San Diego between 1991 and 2000. As in the case of the LDC EIR described above, the SFE EIR provides an analysis of potential impacts associated with the proposed citywide brush management revisions. The SFE EIR’s discussion of cumulative impacts is reflected in the proposed brush management cumulative impacts analysis below.

C. IMPACTS ANALYSIS

LAND USE

As discussed in Section V.A, implementation of the proposed brush management revisions is not expected to result in land use impacts, with the exception of consistency with the Environmentally Sensitive Lands regulations as it relates to the grateratcher breeding season. Of the 377 known grateratcher sites, five sites or 1.3% would be impacted as a result of the project. These impacts when considered with other reasonably foreseeable projects are not considered to be cumulatively significant.

BIOLOGICAL RESOURCES

As a result of the project 2880 acres of habitat would be impacted, of which 715 acres are within the MHPA. The MHPA has preserved 52,012 acres. 1.4% of the habitat within the MHPA would be impacted with implementation of the brush management revisions. Weed invasion in conjunction with past, present and reasonably foreseeable projects is together considered to be cumulatively significant and the contribution of the revised brush management regulations is
considerable and therefore significant. Since the project is consistent with the MSCP, cumulative biology impacts are mitigated by the MSCP to a level below significant.

**HYDROLOGY/WATER QUALITY/EROSION**

As discussed in Section V.C, implementation of the proposed brush management revisions is not expected to require any groundwater dewatering. Based on the nature of the proposed brush management revisions, impacts to groundwater quality are not expected to occur. Based on the nature of the proposed brush management revisions, impacts to erosion are not expected to be significant. Therefore, it is anticipated that the proposed brush management revisions would not considerable contribute to cumulatively significant hydrology/water quality/erosion impacts.

**NEIGHBORHOOD CHARACTER/AESTHETICS**

As discussed in Section V.D, implementation of the proposed brush management revisions would serve to minimize any potential impacts to mature trees, and any individual thinning projects on private lands, open space or other environmentally sensitive lands are not anticipated to result in changes to neighborhood characteristics or aesthetics during thinning activities. No mature trees will be removed with the proposed brush management zones. As such, the proposed brush management revisions would not contribute to the cumulatively significant neighborhood character/aesthetics impacts.

**CONCLUSIONS REGARDING CUMULATIVE IMPACTS**

Based on the above, cumulative impacts related to land use, hydrology/water quality/erosion and neighborhood character/aesthetics are anticipated to be less than significant. Cumulative impacts related to biological resources are considered at this time to be significant and unmitigated. Cumulative biological impacts for this project are mitigated by the implementation of the MSCP. Therefore, cumulative biological impacts are anticipated to be less than significant.
SECTION VIII
ALTERNATIVES

The following describes all of the options that were considered as alternatives to the currently proposed brush management revisions.

ALTERNATIVE 1 - NO PROJECT ALTERNATIVE

DESCRIPTION

Pursuant to CEQA, the No Project Alternative, the existing brush management zones would remain in effect. Current brush management regulation state that the width of zone one varies from twenty feet to thirty-five feet west of Interstate 805 and El Camino Real, and thirty feet to forty-five feet on the east. Zone two currently varies for twenty feet to thirty feet west of Interstate 805 and El Camino Real, and forty feet to fifty feet on the east.

ANALYSIS

In the absence of implementing any of the activities associated with the proposed brush management revisions, none of the environmental impacts described in Section V would directly occur. The following describes, by environmental topic area, the proposed brush management revisions-related impacts that would be directly avoided under this Alternative.

Biological Resources

The No Project Alternative would avoid direct impacts to sensitive habitat.

Hydrology/Water Quality/Erosion

The No Project Alternative would avoid direct impacts to hydrology/water quality/erosion.

Land Use

The No Project Alternative would avoid direct impacts to land use.
Neighborhood Character/Aesthetics

The No Project Alternative would avoid direct impacts to neighborhood character/aesthetics.

ALTERNATIVE 2 – NO ACTION ALTERNATIVE

DESCRIPTION

NEPA requires that the No Action Alternative be described. The No Action Alternative assumes that there would be no federal funding available for the implementation of the brush management revisions within City owned open space areas and as a result, no federal action to approve. The proposed brush management revisions could still be implemented by the City; however, funding would need to be acquired from different sources. This alternative would not achieve the objectives of the project of providing additional defensible space from structures to vegetation because the City does not have alternative sources of funding for the project.

ALTERNATIVE 3 – CLEAR AND RE-PLANT ZONE TWO

DESCRIPTION

Under Alternative 3 this alternative complete clearing would occur in zone two and would be re-planted with low-height native plant types. Proper planting protocol would be to lightly scufify the soil-surface before planting for better seed/soil contact. Temporary irrigation would be installed for a period of up to two years for plant establishment. The assumptions associated with this alternative are that the irrigation would not be installed or monitored properly thereby allowing runoff to occur down slope of zone two. This can be substantiated by evidence that irrigation runoff is the primary source of water in our drainages within the City during the summer. The newly planted vegetation would be successful in reducing impacts to weed invasion.

ANALYSIS

Biological Resources

Under this alternative, significant impacts to biological resources in zone two would not occur as the habitat being replaced would be native, non-invasive and low-growing. Potentially
significant impacts to the habitat down slope of zone two could result from irrigation runoff from the temporary irrigation lines. This would include the establishment of plant types that thrive in wetter soil conditions as a result of the runoff. In addition, impacts to sensitive species, i.e., chamise would remain significant as the existing habitat would be completely removed.

**Hydrology/Water Quality/Erosion**

The clear-and-replant alternative would utilize temporary irrigation for a period of up to two years to allow plant-establishment in zone two. Based on the assumption noted above, monitoring of irrigation is not anticipated and would therefore create a significant impact to soil erosion down slope of zone two due to runoff from the temporary irrigation lines at least during the time period that it would take for plant establishment. Potentially significant impacts associated with water quality would also occur from the runoff which carries silt and sediment down slope and could potentially impact any off-site water body. Impacts associated with erosion and water quality would be considered significant and unmitigated.

**Land Use**

No impacts associated with land use would occur under the clear-and-replant alternative.

**Neighborhood Character/Aesthetics**

No impacts associated with neighborhood character/aesthetics would occur with this alternative.

**ALTERNATIVE 4.3 – INCREASING BUILDING REGULATIONS**

**DESCRIPTION**

Under this alternative, proposed changes to the building regulations would occur thereby eliminating the need for increased brush management zones. Revisions to the building regulations could include fire walls which would be constructed at the boundary between zone two and open space. Additional building regulations could include alternative architectural features for structures where brush management would normally be required. The revision to include fire walls has been added to the Land Development Code regulations is included in the proposed ordinance which is attached to this SEIR/EA as Appendix C. Additionally, as a result of the 2003 fires the City Council passed an ordinance which identifies the requirement for roof...
materials on structures to be replaced by a certain date in the future. For this alternative a similar ordinance would be passed to make buildings "fire-proof".

ANALYSIS

BIOLOGICAL RESOURCES

Under this alternative there would be no impacts to biological resources or sensitive species because brush management would not occur. The building regulations would reduce the fire hazard to structures and the habitat on site would remain undisturbed. This alternative would require that increased building regulations be implemented and would not give citizens the choice of either providing zone two brush management or providing alternative architectural features to structures as is the case with the current regulations.

HYDROLOGY/WATER QUALITY/EROSION

No impacts associated with hydrology/water quality/erosion would occur with this alternative.

LAND USE

No land use impacts would result from this alternative.

NEIGHBORHOOD CHARACTER/AESTHETICS

Under this alternative there may be situations where fire walls would be constructed in areas where only vegetated open space could previously be viewed. If necessary, construction of fire walls at the boundary of zone two and the open space area would normally be six feet in height and generally be constructed of a solid masonry type. This could create a change to the visual quality of a community if viewed from public rights-of-way, however on a city wide basis this would not create a significant impact to neighborhood character/aesthetics.
SECTION IX - ALTERNATIVES CONSIDERED BUT REJECTED

1 - EDUCATION/TRAINING

DESCRIPTION

The Education/training alternative would rely on existing information which is available to the public for the purposes of brush management and creating defensible space around structures. Much of this educational information is readily available to the public via the City of San Diego website, brochures and flyers which are available through the Fire-Rescue and Park and Recreation Departments. There has been a substantial amount of public outreach on the subject of brush management. With respect to training, the city staff from the Park and Recreation Department that is responsible for conducting brush management on City lands has received training on how brush management is done in the field. There are currently no training classes available, nor is a training program on brush management for the public. This alternative is unreasonable due to the fact it is assumed that not everyone who requires brush management on their site would necessarily partake in any of the educational materials and/or conduct brush management per the required procedures in the regulations or as required in any development permit conditions.

ANALYSIS

Biological Resources

Under this alternative, based on the assumptions mentioned above, there would be a significant impact to sensitive biological resources as a result of the establishment of non-native plant species in zone two and down slope of zone two. In addition, impacts to the California gnatcatcher would occur as the assumption is that brush management could likely occur during the breeding season. Mitigation identified in section V.B. Biological Resources would partially reduce impacts to below a level of significance. Impacts associated with invasive plant species would remain significant and unmitigated.

Hydrology/Water Quality/Erosion

No impacts associated with hydrology/water quality/erosion would occur with this alternative.
Land Use

No land use impacts would result from this alternative.

Neighborhood Character/Aesthetics

No impacts associated with neighborhood character/aesthetics would occur with this alternative.

2 - PRESCRIBED BURN ALTERNATIVE

DESCRIPTION

Under this alternative, prescribed burning of vegetation would be allowed within or beyond brush management zone two to allow fuel load reduction. Prescribed burns can be used to create a mosaic of age-classes of shrublands; reducing fuel load adjacent to structures; protecting oak and conifer woodlands through understory burning; and removal of unwanted or exotic species. The effectiveness of prescribed burns is questionable. Research indicates that this type of fuel management may be effective at controlling fires that burn under moderate weather conditions, but ineffective at controlling fires that ignite under severe weather conditions (i.e., Santa Ana). It has been suggested that multiple prescribed burns to create a mosaic of fuel loads in the shrublands is not practical and focus should be on the interface between developments and native habitat areas.

Prescribed burns creates a significant liability issue, and can only be conducted at certain times of the year based on humidity, wind, fuel load and availability of response crews to suppress unwanted burns. An incomplete assessment of any factor for a prescribed burn can lead to loss of property and life with serious liability questions to both the landowner and the one responsible for the burn. This alternative is not supported by the City of San Diego Fire-Rescue Department.

ANALYSIS

Biological Resources

This alternative would result in significant impacts to biological resources as a result of habitat being destroyed by the controlled burn. Although native habitat can regenerate following the effects of a fire, the initial result is a significant impact. This impact would occur inside and
outside of the MHPA, and would remain significant and unmitigated. The benefits of exotic species removal by prescribed burns requires continued burning to remove the exotic species from the seed bank. Exotic species will return if the interval between prescribed burns is too long. Conversely, prescribed burns that occur too frequently can result in a type conversion of habitat; chaparral and coastal sage scrub can be converted to grasslands. Sensitive species would also be significantly impacted by this alternative. Fire could substantially reduce the number of rare and endangered species. This impact would be significant and unmitigated.

**Hydrology/Water Quality/Erosion**

Fire results in a greater than 50% reduction of vegetative cover, thus exposing a soil surface that is highly erodible. While habitat does re-establish post fire it does take years to regenerate to viable habitat. Significant impacts to erosion and water quality would result from this alternative. These impacts would remain significant and unmitigated for a number of years until such time that the habitat became re-established.

**Land Use**

This alternative would result in significant land use impacts as it would not be in conformance with the community plans that identify preservation of open space as a controlled burn would demvide open space areas. In addition, controlled burn would not be in conformance with the Environmentally Sensitive Lands ordinance (ESL) as the sensitive habitat regulated by ESL would be destroyed by fire. This would be considered a significant and unmitigated impact.

**Neighborhood Character/Aesthetics**

This alternative would potentially create a significant impact to the character of a neighborhood. As can be referenced from the numerous photos that were shown by the media as a result of the Cedar and other fires in October 2003, fire can have a devastating affect on a neighborhood from not only a character perspective but also an aesthetic/visual perspective. This impact would be considered significant and unmitigated.
Air Quality

Prescribed burning produces smoke, which is a mixture of toxic particles and gases. If not carefully managed, smoke can be a nuisance to residents and businesses, and it can adversely impact community health. Smoke can contribute levels of pollution that exceed health protective air quality standards. However, to minimize smoke impacts and protect public health, burners and air regulators work together to match burning with appropriate atmospheric conditions.

For the reasons identified above, the Prescribed Burn alternative is unreasonable.

ALTERNATIVE-3 – CLEAR AND RE-PLANT ZONE TWO

DESCRIPTION

Under Alternative 3, this alternative complete clearing would occur in zone two and would be replanted with low height native plant types. Proper planting protocol would be to lightly scarify the soil surface before planting for better seed/soil contact. Temporary irrigation would be installed for a period of up to two years for plant establishment. The assumptions associated with this alternative are that the irrigation would not be installed or monitored properly, thereby allowing runoff to occur down slope of zone two. This can be substantiated by evidence that irrigation runoff is the primary source of water in our drainages within the City during the summer. The newly planted vegetation would be successful in reducing impacts to weed invasion.

ANALYSIS

Biological Resources

Under this alternative, significant impacts to biological resources in zone two would not occur as the habitat being replaced would be native, non-invasive and low-growing. Potentially significant impacts to the habitat down slope of zone two could result from irrigation runoff from the temporary irrigation lines. This would include the establishment of plant types that thrive in wetter soil conditions as a result of the runoff. In addition, impacts to sensitive species, i.e., gnatcatcher would remain significant as the existing habitat would be completely removed.
Hydrology/Water Quality/Erosion

The clear and re-plant alternative would utilize temporary irrigation for a period of up to two years to allow plant establishment in zone two. Based on the assumption noted above, monitoring of irrigation is not anticipated and would therefore create a significant impact to soil erosion down slope of zone two due to runoff from the temporary irrigation lines at least during the time period that it would take for plant establishment. Potentially significant impacts associated with water quality would also occur from the runoff which carries silt and sediment down slope and could potentially impact any off-site water body. Impacts associated with erosion and water quality would be considered significant and unmitigated.

Land Use

No impacts associated with land use would occur under the clear and re-plant alternative.

Neighborhood Character/Aesthetics

No impacts associated with neighborhood character/aesthetics would occur with this alternative.

4 - THINNING BY PLANT TYPE

DESCRIPTION

Under this alternative, thinning of vegetation would occur based on the plant types located within brush management zone two for fuel load reduction. The first plant types to be thinned would be the most flammable and the most invasive within the specific brush management zone two area. Next, the more flammable native or naturalized plants would be thinned. Finally, the least flammable and more sensitive native or naturalized plants would be thinned for a total reduction in ground cover to 50%. The effectiveness of thinning by plant type is questionable. Thinning the most flammable and the most invasive plant types first would address the most harmful plant types, but these plant types could establish themselves rather quickly after the initial brush management occurs. This alternative is rejected because it is not potentially feasible to assume that everyone who requires brush management on their property would be able to identify all plant types located in zone two brush managed areas.
ANALYSIS

Biological Resources

This alternative would result in significant impacts to biological resources as a result of habitat being thinned by plant type. Although native habitat can regenerate following the effects of thinning, the initial result is a significant impact. This impact would occur inside and outside of the MHPA and would remain significant and unmitigated. The benefit of exotic species removal of thinning by plant type requires continued thinning to remove the exotic species from the seed bank. Exotic species will return if the interval between thinning activities is too long. Conversely, thinning by plant type that occurs too frequently can result in a type conversion of habitat; chaparral and coastal sage scrub can be converted to grasslands. Sensitive species would also be significantly impacted by this alternative. This impact would be significant and unmitigated.

Hydrology/Water Quality/Erosion

No impacts associated with hydrology/water quality/erosion would occur with this alternative.

Land Use

No land use impacts would result from this alternative.

Neighborhood Character/Aesthetics

No impacts associated with neighborhood character/aesthetics would occur with this alternative.
SECTION IX

EFFECTS FOUND NOT TO BE SIGNIFICANT

During the initial environmental assessment process, the Development Services Department determined that the Revisions to the Brush Management regulations project would not entail significant environmental impacts with respect to Air Quality, Agriculture, Archaeological Resources, Energy, Hazards and Hazardous Materials, Mineral Resources, Noise, Paleontological Resources, Public Services, Recreation, and Utilities/Services Systems. Accordingly, these issues are not included in Chapter V of this SEIR/EA. A brief discussion regarding each of these issues is provided below.

A. AIR QUALITY

The proposed brush management revisions would not have a substantial affect on the Air Quality within the City. While citizens and Park and Recreation department staff may use gas powered tools to conduct brush management the emissions would be temporary and would not significantly contribute to regional air quality degradation. The project would not conflict with or obstruct implementation of applicable Air Quality Attainment Plans or a Congestion Management Plan, violate a stationary source air quality standard, contribute to an existing or projected air quality violation, result in a net increase of any criteria pollutants, create or contribute to a non-stationary source “hot spot”, nor expose sensitive receptors to substantial pollutant concentrations.

B. AGRICULTURE

The proposed brush management revisions would not affect agricultural areas. As such, there would be no impact to Prime Farmland, Unique Farmlands, or Farmland of Statewide Importance.

C. ARCHAEOLOGICAL RESOURCES

The proposed brush management revisions do not include any surface or subsurface disturbance. Pruning and thinning activities would all take place above ground and no grubbing or grading would be required. Areas that are...
brush managed would initially have some areas of visibility related to existing surface archaeological sites. However, as invasive species establish in brush managed areas, these surface archaeological sites would not be visible. Pruning and thinning activities would be performed with hand tools or utilizing goats. No heavy machinery is allowed in performing brush management activities. Therefore, no impacts to archaeological resources would result from the proposed project.

D. ENERGY

The proposed project would not require excessive amounts of fuel or energy, and would not significantly affect attainment of regional energy conservation goals. Therefore, no significant impacts with respect to energy are anticipated with implementation of the proposed brush management revisions.

E. HAZARDS AND HAZARDOUS MATERIALS

The projects would not entail the permanent transport, use, disposal, or emission of hazardous materials. All brush management activities occur above ground in public and privately owned parcels and would therefore not impede any roadways or entail the closure of any streets or emergency access routes.

F. MINERAL RESOURCES

The proposed project would not result in any subsurface activity as grading and grubbing are not a part of brush management. Therefore, the project would not result in the loss of availability of a known mineral resource either regionally or locally.

G. NOISE

Brush management activities may include the use of power tools such as weed whackers or saws. These tools can generate nuisance noise which is of intermittent duration (lasting a few hours for a few days) based on the brush management area being thinned. Construction noise from these tools is difficult to quantify because of the many variables...
involved, including the size of the equipment being used, and the percentage of time and number of pieces of equipment that would actually operate on the site. Due to the fact that brush management occurs sporadically on any given site, impacts associated with noise would not be significant.

II. ODOR

Controlled grazing would utilize a herd of goats for a certain number of days to be closely monitored on a specific parcel of land. The number of goats would vary depending on the acreage to be thinned. Livestock can often emit an odor which humans find offensive. The goats are only placed for a very limited amount of days to graze and then removed or re-located to another site, at which time the odor would terminate. Therefore, impacts associated with odor would not be significant.

I. PALEONTOLOGICAL RESOURCES

Brush management activities are limited to pruning and thinning and no grading or grubbing would occur. Therefore, no subsurface activity is anticipated and there would not be any loss of Paleontological resources.

J. POPULATION/HOUSING

The proposed brush management revisions would provide a greater defensible space from the threat of fire. The project would not impact population growth or displace exiting housing or population.

K. PUBLIC SERVICES

The project would not significantly affect public services with the exception of the Fire-Rescue department. Increasing brush management zone two would have a positive effect on the Fire-Rescue Department by providing an increased defensible space when the threat of fire is imminent.
L. RECREATION

The proposed brush management revisions would not significantly affect the usage of any recreational facilities. Park and Recreation Department is responsible for brush management on City-owned property including public park facilities. However, brush management activities occur for very limited amounts of time on a property and would not create any significant impact to recreational facilities.

M. UTILITIES/SERVICE SYSTEMS

The project is intended to create a greater defensible space from fire for the citizens of San Diego. There would not be any significant impacts associated with implementation of the project as it relates to utilities/service systems.
**SECTION X**

**SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES THAT WOULD BE INVOLVED IN THE PROPOSED ACTION, SHOULD IT BE IMPLEMENTED**

Implementation of the proposed brush management revisions would result in significant irreversible environmental changes. The proposed revisions consist of a City wide 100 foot brush management area consisting of 35 feet of zone one and 65 feet of zone two. In addition, zone two would be expanded accordingly to achieve 100 feet of brush management where zone one is less that 35 feet from existing structures. These revisions could result in an impact to land use as they would not be consistent with the Environmentally Sensitive Lands Regulations as further described in Section V.A—Land use. These impacts would remain significant and unmitigated.

The brush management revisions would also result in significant irreversible changes to biological resources. The thinning activities in zone two allows for the establishment of invasive species to grow within zone two and potentially down-slope of zone two. Impacts to non-covered species located outside the MHPA would be significant and unmitigated. These impacts would remain significant and unmitigated and are further described in Section V.B—Biological Resources.
SECTI0N XI
SIGNIFICANT UNAV0IDABLE ADVERSE IMPACTS

Section 15126(b) of the CEQA guidelines requires an EIR to "describe any significant impacts, including those that can be mitigated but not reduced to a level of insignificance. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should be described."

Land Use Impacts would remain significant and unmitigated as a result of the potential inconsistency with the revisions to the brush management regulations as they relate to the Environmentally-Sensitive Lands Regulations.

Impacts to biological resources would result from the brush management revisions as it has been verified through field inspections that invasive plant types establish within zone two once thinning has occurred. These impacts would remain significant and unmitigated. The Land Development Code EIR determined that a potentially significant impact on biological resources related to brush management outside the bounds of the Multi-Habitat Planning Area (MHPA) where non-covered species are affected could occur. The current project has made the same determination; therefore, the potential impacts to non-covered species outside the MHPA would remain significant and unmitigated.
SECTION XII

REFERENCES


City of San Diego, 1996. City of San Diego, Development Services Department. Environmental Analysis Section/Public Projects and United States Fish and Wildlife Service. Recirculated Draft Joint EIR/EIS Issuance of Take Authorizations for Threatened and Endangered Species Due to Urban Growth Within the Multiple Species Conservation Program (MSCP) Planning Area, LDR. No. 93-0287, SCH No. 93121073. August.

City of San Diego, 1997. Land Development Code EIR, LDR No. 96-0333, SCH No. 96081056


City of San Diego – Community Plans and Precise & Specific Plans with (MHPA acreages), initial plan text adoption date and annotated page citations

Black Mountain Ranch, July, 2002 – Pages 3.2 and 3.7 brush management and reference
city requirements

NCFUA Framework Plan, Feb., 1995 – Page 75; transition treatment; Page 85: brush
management

Carmel Valley (1152.3 acres)

Pacific Highlands (1436.5 acres); July, 1999 – Pages 19 & 21: brush
management reference to city requirements

Del Mar Mesa (1161.5 acres); June, 2000 – page 34: LTM reference;

Subarea II (544.3 acres)

Torrey Highlands (491.0 acres); Aug., 1996: Page 14 – brush management, Zone 1 and Zone 2

Sorrento Hills (83.9 acres), July, 1997 – Page 160: brush management, reduce
fire risk

Carmel Mountain Ranch, Jan., 1995 – Page 75: brush management section, Figures 25
& 29 transition

City Heights (Mid City) (104.6 acres); August, 1998 – Page 41: setbacks, landscaping
requirements

Clairemont Mesa (797.8 acres); Sept., 1989 – Pages 110-111: brush clearing and
thinning; fire retardant roofing

College Area (213.9 acres); Oct., 1993 – Page 104: thinning, fire retardant plants

Greater North Park (117.2 acres); Nov., 1986 – thinning, fire retardant plants

Golden Hill (26.3 acres); April, 1988 – Page 88: fuel management, thinning

Kearny Mesa (365.6 acres); Oct., 1992 (none)
La Jolla (541.9 acres); March, 1975 (zone)

Linda Vista (370.2 acres); Dec., 1998 - Page 59: preserve CSS, setback from top of slope

Mira Mesa (2,240.2 acres); Oct., 1992 - Page 113: reference to ordinance

Miramar Ranch North (285.5 acres)

Mission Valley (342.2 acres); June, 1985 - preserve southern slopes

Navajo (3,091.7 acres); DEC., 1982 - preserve open space

Old Town; July, 1987 - Page 62: firebreaks

Otay Mesa (2,447.5 acres); April, 1981 - Page 98: transition areas

Otay Mesa-Nester (1,411.6 acres); May, 1997 - Page 98: transition areas

Pacific Beach (83.9 acres); Feb., 1995 - Page 55: reference LTM

Peninsula (142.3 acres); July 1987

Ranch Bernardo (533.9 acres); March, 1978 - Page 5: reference to zoning and ordinance to resolve problem

Rancho Encantada, (NA); August, 2001- Page 60 reference to muni code, brush management

Rancho Penasquitos (1,828.1 acres); June, 1993 - Page 94: fire management zone

Sabre Springs (743.6 acres); Sept., 1987 - Page 115: fire prevention, Page 119: 50% natives, transition

San Pasqual (6447.4 acres); June, 1995

Scripps Ranch (1,071.4 acres); July 1978 - Page 23: eucalyptus trees

Serra Mesa (242.5 acres); June, 1977

Skyline-Paradise Hills (105.4 acres); June, 1987 - preserve drainages

Tierrasanta (3,893.6 acres); July, 1982 - Page 55: landscaped transition

Torrcy Pines (1,147.3 acres); Jan., 1996 - Page 87: brush management section, fire code

University (1,801.9 acres); July, 1987 - Page 238: fire buffers
Uptown, (NA); Feb., 1988 – preserve open space

Via de la Valle (NA); April, 1984 – Page 44: transition, Page 47: LTM


Hart, SP. 2001. Recent Perspectives in Using Goats for Vegetation Management in the USA, prepared from E de la Graza Institute for Goat Research Langston University, Langston, OK.

SECTION XIII
CERTIFICATION PAGE

INDIVIDUALS AND AGENCIES CONSULTED

This Joint Subsequent Environmental Impact Report/Environmental Assessment was prepared for the City of San Diego, Fire-Rescue Department. The following professional staff were either consulted with or contributed to its preparation:

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- Jan Eby, Grounds Maintenance Manager

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- Allison Raap, Senior Planner
- Laura Black, Associate Planner

City of San Diego, Information Technology and Communications Department

- Sean Bohac, GIS Intern
- Teri Gerhart, GIS Intern
TECHNICAL APPENDICES

DRAFT FINAL
SUBSEQUENT ENVIRONMENTAL IMPACT REPORT/
ENVIRONMENTAL ASSESSMENT

BRUSH MANAGEMENT REVISIONS TO THE LAND DEVELOPMENT CODE
AND FEDERAL GRANT FROM THE OFFICE OF EMERGENCY SERVICES
( OES), FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

PROJECT No. 31245
SCH # 2004031041

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May-September, 2004
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NOTICE OF PREPARATION AND RESPONSES
NOTICE OF PREPARATION OF A DRAFT
JOINT SUBSEQUENT ENVIRONMENTAL IMPACT
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AND OF AN SEIR/EA PUBLIC SCOPING MEETING

THE CITY OF SAN DIEGO will be the Lead Agency and will prepare a draft Subsequent Environmental Impact Report/Environmental Assessment (SEIR/EA) in accordance with the California Environmental Quality Act (CEQA - SEIR) and the National Environmental Policy Act (NEPA - EA) for the project described below. A Public SEIR/EA Scoping Meeting will be held on Friday, March 19, 2004, from 6:00 p.m. to 8:00 p.m. at: Balboa Park War Memorial Building, 3325 Zoo Drive, San Diego, CA 92101. Verbal and written comments regarding the scope of the proposed SEIR/EA will be accepted at the meeting.

PROJECT: Brush Management Revisions to the Land Development Code and Federal Grant from the Office of Emergency Services (OES); Federal Emergency Management Agency (FEMA) COUNCIL APPROVAL to allow for revisions to the Municipal Code Chapter 12, Article 2, Division 4 to modify the requirements of brush management pursuant to the recommendations of the Fire Chief as a result of the 2003 Cedar fire. The project proposes a City wide 100 foot brush management zone consisting of 35° of Zone One and 65° of Zone Two. Project implementation on City property is proposed to be initially funded by a grant from the Office of Emergency Services (OES), Federal Emergency Management Agency (FEMA), which is being applied for by the City of San Diego Park and Recreation Department. The project is located within the City of San Diego, public and private lands and includes the City of San Diego Multi-Habitat Planning Area (MHPA). Applicant: City of San Diego, Fire-Rescue Department.

Project NO.: 31245
SCH NO.: pending

Based on an Initial Study, it appears that the project may result in significant environmental impacts in the following areas: Land Use, Biology, Water Quality, and Neighborhood Character/Aesthetics.

For more information, contact Laura Krebs, Associate Planner at (619) 446-5346. To provide comments on the scope and content of the scope of work, please send written comments to Chris Zirkle, Assistant Deputy Director, at the above address. Written comments on the scope and content of the scope of work must be sent to the above address by no later than 30 days after receipt of this notice. Responsible agencies are requested to indicate their statutory responsibilities in connection with this project when responding.

Attachments: Draft SEIR/EA Scoping Letter
Proposed Brush Management Regulations
Distribution:

**Federal Government**

- U.S. Naval Facilities Engineering Command, Environmental Planning Division (12)
- Marine Corps Air Station, Miramar (13)
- U.S. Environmental Protection Agency (19)
- U.S. Fish and Wildlife Service (23)
- U.S. Department of Agriculture (25)
- U.S. Army Corps of Engineers (26)
- Federal Emergency Management Agency, Office of Emergency Services

**Native Americans**

- Ron Christman (215)
- Louie Guassac (215A)
- Kumeyaay Cultural Repatriation Committee (225)
- Native American Distribution (225 A-R)*

**State of California**

- California Department of Transportation (31)
- California Department of Fish and Game (32)
- California Integrated Waste Management Board (35)
- California Environmental Protection Agency (37)
- California Department of Parks and Recreation (40)
- Resources Agency (43)
- California Regional Water Quality Control Board (44)
- State Clearinghouse (46)
- California Coastal Commission (47)
- Native American Heritage Commission (222)

**County of San Diego**

- Department of Planning and Land Use (68)
- County Water Authority (73)
- Hazardous Materials Management Division (75)

**City Government**

City of San Diego:

- Mayor Murphy
- Councilmember Peters, District 1
- Councilmember Zucchet, District 2
- Councilmember Atkins, District 3
- Councilmember Lewis, District 4
- Councilmember Maienschein, District 5
La Jolla Town Council (273)
La Jolla Historical Society (274)
La Jolla Community Planning Association (275)
La Jolla Shores PDO Advisory Board (279)
La Jollans for Responsible Planning (282)
City Heights Area Planning Committee (287)
Rolando Community Council (288)
Kensington/Talmadge Planning Committee (290)
Normal Heights Community Planning Committee (291)
Normal Heights Community Association (292)
Normal Heights Community Center (293)
Oak Park Community Council (298)
Webster Community Council (301)
Eastern Area Planning Committee (302)
Marshall Community Council (304)
Darnell Community Council (306)
Midway Community Planning Advisory Committee (307)
Mira Mesa Community Planning Group (310)
Mira Mesa Town Council (311)
Friends of Penasquitos Preserve, Inc. (313)
Mira Mesa Branch Library (315)
Mission Bay Park Committee (320)
League of Conservation Voters (322)
Citizens Coordinate for Century III (324A)
Mission Bay Precise Planning Committee (325)
Mission Beach Town Council (326)
Mission Hills Association (327)
Mission Valley Community Council (328C)
Friends of the Mission Valley Preserve (330)
Mission Valley Unified Planning Organization (331)
River Valley Preservation Project (334)
Friends of Adobe Falls (335)
Navajo Community Planners Inc. (336)
San Carlos Area Council (338)
Mission Trails Regional Park Citizens Advisory Committee (341)
Carmel Mountain Ranch Community Council (344)
Carmel Valley Community Planning Board (350)
Carmel Valley Trail Riders Coalition (351)
Carmel Mountain Conservancy (354)
Arroyo Sorrento Homeowners Association (356)
Los Penasquitos Canyon Preserve Citizens Advisory Committee (360)
Del Mar Mesa Community Planning Board (361)
Greater North Park Planning Committee (363)
Burlingame Homeowners Association (364)
North Park Community Association (366)
Ocean Beach Planning Board (367)
Ocean Beach Town Council, Inc. (367A)
Old Town Community Planning Committee (368)
Pacific Beach Town Council (374)
Pacific Beach Community Planning Committee (375)
Crown Point Association (376)
Rancho Penasquitos Community Council (378)
Torrey Pines Association (379)
Rancho Penasquitos Planning Board (380)
Friends of Los Penasquitos Canyon Preserve, Inc. (382)
Rancho Penasquitos Town Council (383)
Los Penasquitos Canyon Preserve Citizens Advisory Committee (385)
Sunset Cliffs Natural Park Recreation Council (388)
Peninsula Community Planning Board (390)
Rancho Bernardo Community Council, Inc. (398)
Rancho Bernardo Community Planning Board (400)
Sabre Springs Planning Group (406B)
Sabre Springs Community Planning Group (407)
Carmel Mountain Conservancy (408)
The San Dieguito Lagoon Committee (409)
San Dieguito Planning Group (412)
San Dieguito River Park Citizens Advisory Committee Project Review Committee (415)
Friends of San Dieguito River Valley (419)
San Dieguito River Valley Conservancy (422)
San Dieguito River Park Joint Powers Authority (425A)
San Pasqual-Lake Hodges Planning Group (426)
San Ysidro Planning and Development Group (433)
United Border Community Town Council (434)
Beeler Canyon Conservancy (436)
Scripps Ranch Community Planning Group (437)
Miramar Ranch North Planning Committee (439)
Scripps Ranch Civic Association (440)
Skyline/Paradise Hills Planning Committee (443)
Sorrento Hills Community Planning Board (444A)
Southeastern Development Corporation (448)
Southeastern San Diego Development Committee (449)
Encanto Neighborhoods Community Planning Group (449A)
Central Imperial Redevelopment Project Area (452)
College Area Community Council (456)
Malcolm A. Love Library (457)
Tierrasanta Community Council (462)
Murphy Canyon Community Council (463)
Mission Trail Regional Park, Citizens Advisory Committee (465)
Torrey Pines Community Planning Group (469)
Torrey Pines Association (472)
Crest Canyon Citizens Advisory Committee (475)
University Community Planning Group (480)
University City Community Association (486)
Mr. Jimmy Ayala  
C/O Pardee Homes  
12626 High Bluff Drive, Suite 100  
San Diego, CA 92130

Mr. Mike Singleton  
3916 Normal Street  
San Diego, CA 92103
Preparation of the joint SEIR/EA - CEQA/NEPA document will be reviewed by the City of San Diego serving as the Lead Agency under CEQA, and OES, FEMA serving as the Lead Agency under NEPA. A minimum 45-day public review period will be provided for the draft SEIR/EA.

Because there is a difference in the way the determination of "significance" is dealt with in CEQA versus NEPA, the SEIR/EA should be prepared generally in accordance with the City's "Environmental Impact Report Guidelines" (Revised September 2002), except that any discussion of the significance of impacts should be provided in a separate chapter entitled "CEQA Significance". The issues to be addressed are discussed below. A Notice of Preparation (NOP) will be distributed to Responsible Agencies and others who may have an interest in the project. Consequently, changes or additions to this scope of work may be required as a result of input received in response to the Notice of Preparation.

I. PROJECT DESCRIPTION

Discuss the goals, objectives, and major features of the project. Project objectives will be critical in determining the appropriate alternatives for the project which would reduce significant impacts. The SEIR/EA must also include a description of all permits and approvals required from federal, state, and other local agencies for which the SEIR/EA will be used. Please provide evidence of coordination with the State Coastal Zone Management agency or appropriate local agency. Describe all major project features associated with the project.

The SEIR/EA must include sufficient graphics and tables to provide a complete description of all major project features. Include descriptions of the increased width of Management Zone Two and how this proposed increase would impact surrounding open space, MHPA or private property. All plans should comply with the instructions for submittal requirements contained in the Applicant's Guide to Project/Permit Applications.

II. ENVIRONMENTAL SETTING

Describe the location of the project and present it on a regional map. Provide a regional description of the environmental setting of the project. Provide a recent aerial photo of the site and surrounding uses, and clearly delineate the urban interface with open space, MHPA, and private property.

III. ENVIRONMENTAL ISSUES

The potential for impacts must be thoroughly analyzed and mitigation measures to avoid or substantially lessen these impacts must be clearly identified and discussed. Address each of the issue statements identified below separately within each general environmental issue. Also, a separate section of the SEIR/EA should include a brief discussion as to why certain issues were not considered to be potentially significant. Identify a reasonable range of mitigation measures and/or alternatives, whether proposed or not, for each identified significant impact.

Significance determinations made in the SEIR/EA should reflect the fact that CEQA does not permit deferral of the establishment of mitigation measures and that an impact should be
considered significant if it cannot be demonstrated with certainty that it is not (i.e., if a significant impact 'may' result).

A. Land Use

Issue 1: Would the project result in a conflict with the purpose and intent of any current planning process or adopted environmental plans or policies in the City of San Diego, including lands within the California Coastal Commission jurisdiction?

Issue 2: Would the proposed project result in a conflict with the purpose and intent of the Environmentally Sensitive Lands (ESL) regulations of the Land Development Code (LDC)?

Issue 3: How is the project consistent with the region's Multiple Species Conservation Program (MSCP) and the City of San Diego Multi-Habitat Planning Area (MHPA) - MSCP Subarea Plan?

Identify potential conflicts with the purpose and intent of Environmentally Sensitive Lands (ESL) regulations of the Land Development Code (LDC), City of San Diego Multi-Habitat Planning Area, and the City of San Diego Multiple Species Conservation Program (MSCP). Please discuss how the project would conform to the guidelines of the LCP.

Upland biological resources would be directly impacted with the project implementation. Please provide an analysis which details how the project would conform to the ESL Ordinance. Any required approval of findings for alternative compliance should be fully addressed in this section. The analysis should describe existing environmental conditions and propose adequate techniques to minimize short and long range effects resulting from the implementation of the proposed brush management revisions. Discuss the project's conformance to City of San Diego Multi-Habitat Planning Area (MHPA) Land Use Adjacency Guidelines.

The land use section of the SEIR/EA should include any identified impacts and mitigation measures for potential impacts associated with the implementation of the proposed brush management revisions including environmentally sensitive lands.

Portions of the project are within the MHPA and would require conformance with the Land Use Adjacency Guidelines. Please discuss how the project would address the Land Use Adjacency Guidelines in regards to land use, drainage, toxic substances, lighting, noise, invasive plant species, and predator and pedestrian management. Please identify all mitigation measures proposed to address project implementation within the MHPA. Please identify all proposed project features to reduce potentially adverse short and long range effects. Please summarize and make references to the Biological Resources section of the SEIR/EA for a full discussion of mitigation measures for impacts to vegetation and wildlife communities.
B. Biological Resources

Issue 1: Would the project reduce the number of any unique, rare, endangered, sensitive, fully protected species of plants or animals?

Issue 2: Would the project interfere with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors?

Issue 3: Would the project impact any sensitive habitat, including, but not limited to oak woodland, coastal sage scrub or chaparral?

Issue 4: Would the proposal result in any conflict with the provisions of the City's Multiple Species Conservation Program Subarea Plan or other approved local, regional or state habitat conservation plan?

Upland resources and sensitive wildlife would be directly and indirectly affected by project implementation and potential weed invasion. Provide an updated biological technical report prepared by a qualified biologist in accordance with the City of San Diego's "Biology Guidelines". In addition, please discuss how the project would meet the requirements of the federal Endangered Species Act, and the Multi-Habitat Planning Area (MHPA) Land Use Adjacency Guidelines.

The SEIR/EA should describe the significance of the resources to be affected by the implementation of the proposed project. Address the potential for indirect impacts to any resources within, or adjacent to, subject properties within the City of San Diego.

Please discuss in the SEIR/EA alternative measures to minimize and avoid impacts to listed sensitive, threatened, and/or endangered species.

The mitigation section should propose measures to avoid any identified impacts or reduce them to below a level of significance. If any significant impacts are identified, provide mitigation ratios for the identified impacts in accordance with those specified in the Biology Review References.

The proposed project lies entirely within the limits of the City of San Diego. Please identify and discuss existing wildlife corridor movements and potentially adverse affects from the implementation of the proposed project.

Please discuss how the project would conform to the MHPA and operate in accordance with the MHPA Land Use Adjacency Guidelines. Please discuss the timing of brush thinning and measures to avoid thinning activities within the breeding season. Please identify the type of all construction equipment and materials to be utilized in performing brush management thinning. Please include an analysis of noise levels with a comparison of ambient levels to project construction and operating levels.
C. Hydrology/Water Quality

Issue 1: Would the proposal result in an increase in pollutant discharges, including downstream sedimentation to receiving waters during or following construction?

Issue 2: Would the proposal result in substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes?

Issue 3: Would the proposed project affect slope stability and on or off-site soil erosion?

The project has the potential to result in downstream sedimentation during brush management activities. Please provide the type and amount of pollutants anticipated to be generated from the implementation of the proposed project. Please discuss how the project would comply with the City of San Diego Standard Urban Stormwater Mitigation Plan (SDSUMP). Please include any correspondence regarding formal or informal pre-consultation with the Regional Water Quality Control Board (RWQCB) and/or State Water Resources Control Board (SWRCB).

E. Neighborhood Character/Aesthetics

Issue 1: Does the proposed project impact mature trees which could have a significant effect on neighborhood character/aesthetics?

The project proposes thinning areas which could include mature vegetation. Provide the effects this would have on shading, visual quality and neighborhood characteristics.

The City has determined that the following issues are not potentially significant and do not require analysis in the SEIR/EA: Agriculture Resources/Natural Resources/Mineral Resources, Air Quality, Energy, Historical Resources (Archaeology), Human Health/Public Safety, Noise, Paleontology, Population and Housing, Public Services, Transportation/Circulation, and Water Conservation.

However, if these or other potentially significant issue areas arise during detailed environmental investigation of the project or in the evaluation of project alternatives, consultation with EAS is recommended to determine if these other issue areas that need to be addressed in the SEIR/EA. Additionally, as supplementary information is submitted the SEIR/EA may need to be expanded to include additional issue areas. Mitigation measures should be clearly identified and discussed and their effectiveness assessed in each issue section of the SEIR/EA. In addition, a monitoring and reporting program for each mitigation measure must be included. At a minimum, this program should identify: 1) the department responsible for the monitoring; 2) the monitoring and reporting schedule, 3) the completion requirements. The separate mitigation, monitoring and reporting program (MMRP) should also be contained (verbatim) in a separate section, which will be attached to the SEIR/EA. A separate section of the SEIR/EA should include a brief discussion of why certain areas were not considered to be potentially significant.
cc: Ann Hix - Park and Recreation Department
Keith Greer - Planning Department
Jeanne Krosch - MSCP, Planning Department
Holly Cheong - MSCP, Planning Department
Chad Kane - MSCP, Planning Department
Carol Wood - Park and Recreation Department
EAS Senior Planners
EAS File
**Notice of Completion**

**Appendix F**

Mail to: State Clearinghouse, 1400 Tenth Street, Sacramento, CA 95814 916/445-0613

**Project Title:** Brush Management Revision to the Land Development Code (App. F)

**Load Agency:** CITY OF SAN DIEGO

**Street Address:** 1212 FIRST AVE, MS 501

**City:** SAN DIEGO CA  Zip: 92101

**Contact Person:** CAYLA KLEES

**Phone:** 619-535-6346

**County:** SAN DIEGO

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**Document Dimensions:**

<table>
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<tr>
<td><strong>Street Address:</strong> 1212 FIRST AVE, MS 501</td>
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<td><strong>City:</strong> SAN DIEGO CA Zip: 92101</td>
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<td><strong>Contact Person:</strong> CAYLA KLEES</td>
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<tr>
<td><strong>Phone:</strong> 619-535-6346</td>
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<td><strong>County:</strong> SAN DIEGO</td>
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**Project Location**

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**Document Type**

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<th>☐ Supplement/Subsequent NEPA:</th>
<th>☐ NOI</th>
<th>☐ Other:</th>
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**Local Action Type**

- General Plan Update
- General Plan Amendment
- General Plan Element
- Community Plan

- Specific Plan
- Master Plan
- Planned Unit Development
- Site Plan

- Rezone
- Prezone
- Use Permit
- Land Division (Subdivision, Parcel Map, Tract Map, etc.)

- Annexation
- Redevelopment
- Coastal Permit
- Other P.L.S. 934.10.4

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**Development Type**

- Residential: Units Acres
- Office: Sf.t. Acres
- Commercial: Sf.t. Acres
- Industrial: Sf.t. Acres
- Educational:
- Recreational

---

**Project Issues Discussed in Document**

- Aesthetic/Visual
- Agricultural/Land
- Air Quality
- Archeological/Historical
- Coastal Zone
- Coastal/Estuarine
- Economic/Jobs
- Fiscal
- Flood Plain/Flooding
- Forest Land/Fire Hazard
- Geologic/Seismic
- Minerals
- Noise
- Population/Housing Balance
- Public Services/Facilities
- Recreation/Parks
- Schools/Universities
- Septic Systems
- Sewer Capacity
- Soil Erosion/Compaction/Grading
- Solid Waste
- Toxic/Hazardous
- Traffic/Circulation
- Vegetation
- Water Quality
- Water Supply/Drainage
- Wetland/Riparian
- Wildlife
- Growth: Inducing/Inhibiting
- Landuse
- Cumulative Effects
- Other

---

**Present Land Use/Zoning/General Plan Use**

---

**Project Description**

Increase the required brush management zone to 100 feet from structure for the entire area of the City of San Diego. Revisions will require changes to the current regulations within the San Diego Land Development Code.

**Notes:** Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g., from a Notice of Preparation or previous draft document), please fill it in.

Revised October
### Reviewing Agencies Checklist

<table>
<thead>
<tr>
<th>Lead Agency (Complete if applicable):</th>
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<tbody>
<tr>
<td><strong>Consulting Firm:</strong> __________________</td>
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<tr>
<td><strong>Address:</strong> __________________________</td>
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<td><strong>Contact:</strong> __________________________</td>
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<td>Air Resources Board</td>
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<td>Independent Commissions &amp; Offices</td>
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<tr>
<td>Public Utilities Commission</td>
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<tr>
<td>Santa Monica Mountains Conservancy</td>
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<td>State Lands Commission</td>
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<td>Tahoe Regional Planning Agency</td>
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</table>

| Other: ____________________ |

### Public Review Period (to be filled in by lead agency)

**Starting Date:** March 1, 2004

**Ending Date:** April 8, 2004

**Date:** 03/08/04

### For SCH Use Only:

<table>
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<td>Date to Agencies: ________________________</td>
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**Notes:**

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**Applications:** CITY OF SAN DIEGO PRE-REVIEW

| Address: 1010 M Avenue, Suite 300, MS 603 |
| City/State/Zip: San Diego, CA 92101 |
| Phone: (619) 533-4411 |

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**Revised October 1998**
STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

Notice of Preparation

March 9, 2004

To: Reviewing Agencies

Re: Brush Management Revisions to the Land Development Code and Grant from OES, FEMA
SCR# 2004031041

Attached for your review and comment is the Notice of Preparation (NOP) for the Brush Management Revisions to the Land Development Code and Grant from OES, FEMA draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Laura Krebs
City of San Diego
1222 First Avenue, MS-501
San Diego, CA 92101

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

[Signature]
Senior Planner, State Clearinghouse

Attachments
to: Lead Agency
Project Title: Brush Management Revisions to the Land Development Code and Grant from CES, FEMA

Lead Agency: San Diego, City of

Type: NOP Notice of Preparation

Description: Increase the required brush management zone to 100 feet from structure for the entire area of the City of San Diego. Revisions will require changes to the current regulations within the San Diego land development code.

Lead Agency Contact

Name: Laura Krebs
Agency: City of San Diego
Phone: 619-446-5346
Fax
Email
Address: 1222 First Avenue, MS-501
City: San Diego
State: CA
Zip: 92101

Project Location

County: San Diego
City
Region
Cross Streets
Parcel No.
Township

Proximity to:

Highways
Airports
Railways
Waterways
Schools
Land Use

Project Issues: Aesthetic/Visual; Vegetation; Water Quality; Landuse

Reviewing Agencies: Resources Agency; California Coastal Commission; Department of Forestry and Fire Protection; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game; Region 5: Office of Emergency Services; Native American Heritage Commission; California Highway Patrol; Department of Housing and Community Development; Caltrans, District 11; Regional Water Quality Control Board, Region 9

Data Received: 03/09/2004
Start of Review: 03/09/2004
End of Review: 04/07/2004

Note: Blanks in data fields result from insufficient information provided by lead agency.
This meeting is held pursuant to the California Public Resources Code Section 21083.9 et seq., and is provided to give the public and interested parties an opportunity to submit comments regarding the potential environmental impacts of the proposed project. This information will be used to develop the scope and content of the proposed environmental document for the project action to be described at this meeting. Please record your comments in the space provided below and submit this form to City staff at the conclusion of the meeting. Thank You.

Project: Brush Management Ordinance  Date: 3/20/04

Comments

Please review the possible impacts associated with increased erosion, tree removal, invasive species and introduction of flammable fuels resulting from the thinning and probable lack of maintenance and improper thinning techniques that will likely occur. Also 2 alternatives should be discussed: 1) Allow for or require replacement of flammable native vegetation with low-flammable and sustainable vegetation that does not have to be thinned and 2) allow for use of supplemental watering (drip or overhead spray) with non-native low-flammable vegetation to increase safety.

Name: Mike Singleton  Signature: [Signature]
Address: 3916 Normal Street  SD 92103  (619-294-4477)

Use back of sheet if additional space is necessary.
March 19, 2004
Comments on NOP of EIR for Brush Management Revisions to Land Development Code

- Any proposed clearing, planting, or irrigation in Zone 2 would need to be consistent with the City of San Diego MSCP implementing agreement. Zone 2 is considered "impact neutral" under the current plan. Changes in codes or management that cause habitat changes to Zone 2 may require mitigation.

- The California State Code allows exemptions from brush management for structures that are fire-proof, and for land that has been set aside for its natural beauty or habitat conservation. We ask that the Code acknowledge that.

- At least as important as brush management, if not more so, is reducing the flammability of structures. The Code must include improvements in reducing structure flammability. We suggest that the City investigate ways such as grants, to help property owners retrofit their houses. Brush management is an annual expense; retrofitting homes is a one-time expense.

- When the fire department tells people that they must thin vegetation in Zone 2, many people interpret this as permission to clear all vegetation from the area. Excessive clearing leads to excessive erosion and invasion by weeds, many of which dry into kindling during the summer and fall. We request that a hotline be set up whereby citizens may obtain information about proper management techniques, and improper techniques may be reported.

- We request that City crews and contractors involved in brush management be properly trained to recognize native and non-native plants, and that non-native plants be prioritized for removal when thinning is needed.

- Use of non-vegetative combustible materials in Zone 1 is often overlooked, although things such as wood fences can create a fire ladder to a house. This should be prioritized before requiring changes to vegetation.

- We ask that the Code forbid the use of invasive plants as a "solution." The use of Freeway Iceplant in back yards over the years is leading loss of acres of habitat around the city, as it spreads downhill far from the original site. It would be optimal if the City would develop a guide to property owners concerning appropriate plants and management techniques. CNPS would be glad to offer support in developing this.

Carrie Schneider
California Native Plant Society
San Diego Chapter
info@cnpssd.org
858-352-4413

1321 E 2ND ST
SAN DIEGO CA 92113
April 10, 2004

Chris Zirkle, Assistant Deputy Director
Development Services Department
Land Development Review Division
1222 First Avenue, Mail Station 501
San Diego CA 92101

RE: Project no. 31245 Brush Management revisions to the Land Development Code and Federal Grant from OES and FEMA

Dear Ms. Zirkle:

I appreciate the opportunity to comment on this proposal. We agree that the accumulated fuel load in open space areas needs to be reduced. There are considerations to be made in the process, however.

Tecolote Canyon Natural Park was included in a fuel load reduction project some years ago after the devastating fire on the south slopes and finger canyons of Mission Valley. At that time, the native plants were cut back to about two feet from the ground. Plants were not uprooted. It is important, again, to keep plants and shrubs in place to prevent soil erosion.

Weed control would be an issue within Tecolote Canyon where soil around native plants is disturbed. Opportunistic weeds take advantage of disturbed areas and crowd out native species.

Please take into consideration nesting territories of birds, especially endangered species. Friends of Tecolote Canyon undertook a two-acre restoration project in 1981 that was a nesting site for the least Bell's vireo. The site is located adjacent to the San Diego Gas and Electric station, south of the golf course. This site is one we still monitor, and it has been used for nesting again.

Sincerely,

Sherlie Miller
President
To: Ms. Laura Krebs, Associate Planner
Development Services Department
City of San Diego
1222 First Avenue, Mail Station 501
San Diego, California 92101

Subject: Notice of Preparation of a Draft Joint Environmental Impact Report/Environmental Assessment
Brush Management Revisions to the Land Development Code and Federal Grant from the Office of Emergency Services (OES), Federal Emergency Management Agency (FEMA)
Project No. 31245

Dear Ms. Krebs:

Thank you for the Notice of Preparation for the subject project, received by this Society earlier this month.

We note that historical resources are not included in the areas of significant impacts from this project. We do not agree with that assessment. While certainly not questioning the need to address the brush clearance zone, there is potential for both direct and indirect impacts to historical resources caused by brush clearance.

Direct impacts could occur particularly where the clearing is done mechanically, by operation of vehicles and equipment over sites. It could also occur outside the brush clearance zone in the access routes taken by such vehicles and equipment. Indirect impacts could result from exposure of sites in the cleared zones and subsequent illegal collecting of cultural material.

We also note that, with the proposed policy in place, any future project would have to include evaluation of the potential for impacts to historical resources in the zone where brush clearance would be required to occur.

Finally, involvement of federal funding in this project will require curation of all resulting archaeological collections in accordance with 36 CFR 79.
With the addition of historical resources to the list of subject areas to be addressed in the DEIR, we look forward to reviewing it during the upcoming public comment period. To that end, please include us in the distribution of the DEIR, and also provide us with a copy of the cultural resources technical report(s).

SDCAS appreciates being included in the City's environmental review process for this project.

Sincerely,

[Signature]

James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: SDCAS President
    File
April 7, 2004

Chris Zirkle
Assistant Deputy Director
City of San Diego
Development Services Dept.
1222 First Avenue, MS 501
San Diego, CA 92101

Subject: Comments on NOP for Draft SEIR/EA
Brush Management Revisions to the Land Development Code

Dear Mr. Zirkle:

The San Dieguito River Park JPA staff has reviewed the NOP for the City’s proposed brush management revisions to the LDC. The JPA is interested in this subject because a significant part of the San Dieguito River Park Focused Planning Area (FPA) consists of natural open space areas that are part of the City’s MSCP, particularly the San Pasqual Valley. This area contains sensitive coastal sage scrub and chaparral habitat along the interface with suburban development. This habitat is vulnerable to edge effects associated with urban development including fire risk.

In addition to the issues identified in the scoping letter for the draft SEIR/EA, we request that the SEIR/EA also address the following:

- The SEIR/EA should thoroughly document the purpose and need for the brush management revisions. Reports have been made that no degree of brush management would have reduced the damage done by the Cedar Fire that tore through the San Diego region in 2003 due to its ferocity and other factors. Also, the City does not monitor or enforce its current brush management regulations and if more attention were made to managing the urban fire interface then the fire risk would be less. Please document how the proposed revisions will serve to reduce fire risk.

- The LDC should state that for new development the brush management zones shall not encroach into MSCP land. Therefore, the new zones should be included in the “developable” portion of a new development proposal, not the open space preserve. Along with evaluating the consistency of the proposed revisions with the MHPA Land Use Adjacency Guidelines, the SEIR/EA should evaluate how the city would enforce compliance with MSCP so that application of the brush management regulations respect the adopted MSCP.

We appreciate the opportunity to provide input into the SEIR/EA and look forward to receiving a copy during the public review period. Thank you.

Sincerely,

[Signature]
Shawnna C. Anderson
Environmental Planner
April 8, 2004

Laura Krebs, Associate Planner
City of San Diego
Development Services Center
Land Development Review Division
1222 First Avenue, MS 501
San Diego, CA 92101

Comments on the Notice of Preparation of a Draft Joint Subsequent Environmental Impact Report/Environmental Assessment for Brush Management Revisions to the Land Development Code and Federal Grant from the Office of Emergency Services, Federal Emergency Management Agency (SCH# 2004031041)

Dear Ms. Krebs:

The California Department of Fish and Game (Department) has reviewed the notice of preparation (NOP) of a draft Joint Subsequent Environmental Impact Report/Environmental Assessment (draft EIR/EA) for brush management revisions to the Land Development Code and federal grant from the Federal Emergency Management Agency. We have also reviewed the January 21, 2004, City Manager's Report regarding the proposed revisions, and the March 9, 2004, letter from the City of San Diego's (City) Development Service's Department to the City's Fire-Rescue Department regarding the scope of work for the draft EIR/EA (City's letter). We and the U.S. Fish and Wildlife Service (Service) also attended a meeting with Ms. Ann Hix and Mr. Keith Greer of the City on January 9, 2004, about the proposed brush management revisions. On April 7, 2004, the City granted the Department a one-day extension on the comment period (pers. comm., Laura Krebs) for this NOP. We appreciate the extension. Because the project could affect a significant amount of the City's conserved habitat at the urban wildland interface, our comments are more detailed than usual on an NOP.

The proposed brush management revisions arise in response to the fires in the City and the County of San Diego in October of 2003. Currently Brush Management Zone I is the area adjacent to structures and consists of pavement and permanently irrigated ornamental plantings. Brush Management Zone II is an area of native plant material thinned to reduce fuel load. The width of Zone I varies from 20 to 40 feet west of Interstate 805 and El Camino Real, and 30 to 45 feet east of this intersection. Zone II varies from 20 to 30 feet west of the intersection, and 40 to 50 feet east of it. Put another way, the Zones I and II combined range from 40 to 70 feet west of Interstate 805 and El Camino Real, and 70 to 95 feet east of the intersection. The proposed revisions would entail establishing a city-wide 100-foot wide brush management area consisting of
35 feet in Zone I and 65 feet in Zone II. In addition, Zone II would be expanded accordingly to achieve 100 feet of brush management where Zone I occupies less than 35 feet from existing structures. The purpose of the standard 100-foot brush management zone would be to allow for a greater defensible space against impending fire.

The City’s Park and Recreation Department manages approximately 22,600 acres of open space. This open space includes 220 linear miles of urban wildland interface, and the City is responsible for brush management within Zone II. Preliminary calculations indicate that an assumed Zone II width of 65 feet would occupy approximately 1,750 acres. The City hopes to thin the entire area within Zone II on an average of every two years. Much of the City’s open space is within the Multiple Habitat Preservation Area (MHPA) of the City’s Multiple Species Conservation Program (MSCP) Subarea Plan.

The draft EIR/EA would tier off of the EIR that was prepared for the City’s Land Development Code. Final adoption of the proposed revisions would require approval by the California Coastal Commission for modifications of the City’s Local Coastal Plan necessitated by the revisions. We offer the following comments to assist the City in minimizing and mitigating project impacts to biological resources, a particularly impacts on the MHPA.

1. We generally agree with the scope of work in the City’s letter. We emphasize that the draft EIR/EA must ensure and verify that all requirements and conditions of the Subarea Plan and associated Implementing Agreement would be met if the proposed brush management revisions were approved and implemented. The draft EIR/EA should also address biological issues that are not addressed in the Subarea Plan and Implementing Agreement, such as specific impacts to and mitigation requirements for wetlands or sensitive species and habitats that are not covered by the Subarea Plan and Implementing Agreement.

2. Issue areas in the draft EIR/EA that may be influenced by the Subarea Plan and Implementing Agreement include “Land Use,” “Landform Alteration/Visual Quality,” “Biological Resources,” “Drainage/Urban Runoff/Water Quality,” and “Cumulative Effects.”

3. The draft EIR/EA should discuss whether the proposed brush management revisions are consistent with the Memorandum of Understanding, dated February 26, 1997, among the Department, the Service, and the San Diego County Fire Chief’s Association.

4. The draft EIR/EA should discuss the potential impacts from, and propose mitigation for, the construction of access roads, if any, that might be necessary to reach the expanded areas of Zone II.

5. The City Manager’s Report alludes to revisions to the building code to promote fire resistant construction (e.g., Class “A” roofs, boxed eaves) of buildings adjacent to areas of high risk for wildfires. One of the alternatives the City’s letter identifies for the draft EIR/EA to consider in a detailed alternatives analysis is an “alternative where revisions to the building code would provide the level of protection equal to that provided by this project.” We support that approach to reduce the potential impact on the MHPA, and recommend that, structural and material
alternatives be the first line of defense against fire, rather than brush management. That is, structural designs and materials that reduce the need for brush management, particularly within the MHPA, should be employed first and then brush management requirements determined. For new construction, structural and material alternatives should be required, and not considered optional. As to existing structures, the building code should be revised to require that certain features of structures at the urban wildland interface be upgraded to meet the revised building codes (e.g., flammable siding or roofing on houses upgraded to less flammable or inflammable materials). These revisions to the building code would reduce the City's brush management operational costs in Zone II. The draft EIR/EA should thoroughly address the issue of concurrent and commensurate levels of effort to revise the City's brush management regulations and building code to achieve protection from fire at the urban wildland interface.

6. The draft EIR/EA should discuss the loss of habitat within the MHPA from the implementation of the revised brush management regulations. This discussion should (a) thoroughly address the assumptions that were made regarding the protection of MSCP-covered species, (b) include full consideration of a reduction of impacts from brush management afforded by revisions to the building code, and (c) describe how the City would compensate for the loss of sensitive habitats within the MHPA, the net loss of acreage within the MHPA, and the potential impacts on MSCP-covered species.

7. Another alternative the City's letter identifies for the draft EIR/EA to consider is an "alternative that addresses weed control once the brush is thinned within Brush Management Zone 2." Weed control in areas where brush management has occurred should not be considered an alternative, particularly within or adjacent to the MHPA. As the City's letter notes, potential weed invasion would affect habitats and sensitive wildlife where brush management occurs. We recommend that weed control be automatically required as part of the brush management activities.

8. A third alternative the City's letter identifies for the draft EIR/EA to consider is an "controlled burn - analyze the effectiveness of controlled burn to thin brush outside of brush management zone 2." It appears from this that draft EIR/EA would not consider controlled burns within Zone II. The draft EIR/EA should explain why. The discussion should include examples of controlled burns that have worked well and others that have not and thoroughly explain why they succeeded or failed. The discussion should also address the recovery of the habitat after controlled burns.

9. The documents we reviewed do not seem to contemplate situations in which all or a portion of Zones I and/or Zone II are within wetlands or riparian habitats. These habitats present less of a fire hazard than do upland communities. The draft EIR/EA should discuss whether brush management requirements in these habitats would differ from the requirements for upland habitats, and if so, how.

10. The draft EIR/EA should address any planned use of hydroseeding to stabilize soils exposed by brush management activities, and should prohibit the use of hydroseeding preparations that include invasive species.
The Department appreciates the opportunity to comment on this NOP. The Department finds that the implementation of the revised brush management regulations would not be de minimis in its effects on fish and wildlife per section 711.4 of the California Fish and Game Code. Please contact Libby Lucas at (858) 467-4230 if you have any questions or comments concerning this letter.

Sincerely,

William E. Tippets
Deputy Regional Manager

cc: City of San Diego (Keith Greer, Ann Hix)
    State Clearinghouse
    U.S. Fish and Wildlife Service (Susan Wynn)
APPENDIX B

BIOLOGICAL RESOURCES REPORT
Introduction

Brush Management Zones were established in the City of San Diego Land Development Code to protect habitable structures from potential fire dangers and provide thinning of native vegetation to reduce the amount of fuel for a potential fire and allow for access to vegetation for fire personnel. Each year San Diego Fire-Rescue responds to over 800 vegetation fires. During certain times of the year, native vegetation can pose a wildfire risk and requires proper management of the urban wildland interface. The City has a total of approximately 22,600 acres of open space managed by Park and Recreation Department which creates approximately 220 linear miles of urban wildland interface. Over 16,000 acres of City open space presents a moderate to severe fire threat to communities throughout the City, not including the thousands of privately owned interface properties.

The current brush management regulations in the Land Development Code (LDC) were developed in conjunction with the Multiple Species Conservation Program (MSCP). The regulations were approved by City Council in November 1997 and by the California Coastal Commission in November of 1999. They were made effective with the entire Land Development Code on January 3, 2000.

The primary focus of the 1997 changes was to simplify regulations, to improve predictability, to make them more enforceable, and to coordinate brush management requirements with the City’s goal to preserve environmentally sensitive habitat. Changes to the regulations included replacement of the complex three zone system of brush management of varying widths (50’ to 110’) based upon classifications of fire severity with a two zone system based upon the location of the property’s location west or east of Interstate 805 and El Camino Real. The dividing line of Interstate 805 and El Camino Real was selected based upon analysis of historical fire data in and outside areas of climatic coastal influence. Analysis of the Cedar Fire indicates that if the Santa Ana winds had continued, it is likely that the fire could have burned all the way to the ocean. The climatic coastal influence would not have been a factor in this event. This has prompted the Fire-Rescue Department to re-evaluate the current distinction and propose a single citywide brush management system.

In light of the size and severity of the Cedar fire, and other wildfires in October of 2003, the Fire Chief is recommending a City wide 100 foot brush management area consisting of 35 feet of Zone One and 65 feet of Zone Two. In addition, it is proposed that Zone Two would be expanded accordingly to achieve 100 feet of brush management where Zone One is less than 35 feet from existing structures. A standard 100 foot brush management zone would allow for a greater defensible space against impending fire.

The project would involve increasing the width of the current Brush Management Zones. The project is located within the limits of City of San Diego, and includes the City of San Diego Multi-Habitat Planning Area (MHPA) of the Multiple Species Conservation Program (MSCP), City of San Diego Open Space Lands, private property, and lands within the California Coastal Commission jurisdiction.
An increase in the width of current Brush Management Zone 2 may result in an additional impact to biological resources not previously analyzed with the adoption of the current brush management regulations. The purpose of this brush management evaluation and biological technical report is to evaluate the current impacts associated with Brush Management Zone 2. Specific impacts analyzed include exotic plant invasion and soil erosion. By evaluating the current impacts associated with brush management, impacts associated with an increase in Zone 2 can then be extrapolated.

Methodology

This evaluation included brush management conducted by the City of San Diego, homeowner’s associations, and private property owners. A total of 25 brush management areas were evaluated as part of this project. Of all the brush management areas evaluated, 13 were thinned by the City of San Diego Park and Recreation Department, 11 were thinned by private landowners, and 1 brush management area was thinned by a homeowner’s association.

For purposes of comparison, adjacent areas that were not brush managed were also evaluated, if available. These areas are referred to as controls. However, it was difficult to find comparable control areas. Most brush management is conducted in a comprehensive manner so it was difficult to find comparable areas that had not been brush managed. Only two control areas have been evaluated as part of this effort.

A variety of brush management areas throughout the City were selected. Park and Recreation staff, David Monroe and Josh Woods, selected 13 areas where brush management was conducted by Park and Recreation staff. Areas selected by Park and Recreation varied in size and date of brush management conducted. For example, some of the brush management areas had been thinned as recently as February 2004 whereas others selected have not been thinned for over 5 years. This variety in brush management areas helps provide information on both the long term effects of brush management as well as the immediate impacts.

Planning Department staff, Khalil Martinez, selected an additional 12 areas where brush management was conducted by either the homeowner or the homeowner’s association. Since there was no information available on the date of brush management for these sites, Mr. Martinez selected 4 brush management areas within 3 different canyons: Peñasquitos Canyon, San Clemente Canyon, and Tecolote Canyon. Areas were selected throughout the canyons to give a good evaluation of the different kinds of private brush management conducted.

Each site was visited during the daylight hours by Holly Cheong, Environmental Biologist for the MSCP. Sites were each visited once on either March 1, 2004, March 4, 2004, or March 9, 2004. The surrounding vegetation communities were surveyed to determine habitat type. Habitat type was considered disturbed if 50% or more of species cover within the habitat were exotic plant species. Undisturbed native habitat contained
less than 50% exotic cover. Native habitats observed included coastal sage scrub, mixed chaparral, chamise chaparral and oak woodland. Areas were considered ornamental if over 90% cover was attributed to exotic plant species. Eucalyptus woodland, which could also be considered an ornamental area, is identified specifically where observed. The percent cover of exotic and native species were estimated within each brush management area. Any dominant exotic and native species were noted. Plant regrowth within the brush management areas was evaluated and the height of vegetation within the brush management areas was estimated. Slope gradient and aspect were noted as well as any on-site irrigation. Soil type was also determined by visual observation. If it could be determined, it was noted whether the brush management area was on a manufactured or natural slope. Soil erosion was noted if present and the source and extent of erosion was noted if present. If wetlands were within the brush management area, this was also noted. Finally, digital photographs were taken of each brush management area, the surrounding habitat and any erosion.

The date that brush management was first performed and the last date brush managed was performed was noted for each site if that information was available. The size of the brush management area was also noted. For Park and Recreation sites, this was based on the information provided by them for each site. For homeowner and homeowner’s association sites, the size of the brush management area was estimated from the SANGIS parcel layer assuming that the brush management area would correspond to the area outside of the development area on the site. The date that brush management was conducted was not available for homeowner and homeowner’s association brush management sites.

It should be noted that the evaluation of 25 slopes cannot yield a scientifically significant result on the impacts associated with Zone 2 brush management. Due to the time constraints associated with the project, additional brush management areas could not be evaluated. Given the wide variety of brush management conducted throughout the City of San Diego, it would be difficult to yield a scientifically significant result. Although the information from this report should be treated as purely anecdotal, evaluation of these 25 slopes can help the City of San Diego determine the general impacts associated with brush management.

Results

Exotic species cover within brush management areas varied from 0-100%. Native species cover also varied from 0-100%. Table 1 lists the exotic species observed within brush management areas. Table 2 lists the native species observed within brush management areas.
Table 1: Exotic Plant Species Within Brush Management Areas

<table>
<thead>
<tr>
<th>ID #</th>
<th>% Exotics</th>
<th>Surrounding Habitat</th>
<th>Dominant Exotics</th>
<th>City/Owner/HOA</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>50-75%</td>
<td>Eucalyptus woodland</td>
<td>Eucalyptus sp., Carpobrotus sp.</td>
<td>City</td>
</tr>
<tr>
<td>2</td>
<td>50-75%</td>
<td>Coastal sage scrub</td>
<td>Centaurea melitensis, Salsola tragus</td>
<td>City</td>
</tr>
<tr>
<td>3</td>
<td>11-25%</td>
<td>Mixed chaparral</td>
<td>Eucalyptus sp., Carpobrotus sp., Salsola</td>
<td>City</td>
</tr>
<tr>
<td>4</td>
<td>11-25%</td>
<td>Coastal sage scrub/mixed</td>
<td>Brassica nigra, Centaurea melitensis,</td>
<td>City</td>
</tr>
<tr>
<td>5</td>
<td>50-75%</td>
<td>Eucalyptus woodland</td>
<td>Eucalyptus sp., Carpobrotus sp.</td>
<td>City</td>
</tr>
<tr>
<td>6</td>
<td>11-25%</td>
<td>Eucalyptus woodland</td>
<td>Eucalyptus sp., Hypochaera gilba</td>
<td>City</td>
</tr>
<tr>
<td>7</td>
<td>1-10%</td>
<td>Eucalyptus woodland</td>
<td>Schinus molle</td>
<td>City</td>
</tr>
<tr>
<td>8</td>
<td>1-10%</td>
<td>Coastal sage scrub</td>
<td>Phoenix canariensis, Cortaderia sp.,</td>
<td>City</td>
</tr>
<tr>
<td>9</td>
<td>11-25%</td>
<td>Eucalyptus woodland</td>
<td>Eucalyptus sp., Euphorbia setaceum</td>
<td>City</td>
</tr>
<tr>
<td>10</td>
<td>26-50%</td>
<td>Coastal sage scrub</td>
<td>Eucalyptus sp., Peumisia setaceum</td>
<td>City</td>
</tr>
<tr>
<td>11</td>
<td>1-10%</td>
<td>Coastal sage scrub, ornamental</td>
<td>Eucalyptus sp.</td>
<td>City</td>
</tr>
<tr>
<td>12</td>
<td>1-10%</td>
<td>Ornamental</td>
<td>Gazania linaria</td>
<td>City</td>
</tr>
<tr>
<td>13</td>
<td>1-10%</td>
<td>Chamaise chaparral</td>
<td>Brassica nigra</td>
<td>City</td>
</tr>
<tr>
<td>14</td>
<td>1-10%</td>
<td>Mixed chaparral</td>
<td>Nicotiana glauca, Eucalyptus sp.</td>
<td>Owner</td>
</tr>
<tr>
<td>15</td>
<td>11-25%</td>
<td>Mixed chaparral</td>
<td>Pinus sp., Malva sp., Rosa sp.</td>
<td>Owner</td>
</tr>
<tr>
<td>16</td>
<td>1-10%</td>
<td>Chamaise chaparral</td>
<td>Phoenix canariensis, Carpobrotus sp.</td>
<td>Owner</td>
</tr>
<tr>
<td>17</td>
<td>1-10%</td>
<td>Chamaise chaparral</td>
<td>Avena sp.</td>
<td>HOA</td>
</tr>
<tr>
<td>18</td>
<td>0%</td>
<td>Disturbed coastal sage scrub</td>
<td>n/a</td>
<td>Owner</td>
</tr>
<tr>
<td>19</td>
<td>75-100%</td>
<td>Coastal sage scrub</td>
<td>Carpobrotus sp.</td>
<td>Owner</td>
</tr>
<tr>
<td>20</td>
<td>75-100%</td>
<td>Disturbed coastal sage scrub</td>
<td>Carpobrotus sp.</td>
<td>Owner</td>
</tr>
<tr>
<td>21</td>
<td>11-25%</td>
<td>Coastal sage scrub</td>
<td>Carpobrotus sp.</td>
<td>Owner</td>
</tr>
<tr>
<td>22</td>
<td>75-100%</td>
<td>Disturbed oak woodland</td>
<td>Carpobrotus sp., Avena sp.</td>
<td>Owner</td>
</tr>
<tr>
<td>23</td>
<td>75-100%</td>
<td>Ornamental</td>
<td>Carpobrotus sp.</td>
<td>Owner</td>
</tr>
<tr>
<td>24</td>
<td>1-10%</td>
<td>Oak woodland, coastal sage scrub</td>
<td>Carpobrotus sp.</td>
<td>Owner</td>
</tr>
<tr>
<td>25</td>
<td>75-100%</td>
<td>Mixed chaparral</td>
<td>Carpobrotus sp.</td>
<td>Owner</td>
</tr>
</tbody>
</table>
Table 2: Native Plant Species Within Brush Management Areas

<table>
<thead>
<tr>
<th>ID #</th>
<th>% Natives</th>
<th>Surrounding Habitat</th>
<th>Dominant Natives</th>
<th>City/Owner/hoa</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1-10%</td>
<td>Eucalyptus woodland</td>
<td>Erigeron fasciculatum</td>
<td>City</td>
</tr>
<tr>
<td>2</td>
<td>1-10%</td>
<td>Coastal sage scrub</td>
<td>Opuntia pichleri, Rhus integrifolia</td>
<td>City</td>
</tr>
<tr>
<td>3</td>
<td>0%</td>
<td>Mixed chaparral</td>
<td>n/a</td>
<td>City</td>
</tr>
<tr>
<td>4</td>
<td>11-25%</td>
<td>Coastal sage scrub</td>
<td>Salvia apiana, Opuntia littoralis, Erigeron fasciculatum, Ferocactus vittadocon</td>
<td>City</td>
</tr>
<tr>
<td>5</td>
<td>1-10%</td>
<td>Eucalyptus woodland</td>
<td>Rhus integrifolia</td>
<td>City</td>
</tr>
<tr>
<td>6</td>
<td>0%</td>
<td>Eucalyptus woodland</td>
<td>n/a</td>
<td>City</td>
</tr>
<tr>
<td>7</td>
<td>0%</td>
<td>Eucalyptus woodland</td>
<td>n/a</td>
<td>City</td>
</tr>
<tr>
<td>8</td>
<td>75-100%</td>
<td>Coastal sage scrub</td>
<td>Erigeron fasciculatum, Baccharis sarothroides</td>
<td>City</td>
</tr>
<tr>
<td>9</td>
<td>1-10%</td>
<td>Eucalyptus woodland</td>
<td>Opuntia littoralis</td>
<td>City</td>
</tr>
<tr>
<td>10</td>
<td>1-10%</td>
<td>Coastal sage scrub</td>
<td>Baccharis sarothroides</td>
<td>City</td>
</tr>
<tr>
<td>11</td>
<td>1-10%</td>
<td>Coastal sage scrub, ornamental</td>
<td>Baccharis sarothroides, Salvia apiana</td>
<td>City</td>
</tr>
<tr>
<td>12</td>
<td>11-25%</td>
<td>Ornamental</td>
<td>Adenostoma fasciculatum, Erigeron fasciculatum</td>
<td>City</td>
</tr>
<tr>
<td>13</td>
<td>11-25%</td>
<td>Chamise chaparral</td>
<td>Adenostoma fasciculatum, Erigeron fasciculatum</td>
<td>City</td>
</tr>
<tr>
<td>14</td>
<td>20-50%</td>
<td>Mixed chaparral</td>
<td>Eucleia californica, Rhus integrifolia, Adenostoma fasciculatum</td>
<td>Owner</td>
</tr>
<tr>
<td>15</td>
<td>1-10%</td>
<td>Mixed chaparral</td>
<td>Baccharis sarothroides, Viguiera californica</td>
<td>Owner</td>
</tr>
<tr>
<td>16</td>
<td>11-25%</td>
<td>Chamise chaparral</td>
<td>Malosma laurina, Ceanothus verrucosus</td>
<td>Owner</td>
</tr>
<tr>
<td>17</td>
<td>11-25%</td>
<td>Chamise chaparral</td>
<td>Baccharis sarothroides, Adenostoma fasciculatum</td>
<td>HOA</td>
</tr>
<tr>
<td>18</td>
<td>11-25%</td>
<td>Disturbed coastal sage scrub</td>
<td>Opuntia littoralis</td>
<td>Owner</td>
</tr>
<tr>
<td>19</td>
<td>1-10%</td>
<td>Coastal sage scrub</td>
<td>Artemisia californica</td>
<td>Owner</td>
</tr>
<tr>
<td>20</td>
<td>1-10%</td>
<td>Disturbed coastal sage scrub</td>
<td>Erigeron fasciculatum</td>
<td>Owner</td>
</tr>
<tr>
<td>21</td>
<td>11-25%</td>
<td>Coastal sage scrub</td>
<td>Rhus integrifolia</td>
<td>Owner</td>
</tr>
<tr>
<td>22</td>
<td>0%</td>
<td>Disturbed oak woodland</td>
<td>n/a</td>
<td>Owner</td>
</tr>
<tr>
<td>23</td>
<td>0%</td>
<td>Ornamental</td>
<td>n/a</td>
<td>Owner</td>
</tr>
<tr>
<td>24</td>
<td>50-75%</td>
<td>Oak woodland, coastal sage scrub</td>
<td>Malosma laurina, Quercus dumosa</td>
<td>Owner</td>
</tr>
<tr>
<td>25</td>
<td>0%</td>
<td>Mixed chaparral</td>
<td>n/a</td>
<td>Owner</td>
</tr>
</tbody>
</table>

96% of the slopes evaluated contained some sort of exotic plant invasion within the brush management area. This exotic invasion could not always be attributed to a high percentage of exotics in the adjacent habitat. Five brush management areas (20%) were estimated to have 75-100% cover of exotic plant species. Of those areas, one brush management area abutted non-native ornamental areas, two were adjacent to disturbed native habitats, and two were adjacent to undisturbed native habitats. Three brush management areas (12%) were estimated to have 50-75% cover of exotic plant species.
Of those areas, two were adjacent to eucalyptus woodland and one was adjacent to undisturbed native habitat. One brush management area (4%) was estimated to have 26-50% cover of exotic plant species. This area was adjacent to undisturbed native habitat. Six brush management areas (24%) were estimated to have 11-25% cover of exotic plant species. Of those areas, four of them were adjacent to undisturbed native habitat and two were adjacent to eucalyptus woodland. Eight brush management areas (32%) were estimated to have 1-10% cover of exotic plant species. Of those areas, five of them were adjacent to undisturbed native habitat, one area was adjacent to an area split between undisturbed native habitat and ornamental, and two are adjacent to eucalyptus woodland/ornamental. Only one brush management area (4%) did not contain exotic plant species. That area is located adjacent to disturbed native habitat.

Native species were observed within 76% of the brush management areas evaluated. 90% of the brush management areas with native species have 50% or less cover from native species.

For the brush management areas where controls were available (8, 11 and 12), less exotic species were observed within the control areas than the brush management areas. Please note brush management areas 11 and 12 were assigned the same control. Photos of each brush management area, the control areas, and the surrounding habitat are on file in the offices of Land Development Review.

Only two brush management areas had erosion within the site. Both sites with erosion were brush managed by homeowners. The source of the erosion could not be determined in either case. Brush management area 13 had minor erosion on-site. The slope was manufactured and the soil appeared to be sandy. No irrigation was observed on-site. Brush management area 24 had moderate erosion on-site. The slope was also manufactured and the soil appeared to be sandy. No irrigation was observed on-site. Photos are on file in the offices of Land Development Review. All data collected is given in the table at the end of this report.

Conclusion

As noted in the introduction to this report, the number of brush management areas evaluated cannot yield a scientific result. Therefore, all conclusions are anecdotal in nature.

Invasion of exotic plant species into brush management areas appears to be the biggest impact associated with biological resources and performing brush management. As stated above, 96% of the twenty-five slopes evaluated contained some level of exotic plant invasion. Exotic invasion could not be directly attributed to the quality of the adjacent habitat. 13 of the 24 brush management areas (54%) with exotic plant invasion were adjacent to undisturbed native habitat. Exotic plant invasion may also be associated with what was planted within the brush management areas during the time of construction of the housing developments or what was installed by the owners or homeowner's association after construction. In many cases, this encroachment may be
considered out of compliance with the City of San Diego Municipal Code and would not be included in the evaluation of impacts associated with the implementation of brush management as allowed by the City of San Diego Municipal Code.

The two control areas evaluated also had less exotic invasion than the adjacent brush management areas, further indicating that exotic invasion may be an issue with brush management. However, additional evaluation would be necessary in order to determine if this trend is significant.

Soil erosion was only observed on two slopes that had been brush managed. The erosion within the brush management areas can be attributed to the sandy soils on the slope and, in the case of brush management area 24, the way the slope was constructed. Brush management area 24 was cut quite steep in order to accommodate a utility access road. The sandy soils have moderate erosion due to this steep cut. In both cases, there is no clear association between brush management and the erosion on-site.

In conclusion, exotic plant invasion appears to be an issue with brush management areas as indicated by the 25 site visits conducted. Soil erosion did not appear to be an issue on the 25 sites evaluated. While 25 sites were visited, additional sites would need to be evaluated to conclusively determine the effects of exotic invasion and soil erosion on areas where brush management has been conducted.
<table>
<thead>
<tr>
<th>SIM, ID</th>
<th>PREGROWTH, DEF GROWTH</th>
<th>AVG HT</th>
<th>SLOPE</th>
<th>ESOPH LA</th>
<th>PLANTATION, SHELTER</th>
<th>SLOPE II</th>
<th>EROSION, SOURCE</th>
<th>SOURCE, EROSION, WETLANDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>limited native regrowth</td>
<td>&lt;1</td>
<td>10</td>
<td>&lt;1</td>
<td>no</td>
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<td>woody, choke lists good</td>
<td>1-25%</td>
<td>&lt;1</td>
<td>&lt;1</td>
<td>yes</td>
<td>no</td>
<td>no</td>
<td>no</td>
</tr>
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<td>3</td>
<td>low non-native plant growth</td>
<td>&lt;1</td>
<td>1-25%</td>
<td>&lt;1</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td>no</td>
</tr>
<tr>
<td>4</td>
<td>some alluvial small in olive but growing back, large shrubs growing back wall, no crown regrowth</td>
<td>&lt;1</td>
<td>1-25%</td>
<td>&lt;1</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td>no</td>
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<tr>
<td>5</td>
<td>mostly woody, lemonade berry small</td>
<td>&lt;1</td>
<td>1-25%</td>
<td>&lt;1</td>
<td>no</td>
<td>no</td>
<td>no</td>
<td>no</td>
</tr>
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<td>6</td>
<td>low growing exotics</td>
<td>&lt;1</td>
<td>1-25%</td>
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<td>no</td>
<td>no</td>
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<tr>
<td>7</td>
<td>half of pepper, juice out, some regrowth yet</td>
<td>&lt;1</td>
<td>1-25%</td>
<td>&lt;1</td>
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<td>no</td>
<td>no</td>
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<td>8</td>
<td>regrowth, high, not end in a while</td>
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<td>1-25%</td>
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<td>1-25%</td>
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<td>no</td>
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<tr>
<td>10</td>
<td>small, low growth, under eucalyptus, trees</td>
<td>&lt;1</td>
<td>1-25%</td>
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<td>no</td>
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<td>no</td>
<td>no</td>
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<td>1-25%</td>
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<td>good height, no crown regrowth</td>
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<td>1-25%</td>
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<td>no</td>
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<td>no</td>
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<td>1-25%</td>
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<td>1-25%</td>
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<td>1-25%</td>
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<td>1-25%</td>
<td>&lt;1</td>
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<tr>
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<td>&lt;1</td>
<td>1-25%</td>
<td>&lt;1</td>
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<td>no</td>
<td>no</td>
<td>no</td>
</tr>
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<td>1-25%</td>
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<td></td>
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<td></td>
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</tr>
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<td></td>
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<td></td>
</tr>
<tr>
<td>6</td>
<td>old irrigation on site</td>
<td>City</td>
<td>no</td>
<td></td>
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<tr>
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<td>cement trail within brush management area</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
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<td>8</td>
<td>drainage ditch in middle of slope, old irrigation on site</td>
<td>City</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>old Irrigation on site</td>
<td>City</td>
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<td></td>
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<td></td>
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<td></td>
</tr>
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<td>18</td>
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<td></td>
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<td></td>
</tr>
<tr>
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<td></td>
<td></td>
<td></td>
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</tr>
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</tr>
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<td>24</td>
<td>powerlines in BM area</td>
<td>Owner</td>
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<td></td>
<td></td>
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<td></td>
<td>Owner</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>drainage ditch running north/south bisecting slope, old irrigation on site, control for 8</td>
<td>City</td>
<td>n/a</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>27</td>
<td>control for 11 &amp; 12</td>
<td>City</td>
<td>n/a</td>
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</tbody>
</table>
APPENDIX C

DRAFT ORDINANCE AMENDING THE BRUSH MANAGEMENT REGULATIONS
STRIKEOUT ORDINANCE

OLD LANGUAGE: Strikeout
NEW LANGUAGE: Underline

ORDINANCE NUMBER O—____  ______  ______  ______ (New Series)

ADOPTED ON  ______  ______  ______

AN ORDINANCE AMENDING CHAPTER 14, ARTICLE 2, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 142.0402; 142.0403 AND 142.0412, ALL RELATING TO BRUSH MANAGEMENT REGULATIONS.

§142.0402 When Landscape Regulations Apply

(a)  [No change.]

(b)  [No change to first paragraph.]

Table 142-04A

Landscape Regulations Applicability

<table>
<thead>
<tr>
<th>Type of Development Proposal</th>
<th>Applicable Regulations</th>
<th>Required Permit Type/Decision Process</th>
</tr>
</thead>
<tbody>
<tr>
<td>Column A</td>
<td>Column B</td>
<td>Column C</td>
</tr>
<tr>
<td>1.  No change.</td>
<td>112.0042, 112.0043, 112.00412, and 112.00413</td>
<td>Building Permit/Presave Code</td>
</tr>
<tr>
<td>2.  New residences: additions, extensions, or subdivisions that result in zero or non-zero firebreaks or fire breaks, newly developed land with a total area of new or remodeled vegetation greater than 10 acres or contiguous and adjacent newly developed vegetation greater than 5 acres.</td>
<td>142.0403, 142.0412, and 142.0413</td>
<td>No permit required by this ordinance if work is performed in accordance with applicable regulations</td>
</tr>
<tr>
<td>3.  [No change.]</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
§142.0403 General Planting and Irrigation Requirements

[No change to first paragraph.]

(a) [No change.]

(b) Plant Material Requirements

(1) through (9) [No changes.]

(10) Trees required by this division shall be maintained so that all branches over pedestrian walkways are 6 feet above the walkway grade and so that all branches over vehicular travel ways are 14.16 feet above the grade of the travel way.

(11) through (14) [No changes.]

(c) - (d) [No changes.]

§142.0412 Brush Management

(a) Except as provided in Section 142.0412(f), brush management is required in all base zones for the types of development listed below when they are adjacent to any highly flammable area of native or naturalized vegetation that is greater than 10 acres as mapped by the City of San Diego, or adjacent to any area of native or naturalized vegetation that is greater than 50 acres, as shown in Table 142-94A. However, within the Coastal Overlay Zone, brush management is required for all coastal development within the MHPA and/or adjacent to steep hillsides containing sensitive biological resources where any open space, park area, and undeveloped public or private lands containing native or naturalized vegetation, and areas containing environmentally sensitive lands are within 100 feet of an
existing or proposed structure, except that brush management is not permitted in wetlands. Where brush management in wetlands is deemed necessary by the Fire Chief pursuant to Section 142.0412 (i)(1), that brush management shall not qualify for the exemption from the Environmentally Sensitive Lands Regulations pursuant to Section 143.0110(c)(7).

(b) Brush Management Zones. Where brush management is required, a comprehensive program shall be implemented that reduces fire hazards around structures by providing an effective fire break between all structures and contiguous areas of flammable native or naturalized vegetation. This fire break shall consist of two distinct brush management areas called "Zone One" and "Zone Two" as shown in Diagram 142-04D.

Diagram 142-04D

(1) [No change.]
(2) Brush management Zone Two is the area between Zone One and any area of native or naturalized vegetation and shall consist of thinned, native or naturalized non-irrigated vegetation.

(c) Except as provided in Sections 142.0412(f), 142.0412(h) or 142.0412(i), the width of Zone One and Zone Two shall meet or exceed that shown in Table 142-04H. Where development is adjacent to slopes or vegetation that meets the criteria shown in the table, the required Zone One and Zone Two width shall be increased by the dimension shown. Both Zone One and Zone Two shall be provided on the subject property unless a recorded easement is granted by an adjacent property owner to the owner of the subject property to establish and maintain the required brush management zone(s) on the adjacent property in perpetuity. The total width of brush management Zone One and Zone Two shall not exceed 100 feet.

Table 142-04H
Brush Management Zone Width Requirements

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Property-Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Zone One Width (See Section 142.0412(f))</td>
<td>West of Interstate 80/88 and El-Camino Real</td>
</tr>
<tr>
<td>Additional Zone One Width (See Section 142.0412(g)) Required when development is adjacent to slopes greater than 4:1 gradient, but are 50 feet or greater in vertical height, or adjacent to vegetation greater than 24 inches in height, or adjacent to the I-80/88</td>
<td>5 ft.</td>
</tr>
<tr>
<td>Minimum Zone Two Width (See Section 142.0412(h))</td>
<td>West of Interstate 80/88 and El-Camino Real</td>
</tr>
<tr>
<td>Additional Zone Two Width Required when development is adjacent to slopes greater than 4:1 gradient, or are 50 feet or greater in vertical height, or adjacent to vegetation in Zone One in greater than 48 inches in height. This additional width is not required for Zone Two located within the MBPA</td>
<td>10 ft.</td>
</tr>
</tbody>
</table>
(d) The width of brush-management Zone One shall be increased by 10 feet for structures that do not meet all of the following requirements:

(1) Roof material shall be fire retardant. Wood shake shingles, whether fire retardant treated or untreated, are not permitted.

(2) Walls, areas, and overhangs shall be one-hour, fire-resistive.

(3) Rafters shall be covered with wire screen not to exceed 1/4-inch mesh.

No brush management Zone Two thinning or pruning shall be performed in the coastal sage scrub habitat between March 1 through August 15.

(e) Where additional Zone One width is required adjacent to the MHPA or within the Coastal Overlay Zone, any of the following modifications to development regulations of the Land Development Code or standards in the Land Development Manual are permitted to accommodate the increase in width:

(1) through (3) [No changes.]

(f) The minimum Zone Two width may be decreased by 2 1/2 feet for each 1 foot of increase in Zone One width, up to a maximum reduction of 30 feet of the Zone Two minimum width shown in Table 44A-414H.

(g) Zone One Requirements

(1) The required Zone One width shall be provided between

- Serviceable native and naturalized vegetation and any structure and
- shall be measured from the exterior of the structure to the
- vegetation.
(2) Zone One shall contain no habitable structures, structures that are directly attached to habitable structures, or other combustible construction that provides a means for transmitting fire to the habitable structures. Structures such as fences, walls, patios, play structures and nonhabitable gazebos that are located within brush management Zone One shall be of noncombustible construction.

(3) through (7) [No changes.]

(h) Zone Two Requirements

(1) The required Zone Two width shall be provided between Zone One and the undisturbed, flammable native or naturalized vegetation, and shall be measured from the edge of Zone One that is farthest from the habitable structure, to the edge of undisturbed vegetation.

(2) [No change.]

(3) Within Zone Two, 50 percent of the plants over 18 inches in height shall be cut and cleared reduced to a height of 6 inches. Non-native plants shall be reduced in height first before native plants.

(4) Within Zone Two, all plants remaining after 50 percent are cut and cleared reduced in height shall be pruned to reduce fuel loading in accordance with the Landscape Standards in the Land Development Manual. Non-native plants shall be pruned first before native plants.
(5) The following standards shall be used when Zone Two is in an area previously graded as part of a legal development activity and is proposed to be planted with new plant material instead of clearing existing native or naturalized vegetation:

(A) All new plant material for Zone Two shall be native or naturalized non-irrigated, low-fuel, and fire-resistant. No non-native plant material may be planted in Zone Two either inside the MHPA or in the Coastal Overlay Zone, adjacent to areas containing sensitive biological resources.

(B) New plants shall be low-growing with a maximum height at maturity of 2-feet 24 inches. Single specimens of fire-resistent native trees and tree form shrubs may exceed this limitation if they are located to reduce the chance of transmitting fire from native or naturalized vegetation to habitable structures and if the vertical distance between the lowest branches of the trees and the top of adjacent plants are three times the height of the adjacent plants to reduce the spread of fire through ladder fueling.

(C) All new Zone Two plantings shall be irrigated temporarily until established to the satisfaction of the City Manager. Permanent irrigation is not allowed in Zone Two. Only low-flow, low-gallonage spray heads may be used in Zone Two. OverSpray and runoff from the irrigation shall not
drift or flow into adjacent areas of native or naturalized
vegetation. Temporary irrigation systems shall be removed
upon approved establishment of the plantings. Permanent
irrigation is not allowed in Zone Two.

(D) [No changes.]

(6) Zone Two shall be maintained on a regular basis by pruning and
thinning plants, and controlling weeds, and maintaining any
temporary-irrigation systems.

(7) Except as provided in Section 142.0412(i), on premises with
existing structures where the required Zone One width shown in
Table 142-04H cannot be provided, the required Zone Two width
shall be increased by one foot for each foot of required Zone One
width that cannot be provided.

(i) [No change to the paragraph]

(1) In the opinion of the Fire Chief, the requirements of this section
fail to achieve the level of fire protection intended by the
application of Zones One and Two; or

(1)(2) The modification to the requirements shall achieve an equivalent
level of fire protection as provided by this section, other
regulations of the Land Development Code, and the minimum
standards contained in the Land Development Manual; and
(2)(3) The modification to the requirements is not detrimental to the public health, safety, and welfare of persons residing or working in the area.

(i) (k) [No changes.]

(l) Brush management for existing structures shall be performed by the owner of the property that contains the flammable native and naturalized vegetation. This requirement is independent of whether the structure being protected by brush management is owned by the property owner subject to these requirements or is on neighboring property.
APPENDIX D

MOU BETWEEN USFWS, CDFG, CDF, SD COUNTY FIRE CHIEF’S ASSOCIATION AND THE FIRE DISTRICT’S ASSOCIATION OF SD COUNTY
MEMORANDUM OF UNDERSTANDING
BETWEEN
THE FISH AND WILDLIFE SERVICE OF
THE UNITED STATES DEPARTMENT OF THE INTERIOR,
THE CALIFORNIA DEPARTMENT OF FISH AND GAME,
THE CALIFORNIA DEPARTMENT OF FORESTRY,
THE SAN DIEGO COUNTY FIRE CHIEF'S ASSOCIATION AND
THE FIRE DISTRICT'S ASSOCIATION OF SAN DIEGO COUNTY

A. INTRODUCTION

Many species of plants and wildlife in the County of San Diego have been listed and continue to be listed as threatened or endangered by the Secretary of the Interior pursuant to the federal Endangered Species Act and by the California Fish and Game Commission pursuant to the California Endangered Species Act. Additionally, many listed and species that may be listed in the future are protected in certain areas by agreements among jurisdictions and the wildlife agencies, pursuant to the state of California’s Natural Communities Conservation Planning (NCCP) program. In light of these listings, officials of the California Department of Forestry, and the members of the San Diego County Fire Chief’s Association and the Fire Districts Association of San Diego County have expressed concerns regarding their ability to continue to require the abatement of flammable vegetation within their respective jurisdictions in order to protect life, property and the environment from the threat of fire.

B. AUTHORITIES

This Memorandum of Understanding is hereby made and entered into by and between the California Department of Forestry, hereinafter referred to as “CDF”; the San Diego County Fire Chief’s Association, hereinafter referred to as the “Fire Chiefs”; the Fire District Association of San Diego County, hereinafter referred to as the “Districts”; the Fish and Wildlife Service of the United States Department of the Interior, hereinafter referred to as the “Service”; and the California Department of Fish and Game, hereinafter referred to as “Department” under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. Section 1531 et. seq.) the Fish and Game Code Section 702 and the California Endangered Species Act, as amended (Fish and Game Code Section 2050, et. seq.).

C. PURPOSE

The purpose of this Memorandum of Understanding is to establish guidelines by which the CDF, Fire Chiefs and the Districts can continue to protect lives and property from the threat of fire by requiring the abatement of flammable vegetation pursuant to State Law, County and District ordinances and Cities’ municipal codes and to establish a cooperative mechanism whereby the Service and Department may assess, minimize, and help account for potential adverse impacts to sensitive species and habitats resulting from vegetation abatement activities.
D. RECITALS

1. Fire Districts are responsible for assuring compliance with applicable provisions of their ordinances, the California Health and Safety Code and the California Public Resources Code sections 4290 & 4291 regarding the abatement of flammable vegetation.

2. Fire Departments of the Cities are responsible for assuring compliance with the Government Code and applicable provisions of their municipal codes regarding the abatement of flammable vegetation.

3. CDF is responsible for assuring compliance with applicable provisions of the California Public Resources Code sections 4290 & 4291 regarding the abatement of flammable vegetation.


5. The Department is responsible for enforcing the California Endangered Species Act, and the Native Plant Protection Act. The Service and Department together administer the state NCCP program (NCCP Act of 1991.)

6. Areas immediately surrounding improvements to real property, whether such areas are undeveloped wildlands or are altered in some way, do not generally constitute core natural habitat areas, nor do they typically support sensitive species, by virtue of their proximity to human activities.

7. Uncontrolled wildfires pose a serious threat to human lives and property, but are generally part of the natural disturbance cycle of adjacent wildlands. The propensity of wildlands to carry fire to human developments usually necessitate the provision of fuel breaks in order to reduce or eliminate the likelihood of damage to property.

8. Properly maintained fuel modification zones and fire breaks will reduce the incidence of non-Natural fires spreading from developed areas to natural land and lower the potential impacts of unseasonable and frequent wildfires to listed species and their habitats.

NOW THEREFORE, the parties hereto mutually agree as follows:

Section I. General Terms and Conditions:

This MOU authorizes the take of species listed as threatened or endangered, or candidate species (under Chapter 1.5 of Division 3 of the Fish and Game Code) for management purposes necessitated by or incidental to those certain fire protection measures described herein.

The management purposes for which this MOU is issued are:

1. Mandatory fire protection measures in accordance with Section 4290 of the Public Resources Code, specifically:
(a) Measures necessary to implement minimum fire safety standards related to defensible space which are applicable to state responsibility are lands under the authority of CDF.

(b) Measures necessary to implement minimum safety standards related to fuel breaks and greenbelts.

(c) Other measures required by Section 4290 as determined by the Director of CDF.

Mandatory fire protection measures in accordance with Section 4291 of the Public Resource Code, specifically:

(a) The maintenance around and adjacent to any building or structure in, upon, or adjoining any mountainous area or forest-covered lands, brush-covered lands, or grass-covered lands, or any land which is covered with flammable material, of a fire break made by removing and clearing away, for a distance of not less than 30 feet on each side of such building or structure or to the property line, whichever is nearer, all flammable vegetation or combustible growth.

(b) The maintenance around and adjacent to any building or structure such as is described in (a) above, additional fire protection or fire break made by removing all brush, flammable vegetation, or combustible growth which is located from 30 feet to 100 feet from such a building or structure or to the property line, whichever is nearer, as may be required by the Director of Forestry and Fire Prevention upon a finding that, because of extra hazardous conditions, a firebreak of only 30 feet around such building or structure is not sufficient to provide reasonable fire safety, and including the maintenance of grass and other vegetation more than 30 feet from such building or structure and less than 18 inches in height where necessary to stabilize the soil and prevent erosion.

3. Mandatory fire protection measures in accordance with Section 4296.5 of Public Resource Code, specifically, upon order of the Director of Forestry and Fire Protection or the agency having primary responsibility for the fire protection of the area, the destruction, removal, or modification so as not to be flammable, of any vegetation or other flammable material on any railroad right-of-way on forest-covered, brush-covered, or grass-covered land.

4. Any measures as deemed necessary by the Fire Chief and in accordance with the Guideline section of this MOU.
activities without further delay. Failure by landowners to provide adequate notification as described above may render landowners liable under State and Federal law.

Section IV. BIOLOGICAL SURVEYS

Property owners, their lessees, CDF, fire districts and cities shall not be required to perform biological surveys as a condition precedent to performance of the fire protection activities established by the guidelines set forth in Section I.
Section V: PROJECT OFFICERS

a. Project Officer for the CDE is:

Ken Miller, Ranger in Charge
California Department of Forestry
2249 Jamacha Rd.
El Cajon, California 92019

b. Project Officer for the Fire Chiefs is:

Erwin L. Willis, Fire Chief
Rancho Santa Fe Fire Protection District
P.O. Box 410
Rancho Santa Fe, CA 92067

c. Project Officer for the Districts is:

Ralph Steinhoff
North County Fire Protection District
315 East Ivy Street
Fallbrook, CA 92028

d. Project Officer for Service is:

Gail Kobetich, Field Supervisor
U.S. Fish and Wildlife Service, Carlsbad Field Office
2730 Loker Avenue West
Carlsbad, California 92008

e. Project Officer for the Department is:

Jacqueline Schafer, Director
Department of Fish and Game
1416 9th Street
Sacramento, California 95814
SPECIAL TERMS AND CONDITIONS

The CDF, fire districts, cities, the Service and the Department shall comply with the Reasonable and Prudent Measures and the Terms and Conditions identified in Biological Opinion issued by the Service for this action. Take of listed species that is deliberate and results from an action outside the scope of the Project as defined in Section I is not authorized.

It is understood by the parties that the Service authorizes incidental take of the following federally listed threatened and endangered species: arroyo toad (Bufo microscaphys ilicificus), coastal California gnatcatcher (Polioptila californica), and Stephen’s Kangaroo Rat (Dipodomys stephensii), which may be impacted by the fire protection activities established by the guidelines set forth in Section I. Furthermore, it is understood by the parties that the Department authorizes the take of species listed as threatened species or endangered species, or candidate species (under Chapter 1.5 of Division 3 of the Fish and Game Code) which may be impacted by the fire protection activities established by the guidelines set forth in Section I.

Any person who becomes aware of the take of an individual of a candidate or listed species as a result of that person’s engaging in the permitted activity shall report the take to the Department as soon as practicable and shall make available the remains of any animal or plant taken to the Department of Fish and Game upon demand.

FINDINGS

Department Findings:

Pursuant to fish and Game Code Section 2081, the Department finds that implementation of the control, abatement, and protection measures contemplated by this MOU is not likely to result in jeopardy to the continued existence of the identified State listed or candidate species, if terms and conditions of the MOU are fully implemented and adhered to. The Department further, that by preventing or limiting the spread of fire to the identified species’ habitat, this MOU will serve to protect the identified species from further degradation.

AMENDMENTS

Amendments to this MOU may be proposed by any of the parties and shall become effective on being reduced to a written instrument executed by all of the parties. It is anticipated and understood by the parties that this MOU, specifically the arroyo toad (Bufo microscaphys ilicificus), coastal California gnatcatcher (Polioptila californica), and Stephen’s Kangaroo Rat (Dipodomys stephensii), may be amended to include additional species that in the future are listed as threatened or endangered by the Secretary of the Interior or the California Fish and Game Commission. In addition, it is understood that this MOU may be amended to include additional parties.
Section IX. TERM OF AGREEMENT

This MOU shall become effective upon the date it is executed by the parties (execution date) and shall remain in effect for an initial period of one (1) year. Thereafter, this MOU shall be automatically extended from year to year on the aforementioned execution date unless the service or the Department objects to the extension, in writing, within thirty (30) days prior to the expiration of this MOU. Any written objection must state the reason for the objection to the extension of this MOU. In the event a written objection is provided, the parties shall work cooperatively to resolve any problems so that the MOU may be extended.
IN WITNESS WHEREOF, each party hereto has caused this MOU to be executed by an authorized official on the day and year set forth opposite his or her signature.

U.S. FISH AND WILDLIFE SERVICE
By: Gail Kobetich
Title: Gail Kobetich, Field Supervisor
Date: 2/26/97

SERVICE CONTRACT SUFFICIENCY REVIEW
By: 
Title: 
Date: 

CALIFORNIA DEPARTMENT OF FISH AND GAME
By: 
Title: Jacqueline Schafer, Director
Date: 2/26/97

CALIFORNIA DEPARTMENT OF FORESTRY, SAN DIEGO RANGER UNIT
By: 
Title: Ken Miller, Ranger in Charge
Date: 2/26/97

SAN DIEGO COUNTY FIRE CHIEF'S ASSOCIATION
By: 
Title: Erwin L. Willis, President
Date: 2/26/97

RE DISTRICT'S ASSOCIATION OF SAN DIEGO COUNTY
By: 
Title: Wayne Strange, President
Date: 2/26/97
APPENDIX E

METHODOLOGY FOR BIOLOGICAL IMPACT ASSESSMENT
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Existing and proposed brush management impacts to the City of San Diego were determined by staff from the City's Planning Department and Information Technology & Communications (IT&C) Department using geographic information systems (GIS).

In order to determine brush management impacts, staff created an urban interface line. This was done by creating a boundary delineating vegetation from urban interface using 2003 color aerial orthophotos at a 1:3000 scale for the entire City. Next, staff determined the segments of the urban interface line that would be affected by new brush management guidelines. Parcels with structures that would require brush management were selected from the SanGIS parcel database. Staff then selected segments of the urban interface line that were adjacent to parcels with structures. The resulting segments were used for the analysis.

Buffers were applied to the applicable segments of the urban interface line to identify the impacts from brush management from both the existing regulations and the additional impacts from the proposed regulations. Buffer distances were determined using several variables pursuant to the existing Land Development Code (§142.0412). The first variable was the geographical zone of the City that brush management regulations currently apply to: (1) the coastal zone, (2) the non-coastal zone areas west of El Camino Real and Interstate 805, and (3) the areas east of El Camino Real and Interstate 805. The second variable was the adjacency of the parcel to the Multi-Habitat Planning Area (MHPA) for the City's Multiple Species Conservation Program (MSCP).

The resulting buffers were analyzed to determine impacts to vegetation, the MHPA, the MSCP Core Biological and Linkage Areas and sensitive species. Impacts were also analyzed for impacts to City owned lands and non-City owned lands. No impacts to wetlands are allowed under the proposed brush management regulations and therefore wetlands were removed from the total impacts.

The proposed code allows for an increase in zone two brush management for existing structures where zone one brush management is less than 35 feet. Staff increased the accuracy of the analysis by creating an additional buffer for this increase in zone two. This was done by measuring the distance from the structure to the urban interface line on 600 random parcels (200 per geographical zone) at a maximum scale of 1:1,000 on the 2003 color aerial orthophotos. A buffer was created that was the average width from the structure to the urban interface line for each of the three zones. This buffer was used to increase the impacts for any additional zone two clearing due to zone one deficiency to achieve worst-case analysis.

The results of these impacts can be found in Sections V.A-Land Use and V.B-Biological Resources.
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The results of these impacts can be found in Sections V.A-Land Use and V.B-Biological Resources.
The discretionary actions of the City of San Diego required for implementation of the Brush Management Revisions is the approval by City Council to implement the proposed brush management revisions.

Conclusions of the SEIR
The Final SEIR evaluates the following environmental issues in relation to the project: land use, biological resources, hydrology/water quality/erosion, and neighborhood character/aesthetics. The Final SEIR also evaluates cumulative and growth-inducing impacts, as well as alternatives to the proposed project. The City of San Diego Development Services, located at 1222 First Avenue, MS 501, San Diego, CA 92101, is the custodian of the documents and other materials which constitute the entire record and the proceedings upon which the decision is based (Administrative Record).

The Final SEIR indicates that direct and indirect impacts associated with the brush management revisions for the following environmental issues would not result in significant impacts or contribute to significant cumulative impacts: land use, hydrology/water quality/erosion, and neighborhood character/aesthetics. The Final SEIR states that the brush management revisions could have significant unmitigated biological resources related to non-covered species outside the MHPA.

FINDINGS
The following findings are made pursuant to Public Resources Code Section 21081 and Title 14 of the California Code of Regulations, Sections 15091 and 15069 (State CEQA Guidelines).

A. Public Resources Code Section 21081 (a) Feasible Mitigation Measures
Pursuant to Public Resources Code Section 21081 (a), the City of San Diego, having reviewed and considered the information contained in the Final SEIR for the project, the public record, and the administrative record, finds, pursuant to CEQA guidelines, that changes or alterations have been required in or incorporated into the project that mitigate, avoid, or substantially lessen the potentially significant direct and indirect environmental impacts as identified in the Final SEIR. No feasible mitigation measures are proposed with this project. However, changes to the proposed ordinance which have been proposed since public review of the Draft SEIR/EA started serve to reduce impacts.

B. Public Resources Code Section 21081 (a)(2)
The decision maker, having independently reviewed and considered the information contained in the Final SEIR for the project and the public record, finds that there are no changes or alterations to the project that avoid or substantially lessen the significant environmental impacts that are within the responsibility and jurisdiction of another public agency.
C. Public Resources Code Section 21081 (a)(3) Infeasible Mitigation Measures and Alternatives

The decision maker, having reviewed and considered the information contained in the Final EIR and its appendices for the project and the public record, finds that specific economic, legal, technological, social, or other considerations and benefits make infeasible the mitigation measures or project alternatives identified in the Final EIR and its appendices, other than the proposed project, as set forth below.

1. BIOLOGICAL RESOURCES

Significant Impacts (unmitigated): The Land Development Code EIR determined that a potentially significant impact on biological resources related to brush management outside the bounds of the Multi-Habitat Planning Area (MHPA) where non-covered species are affected could occur. The current Subsequent EIR has made the same determination.

Per the City's Biology Guidelines (page 24), as adopted by City Council on June 19, 2000, species specific analysis for sensitive species not covered by the MSCP may be required as part of the CEQA process. It is expected that the majority of CEQA sensitive species not covered by the MSCP will be adequately mitigated through the habitat based mitigation described in Sections B.1.a and B.1.b of the Biology Guidelines. However, a circumstance may arise, when mitigation specific to a particular species may be required. Therefore, while applying CEQA to new development projects would likely result in measures to mitigate these impacts (or at least afford the opportunity for future disclosure and mitigation of the impacts), impacts from brush management for existing development would remain significant because owners of existing development can undertake brush management activities without additional discretionary review by the City. In other words, there will be no subsequent regulatory process through which additional mitigation could be provided.

Facts in support of Finding:

Implementation of mitigation identified for future project and existing structures would reduce biological impacts below a level of significance. Per this mitigation measure, existing property owners would be required to hire a biological consultant and provide mitigation for any potential impacts to non-covered species. However, it has been determined that requiring such a measure for existing structures would be an undue hardship for existing landowners as such mitigation could potentially be quite costly. Existing homeowners may decide to forego implementation of the expansion of zone two brush management on their properties in order to avoid this additional expense. Thereby, creating an at-risk condition for fire fighters as they attempt to battle fires in many of the canyons areas where these structures are located. Lack of defensible space to fight brush fires creates a dangerous condition for fire-rescue services.

At this time, implementation of brush management zone 2 for existing structures is exempt from the City permitting process. Therefore, there is no City process in place to determine
which existing structures are located outside the MHPA in areas where potential significance impacts may occur to species not covered by the MSCP. To create such a process, would require a significant expense to the City and would be a multi-year process to complete. Additional city-wide biological surveys to identify the potential affected areas would be needed, along with the creation of a database for the new information and creation of a separate noticing and review process for these particular existing structures. This information would also not be valid for many species and resources soon after its development due to the dynamic nature of species development (i.e. species move from area to area). Finally, many of the areas which could benefit from these surveys occur on approximately 29,000 private properties which may not grant access to the City to conduct the surveys.

Given the considerable expense to homeowners of existing structures and the City combined with the increased risk to the life and safety of our fire fighters, it has been determined such a mitigation measure for existing structures would be infeasible and may result in potential harm to life and existing structures. Therefore, the impact would be partially mitigated through the adoption of the mitigation measure for future projects and the adoption of the Statement of Overriding Considerations for the existing structures.

**Alternatives**
The EIR for the Brush Management Revisions to the Land Development Code examined four alternatives in addition to the proposed revisions.

**Alternative 1 - No Project Alternative**

**Project Description**
Under the no project alternative, the existing brush management zones would remain in effect. Current brush management regulation state that the width of zone one varies from twenty-five feet to thirty-five feet west of Interstate 805 and El Camino Real, and thirty feet to forty-five feet on the east. Zone two currently varies from twenty feet to thirty feet west of Interstate 805 and El Camino Real and forty feet to fifty feet on the east.

**Findings**
The No Project Alternative would not provide an expansion of the brush management zones to a total of 100 feet (35 feet for zone one and 65 feet for zone two) or refine the existing regulations to provide an acceptable risk to fire personnel and structure from wildfires. Although impacts to biological resources as described in the SEIR would be avoided, increased safety to fire-rescue crews and existing structures would also not occur.

**Alternative 2 - No Action Alternative**

**Project Description**
NEPA requires that the No Action Alternative be described. The No Action Alternative assumes that there would be no federal funding available for the implementation of the
brush management revisions within City owned open space areas and as a result, no federal action to approve.

Findings
The proposed brush management revisions could still be implemented by the City; however, funding would need to be acquired from a different source(s). Since the City does not currently have an alternative source(s) of funding for the project it may take several years for the City to achieve the proposed brush management standards. Therefore, this alternative would not be able to implement the proposed refinements to the existing regulations to provide an acceptable risk to fire personnel and structure from wildfires in a timely manner.

Alternative 3 – Clear and Re-plant Zone Two

Project Description
Under this alternative, complete clearing would occur in brush management zone two and afterwards, the area would be re-planted with low height native plants.

Findings
Upon review and consideration of the comment letter received from the Wildlife Agencies (See comment A49) on the SEIR, it was determined this alternative would not result in a reduction in impacts to biological resources. Therefore, this alternative has been moved to Section IX of the SEIR, Alternatives Considered but Rejected.

Alternative 4 – Increasing Building Regulations

Project Description
Under this alternative, certain revisions to the existing building regulations would need to occur in order to eliminate the need for the increased brush management zones. The additional building regulations would have to include requirements that would make the buildings “fire-proof”.

Findings
“Fire-proofing” to the extent that the proposed addition to the brush management zones would no longer be necessary would require both new and existing structures to apply such techniques as cement or non-combustible walls with no windows openings and class A roofing on existing structures. The expense of such revisions would be beyond the financial ability of the average homeowner and unreasonable for the City to require.

Other measures, such as fire-rated windows and fire walls, while needed to increase the survivability of structures, would not eliminate the need for the proposed expansion of the brush management zones. This increase would still be necessary to provide additional defensible space to allow room for fire-rescue crews to contain the flame spread and safely perform rescues.
CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental effects when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable (§ 12093[a]). CEQA further requires that when the lead agency approves a project which will result in the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record (§ 15093[c] of the CEQA Guidelines).

The San Diego City Council, pursuant to Public Resources Code § 21081 (b) and State CEQA Guidelines § 15093, has: (1) reviewed and considered the information contained in the Final Subsequent EIR; (2) has balanced the benefits of the proposed Brush Management Revisions to the Land Development Code and Federal Grant from the Office of Emergency Services (OES), Federal Emergency Management Agency (FEMA) as compared to its unavoidable environmental impacts to:

- Biological Impacts: to sensitive non-covered species located outside the MHPA

The proposed revisions to allow the 100-foot brush management zones (35 feet zone one and 65 feet zone two) would be consistent with the Memorandum of Understanding between the U.S. Fish and Wildlife Service, California Department of Fish and Game, the California Department of Forestry, the San Diego County Fire Chief’s Association and the Fire District’s Association San Diego County. The City of San Diego is a member of the County Fire Chief’s Association. Additionally, the proposal would be consistent with the MSCP Subregional Plan and MSCP Subarea Plan.

The determination of unmitigated, significant impacts to biological resources is based on the potential effects of the subsequent implementation of an expanded brush management by private homeowners as allowed by this proposed ordinance change. Consistent with City’s conservative CEQA analysis, this determination is based on the maximum affect of this potential, indirect impact. It assumes 100% compliance (i.e. city-wide implementation of the brush management requirements immediately following adoption.