

City of San Diego Vernal Pool Habitat Conservation Plan (HCP)

Community Workshop

August 30, 2012

5:30 p.m. – 7:30 p.m.

Balboa Park
1800 El Prado, San Diego, CA 92101
Casa del Prado Patio A
Majorca Room, Room 101

SUMMARY

Staff and Consultant team present:

David, Zoutendyk, U.S. Fish and Wildlife Service
David Mayer, California Department of Fish and Game
Randy Rodriguez, California Department of Fish and Game
Cathy Winterrowd, City of San Diego
Jeanne Krosch, City of San Diego
Keith Greer, SANDAG Service Bureau
Cheryl Mason, SANDAG Service Bureau
Katie Levy, SANDAG Service Bureau
Lindsey Cavallaro, AECOM
Scott McMillan, AECOM

BACKGROUND

The Vernal Pool Habitat Conservation Plan (HCP) is envisioned as a comprehensive planning approach to preserve vernal pool species and their habitat within the City of San Diego's jurisdiction. The HCP will create a new preserve boundary and updated conditions of coverage for seven focal species including San Diego and Riverside fairy shrimp, San Diego button celery, spreading navarretia, California orcutt grass, San Diego mesa mint and Otay mesa mint. Funding for the project has been provided through a grant by the U.S. Fish and Wildlife Service administered through the California Department of Fish and Game. The workshop provided an opportunity to update the public on the HCP progress to date and next steps.

PROGRAM

The program was divided into three parts. The first part was a PowerPoint on the HCP background and progress to date presented by Keith Greer, Senior Regional Planner, SANDAG Service Bureau. (The Service Bureau is providing consulting expertise in the creation of the Draft Vernal Pool HCP.) The second part was a review of Technical White Papers (TWP) 1

through 6 presented by Lindsey Cavallaro, Project Manager, AECOM and Scott McMillan, Biologist, AECOM. The third part was a question and answer segment facilitated by Mr. Greer. Highlights from all three parts are summarized below.

PART ONE: HCP BACKGROUND AND PROGRESS

Welcome and Planning Agreement

Mr. Greer welcomed the public to the fourth public community workshop. He summarized the goals and objectives in the Planning Agreement for the HCP, listed the focal species to be included, described the planning area, and provided an update to the status of the HCP.

Mr. Greer explained that this meeting was a technical meeting dedicated to sharing information about six TWPs. He emphasized that the workshop was intended to provide a road map to help the public understand the purpose of the TWPs, how they fit together, where to find information in the TWPs, and how they would be used to prepare the HCP.

Status of Vernal Pool HCP

Mr. Greer listed the seven vernal pool focal species that would be covered under the HCP. He reminded the public that there were eight species included in the Planning Agreement, noting that little mousetail (*mysurus minimus*) was removed from the HCP as there are taxonomical issues that would make the species difficult to cover. He stated the seven vernal pool focal species that would be covered under the HCP are:

- Otay Mesa mint (*Pogogyne nudiuscula*)
- San Diego Mesa mint (*Pogogyne abramsii*)
- Spreading navarretia (*Navarretia fossalis*)
- San Diego button-celery (*Eryngium aristulatum* var. *parishii*)
- California Orcutt grass (*Orcuttia californica*)
- Riverside fairy shrimp (*Streptocephalus wootoni*)
- San Diego fairy shrimp (*Branchinecta sandiegonensis*)

Mr. Greer explained that the Draft HCP will be prepared largely based on information contained in eight TWPs. He shared that TWPs 1 through 6 have been completed and would be presented by subconsultant AECOM during the second part of the workshop.

Milestones to date include the Kickoff Public Workshop in January 2011, the City's Scoping Public Workshop for the Environmental Impact Report in December 2011, creation of the Vernal Pool HCP Preserve geodatabase, Public Workshop in March 2012, Property Owners Meeting: North, Central and South in Spring 2012, completion of TWPs 1 through 6, and tonight's Public Workshop August 2012.

Mr. Greer described the three Alternative Preserves that are proposed for the HCP:

- Alternative 1: Existing City MSCP Preserve including the cornerstone lands and existing conserved lands with increased management of vernal pools
- Alternative 2: Alternative 1 plus additional land to increase vernal pool conservation
- Alternative 3: Alternative 2 plus additional land to increase vernal pool conservation and preservation of critical habitat

Alternative 2 is the Proposed Project for the HCP. Alternative 1 is considered the Baseline Alternative and Alternative 3 is the Expanded Conservation Alternative.

PART TWO: TECHNICAL WHITE PAPERS 1 – 6

Lindsey Cavallaro, Project Manager, AECOM and Scott McMillan, Biologist, AECOM, summarized TWP 1 – 6:

- TWP 1: Focal Species Status Update in the City of San Diego
- TWP 2: Assessment of Focal Species Conservation
- TWPs 3 & 4: Adaptive Management and Monitoring Strategy for the City of San Diego Vernal Pool Habitat Conservation Plan (a combined document)
- TWP 5: Cost Evaluation for Implementation of Management and Monitoring
- TWP 6: Recommendations for Conditions of Coverage

AECOM noted that two additional TWPs were to be prepared. They are:

- TWP 7: Conservation Analysis (to be prepared by AECOM)
- TWP 8: Preserve Management Funding Mechanisms (to be prepared by SANDAG Service Bureau)

AECOM explained that the purpose of the TWPs was to support SANDAG Service Bureau's preparation of the City's VPHCP by synthesizing, analyzing, and presenting existing available data on the City's vernal pools and seven focal species. Drafts of the TWPs were reviewed by the City of San Diego, the Wildlife Agencies and SANDAG. They also underwent independent scientific review and substantive comments specific to the scope of the TWPs were incorporated prior to finalization of the papers. The following scientific advisors reviewed one or more of the TWPs:

- Ellen T. Bauder, Ph.D.
- Marie Simovich, Ph.D
- Mark Doderer, M.S.
- Andrew Bohonak, Ph.D.
- Paul Fromer, M.S.

- Christina M Schaefer, MLA, M.Sc.

AECOM presented a summary of each TWP and then turned the presentation back to Mr. Greer. (See PowerPoint presentation for summary of each TWP.)

Mr. Greer announced that SANDAG Service Bureau staff will summarize the comments shared during the workshop and the City will post the summary and PowerPoint to their Web site. He reminded participants that the maps of the HCP Preserve Boundary and Alternatives were previously posted to the City's Web page for public review and comment. He stated that workshop materials can be accessed via the City's Web page at www.sandiego.gov/planning/mscp, and that the City's goal is to generate a broad base of local interest and involvement throughout the HCP process.

Mr. Greer stated that individuals who signed the attendance sheet for the August 30th workshop would be added to the Vernal Pool HCP email list. The email list will be used to notify individuals when new information and/or other announcements are posted to the Web site. Jeanne Krosch, Senior Planner and HCP Project Manager, City of San Diego, can be contacted at (619) 236-7225 or jkrosch@sandiego.gov.

Next Steps

Mr. Greer read the following upcoming milestones and steps for the HCP:

- Draft VPHCP and Draft EIR/EIS for Minimum 60 Day Public (February 2013)
- Land Use & Housing Workshop (April 2013)
- Final Draft VP HCP and Final EIR/EIS; Begin Hearing Process (July 2013)

PART THREE: QUESTIONS AND ANSWERS

Mr. Greer facilitated questions from the public. Responding to the public were Ms. Cavallaro, Mr. McMillan, and Mr. Greer. In addition, Cheryl Mason, Senior Research Analyst, SANDAG Service Bureau, and Ms. Krosch responded to a couple of questions.

Questions and answers:

- Q: Will the information and slides presented at tonight's workshop be posted online?
- A: Mr. Greer confirmed that the PowerPoint presentations along with a summary from tonight's workshop will be posted to the City's website.
- Q: When will TWP 7 be completed and distributed?
- A: Ms. Mason stated that TWP 7, Conservation Analysis is currently being developed and is planned to be completed in January 2013. The City plans to make TWP 7 available to the public via its Web site.

Q: Why was the agreement made in 2009?

A: Mr. Greer explained that the City and Wildlife Agencies entered into the Planning Agreement in 2009. He offered to talk to the individual about the Planning Agreement after the workshop so that the questions and answers could be focused on TWP 1 – 6 as these TWPs were the focus of the workshop.

Q: What is the deadline for comments on the TWPs?

A: Mr. Greer noted that comments on the TWPs will be accepted until the end of November 2012. He emphasized that intent of tonight's workshop was to provide a road map—a cliff notes version—of the TWPs to help the public understand their purpose and also indicate where certain information is contained.

Comment: I volunteer to help monitor and pick up trash in Del Mar Mesa. There is an existing issue with fences being opened within about three days after being repaired. Additionally, rangers are replacing signs approximately every two days. Thus, maintaining fences and signage a few times a year is not enough and the cost for volunteers are not factored into the HCP costs. Education and outreach is necessary and should be included in the HCP. The current TWPs do not reflect the ability to address the known fencing, signage, and illegal access issues (public member noted that these comments will be submitted in writing).

Q: Why are human impacts not addressed in the TWPs? As landowners, the HCP Preserve boundaries now encompass our land, what are the implications of this?

A: Mr. Greer explained that these types of human impacts are not typically addressed in HCPs. However, specific property discussions can be directed to the City. He noted that meetings with property owners were held by the City and future meeting and opportunities to comment on the HCP and Final EIR/EIS would occur through the City's review process.

Q: For those of us that may be required to cover mitigation costs, what is the rough magnitude of cost per acre and does TWP 5 include a breakdown per habitat on what the cost is?

A: Mrs. Cavallaro responded that the cost analysis is not a per acre cost. It is a more in depth evaluation that includes costs associated on a complex level. The costs are based upon the assigned management and monitoring levels, specific management recommended actions, and number of complexes in terms of vernal pools and not habitat acreage. Mr. Greer added that the appendices for TWP 5 will aid in review and understanding of the detailed cost analysis and evaluation used.

Comment: I have worked on several vernal pools including intensive monitoring. Everything is dependent on precipitation totals and while the TWPs give nod to that with the threshold of 55 percent, fairy shrimp is not taken into

consideration with this threshold. Very high population estimates can result even in dry precipitation years. There will also be increasing variability for climate change and drought years in the future which would trigger several catastrophic management events that would not be captured using the 55 percent precipitation threshold.

A: Mr. Greer noted that during the presentation, Mr. McMillan explained that specific triggers could cause complexes to move between monitoring and management Levels 1 and 3. The monitoring and management plan is meant to be adaptive. Therefore, the threshold of 55 percent will be evaluated as part of this process and may potentially be revised in the future, if needed. Mr. McMillan added that precipitation is an important trigger and as part of the adaptive management process, would be evaluated to determine if it is appropriately set at 55 percent or not. However, this trigger will also be based on what comes up between individual seasons and it is important to ensure that declines within complexes are captured before it is too late to address with management.

Q: Please clarify why MCAS Miramar is not incorporated into the TWP's and the HCP. Isn't the federal government mandating that this HCP be developed?

A: Mr. Greer explained that the federal government has land use jurisdiction over their own lands including MCAS Miramar. The City does not have land use jurisdiction over those lands; therefore, the City's plans such as an HCP cannot be enforced onto federal lands. Moreover, the Marines are not mandating the HCP development. The U.S. Fish and Wildlife Service and the California Department of Fish and Game (referred to as the Wildlife Agencies) entered into an agreement with the City for the development of the HCP.

Comment: The numbers listed for MCAS Miramar are not all considered vernal pools, and include basins such as road ruts and ditches.

Q: Are the comments provided by the scientific reviewers included on the CD provided at tonight's workshop?

A: Mr. Greer confirmed that the comments from the scientific reviewers on TWP's 1-6 are included on the CDs.

Q: Which TWP includes information on compatibility of conservation and public access, trails, and education for vernal pools and will a meeting on land use be held?

A: Mr. Greer stated that the land use aspects will be incorporated into the HCP under covered activities and that the City plans to release the HCP for public review prior to the Land Use and Housing Workshop.

Q: To what extent is financing consistent with the MSCP? It seems that with the combination of management and monitoring, this will not be consistent with the

MSCP and the creation of endowments. How different is this HCP than the MSCP and how does this get processed with MSCP and cornerstone lands?

A: Mr. Greer responded that TWP 8, Preserve Management Funding Mechanisms, is being developed by the Service Bureau and will include information on options for paying for the costs for the HCP. However, the City is still determining how to fund the costs of the HCP, including whether or not the creation of endowments will be used. The MSCP did not identify a mechanism to pay for the management and monitoring of the MSCP; the VPHCP will provide more certainty on the sources to pay for these costs. Additionally, the HCP will piggyback onto existing MSCP regulations with minimal modifications. The HCP builds upon existing MSCP regulations and City ordinances related to the environment and sensitive lands. Finally, Mr. Greer concluded that there is a long history between the Wildlife Agencies and the City on cooperatively determining boundary line adjustments and thus the VPHCP will also build upon this existing process.

Q: Being a lay person, there was a lot of jargon used at tonight's workshop. The land owners are feeling helpless because all this information is very technical. Were lawsuits involved related to the development of the HCP? Is this information available on the website?

A: Mr. Greer noted that this is the 4th workshop related to the HCP and was held to review the technical aspects of the plan. The discussion about the HCP, why it is being created, and summaries and materials from previous workshops held are available at the City's website. He suggested that questions on the lawsuit be discussed directly with Ms. Krosch of the City of San Diego.

Q: Where are the majority of the vernal pools aside from MCAS Miramar? How are you going to choose which vernal pools to protect?

A: Mr. Greer explained that vernal pools occur across mesa tops throughout the City's land use jurisdiction and are not concentrated in a single area. All these vernal pools that occur across the City's land use jurisdiction were included in the conservation analysis as the HCP Preserve encompasses all those areas. Several years of data has been collected on vernal pools within the City San Diego and the lines drawn for the HCP preserve are based upon discussions between the Wildlife Agencies and the City. The CD provided at tonight's workshop also includes the preserve boundaries and alternatives so you can see where the vernal pools are located. Comment cards are available to submit questions and concerns in writing. Comments and questions can also be submitted to Ms. Krosch at: JKrosch@sandiego.gov and via the City's website at <http://www.sandiego.gov/planning/mscp/>