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BIOLOGY LETTER REPORT

Biological Resources, Project Impacts, and Proposed Mitigation

The 1923 Dentro De Lomas Grading Violation Project

PDS2022-LDGRMN-20336

APN 127-141-40

Applicant: Mr. Craig Meredith

1923 Dentro De Lomas

Bonsall, CA 92003

Final January 2024

Summary

The 1923 Dentro De Lomas Grading Violation Project (PDS2022-LDGRMN-20336), hereinafter referred to as “Dentro De Lomas Project”, consists of an application for a retroactive grading permit from the County of San Diego. The permit is intended to rectify a violation in connection with impacts that were caused by unauthorized grading. The Dentro De Lomas Project site currently supports Urban Developed Habitat in the form of a residential development, associated improvements, and extensive landscaping. A forensic assessment of the property was conducted to determine the onsite habitats present onsite prior to grading in 2020. The assessment shows the Dentro De Lomas Project site supported Urban Developed Habitat, Riparian Vegetation, Row Crop Agriculture, and Diegan Coastal Sage Scrub prior to grading. Unauthorized grading resulted in direct habitat impacts. Significant impacts identified can be reduced to less than significant with the purchase of offsite habitats at an approved mitigation bank. Finally, an avian nesting survey and/or seasonal restrictions on site development are recommended, should any additional grading be required, to ensure project consistency with the Migratory Bird Treaty Act and the California Fish and Game Code.

Introduction, Project Description, Location, and Regulatory Setting

The Dentro De Lomas Project is an application for a grading permit from the County of San Diego to rectify a violation in connection with recent unauthorized grading on a 15.41-acre parcel (APN 127-141-40) located at 1923 Dentro De Lomas in the North County Metropolitan Subregional Planning area. This is within the community of Bonsall in unincorporated San Diego County. Zoning for the site is Rural Residential (RR). The site is partially developed with a single-family residence and equestrian facilities. The northern portion of the property was originally cleared as early as the 1930’s, with development starting in the early 1980’s. In 2009 various areas on the southern half of the property were cleared (Figure 2b) and agriculture was established on the southeast portion of the property (Figure 2c). In 2020, the entire southern half of the property was cleared and terraced, converting the property into its current condition (Figure 2d). The baseline for this forensic evaluation can be seen comparing Figure 2c and 2d.

Two soil-types are found onsite. These are Placentia sandy loam, 5 to 9 percent slopes, eroded (PeC2), and Friant rocky fine sandy loam, 30 to 70 percent slopes (FxG). These soil types are not known to support specific edaphic rare or endangered plant species and no sensitive plants were found on the Dentre De Lomas Project site during the survey. Due to the disturbed condition of the majority of the property and the development of the surrounding area, no sensitive species are expected. Elevations on the property range between approximately 370 feet and 475 feet MSL.

The site is located within the County's draft North County Multiple Species Conservation Program (MSCP) Subarea Plan, outside lands designated as Pre-Approved Mitigation Areas (PAMA). There are conserved lands adjacent to the property to the east (Figure 5). The vegetation/habitat types currently on the property are effectively 100 percent disturbed and/or developed at this time. The project must comply with the County's Guidelines for Determining Significance: Biological Resources.

Methods

The author (Vince Scheidt) conducted a field survey of the property on July 6, 2022 from 11:30 to 13:00. Weather conditions during the survey included temps in the high 70's, clear skies, and no significant wind.

All plants, animals, and habitats encountered during the survey were recorded in the field. Adjoining offsite areas were examined concurrent with the baseline site surveying. The limits of each habitat-type were mapped in the field utilizing a recent aerial photograph of the property. All plants and animals identified in association with the project site are listed in Table 1, attached. Plants were identified in situ, or based on characteristic floral parts collected and later examined in detail. Floral nomenclature used in this letter follows Hickman (1993) and others. Plant communities, as designated by numerical code, follow Holland (1996, as amended). Wildlife observations were made opportunistically. Binoculars were used to aid in observations and all wildlife species detected were noted. Animal nomenclature used in this report is taken from Stebbins (2003) for reptiles and amphibians, American Ornithologist's Union (1998, as updated) for birds, and Jones, et. al (1992) for mammals.

Vegetation Communities, Flora/Fauna, and Special Status Species

The Dentre De Lomas Project site currently supports a single plant association. This is Urban/Developed Habitat. Prior to clearing, the site supported four generally discrete plant associations or habitats. These are Urban Developed Habitat, Riparian Vegetation, Row Crop Agriculture, and Diegan Coastal Sage Scrub (Figures 3 and 4), as reflected below. Each of these habitats have been evaluated as either "sensitive" or "not sensitive" per the County's Biology Guidelines.

Vegetation Communities

Urban/Developed Habitat - Holland Code 12000 - 7.77 acres (forensic)

Urban/Developed Habitat (UD) is present on the northern half of the property. This habitat consists of a single-family residence and associated infrastructure improvements, landscaping, etc. plus equestrian facilities and associated improvements. UD is not considered a sensitive resource in San Diego County, as defined by the County's Biology Guidelines. The biological resource value of this habitat is low and this habitat-type is long established on the subject property.

Row Crops - Holland Code 18320 - 3.43 acres (forensic)

Row Crops (Agriculture) was formerly found on the southeast portion of the property. This consisted of a vineyard with rows of trellises growing grape vines. Areas of RCA extend offsite on adjoining properties. RCA is not considered a sensitive biological resource in San Diego County, as defined by the County's Biology Guidelines. The biological resource value of this habitat was low.

Diegan Coastal Sage Scrub - Holland Code 32500 - 3.76 acre (forensic)

The slopes of the southern half of the property supported Diegan Coastal Sage Scrub (CSS). Indicators from adjoining offsite areas include California Sagebrush (*Artemisia californica*), Flat-top Buckwheat (*Eriogonum fasciculatum*), Laurel Sumac (*Malosma laurina*), and other soft-woody shrubs. CSS is considered a sensitive biological resource in San Diego County, as defined by the County's Biology Guidelines. The biological value of this habitat-type was moderate due to the disjunct distribution in the immediate area south of the property.

Riparian Vegetation - Holland Code 60000 - 0.45 acre (forensic)

The western portion of the onsite drainage supported Riparian Vegetation (RV). Evidence from the surrounding areas show this area likely supported various hydrophytes, including native willows (*Salix*), along with non-native species such as Eucalyptus, Palms, and other non-natives. RV is considered a sensitive biological resource in San Diego County, as defined by the County's Biology Guidelines and the RPO. The biological value of this habitat-type was moderate due to the number of non-native species within the immediate area.

Flora and Fauna

Nine species of vascular plants and three species of vertebrate animals were observed during the field survey of the Dentro De Lomas Project site. The site itself supported only landscaping and related plants, which were not inventoried, so the species observed were found around the periphery of the property, including at the southern edge where native indicators were present immediately offsite. A list of the plants and animals observed, presented alphabetically, can be found in Table 1, attached. This list would be expected to represent only about 10 percent of the native and naturalized plants formerly occurring on this property. At least dozens of species of animals are expected to use the site, at least on an occasional basis.

Special Status Species

No special status or "sensitive" plant species were observed on the property during the field survey. Sensitive plants are those listed as "Rare", "Endangered", "Threatened", "of Special Concern", or otherwise considered noteworthy by the County of San Diego, the California Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, and/or the California Native Plant Society.

Sensitive plants known from the general vicinity of the property, along with an assessment of the probability of occurrence onsite, are presented in tabular form in Table 3, attached. Most of these are either associated with habitats not found here (such as vernal pools or native grasslands) or are large and distinctive perennials, which would not have been missed if encountered onsite. A few had a limited potential to occur onsite.

No sensitive animal species were detected during the field survey. Sensitive animals are those listed as "Rare", "Endangered", "Threatened", "of Special Concern" or otherwise considered noteworthy by the California Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, or the County of San Diego. Sensitive

animals known from the vicinity, along with an assessment of the probability of occurrence onsite, are presented in Table 3.

The majority of the Dentro De Lomas Project site supports potential raptor foraging habitat. However, no raptors were detected, and no raptor nesting is anticipated due to the overall developed nature of the project site and surrounding area.

Some sensitive animal species with a moderate probability of occurring onsite, on at least an occasional basis, include Cooper's Hawk (*Accipiter cooperii*) and possibly other wide-ranging species (such as native bats) which might fly over the property on occasion. Others sensitive animals (such as certain cryptic reptiles) are also possible, although these would be common to most properties in the area, and no populations or significant numbers are expected.

Jurisdictional Wetlands and Waterways

A watercourse is present on the property - in the central portion to the south of the residential area. The onsite drainage currently qualifies as an upland swale, only likely carrying flows during significant rain events. The project proposes improvements to the onsite drainage to accommodate heavy storm events.

The onsite watercourse likely qualifies as "waters" of the state based on forensic evidence prior to grading. Forensic evidence indicates that this feature supported at least some riparian vegetation and offsite areas to the west are well-vegetated with a combination of hydrophytes and noxious invasives. As "waters", the drainage is a regulated resource subject to state clearances associated with the clearing and any drainage improvements, as proposed.

Other Unique Features/Resources

Because of the property's size and mostly-disturbed nature, it lacks unique features or resources that would enhance its local or regional biological significance. The central portion of the property, supporting the main onsite drainage, could function as a local wildlife corridor, providing low lying area for animals that move up and down along the drainage. However, there is little potential for large mammals to use the site, other than urban-tolerant species (skunks, coyotes, etc.) Also, for these reasons, there is little potential for native wildlife nursery sites to be present on the property.

Project NCCP Compatibility

The conversion of native and naturalized habitats in the unincorporated County of San Diego is currently regulated through its Multiple Species Conservation Program (MSCP) Subarea Planning efforts in compliance with the State of California's Natural Community Conservation Planning Act of 1991. Natural Community Conservation Planning (NCCP) is a program implemented at the local level with the goal of preserving large, connected areas of chaparral, oak woodland, coastal sage scrub and other habitats in order to preserve habitat values and reduce the endangerment of "covered" species through the retention of long-term habitat viability in biologically-significant areas of the County. An NCCP identifies and provides for the regional protection of plants, animals, and their habitats, while allowing compatible and appropriate economic activity, including land development, agricultural conversion, and related land-use changes.

Project Compliance with the North County MSCP

The Dentro De Lomas Project is consistent with the recommendations of the Subregional (MSCP) Plan and the County of San Diego's draft North County Subarea MSCP Plan (NCMSCP). The project also complies with the requirements of the County of San Diego's interpretation of the California Environmental Quality Act (CEQA). The draft NCMSCP requires certain preserve design elements, the avoidance of certain sensitive plant species, and application of specific mitigation ratios. As proposed, the project will mitigate for impacts to native vegetation caused by the unauthorized grading. The Dentro De Lomas Project site is not located on lands designated by the draft Plan as a Pre-approved Mitigation Area (PAMA).

Significance of Project Impacts and Proposed Mitigation

Impacts associated with unauthorized grading of the Dentro De Lomas Project site are subject to review under CEQA per the County's CEQA Guidelines. This means that the County requires that all project-related impacts to the site's native and naturalized flora, fauna, and habitats be assessed, and that mitigation be provided in the instance that impacts are considered "significant", as defined by CEQA. Mitigation is designed to reduce the effects of development, keeping all impacts at a level that is "less than significant".

Direct, Indirect, and Cumulative Impacts

Measurable direct and indirect impacts have resulted from the unauthorized grading of Dentro De Lomas Project. Direct impacts result from the actual removal of habitat, plants, and animals from the site through grading and brushing clearing or thinning for fire protection purposes, agriculture, etc. These direct impacts are considered permanent, because they result in a conversion of habitats to landscaped areas, structures, parks, roads, etc. Indirect impacts also affect habitats, plants, and/or animals residing on or near the project site. These are not the direct result of grading or development. Examples of indirect impacts include introduction of exotic species, human or pet intrusions into natural areas, lighting, traffic, and noise. Indirect impacts are often called "edge effects". Cumulative impacts are those that contribute to the regional loss of natural resources, even though they may be minor to negligible in their own right.

Impacts to habitats were calculated forensically by determining the acreage of each habitat-type affected by onsite grading. Impacts are summarized in Table 2.

Direct Impacts

Areas of unauthorized grading on the Dentro De Lomas project site are considered impacted and could require mitigation. The following are direct impacts associated with the Dentro De Lomas Project (summarized in Table 2):

- (1) Impacts from unauthorized grading of any areas formerly supporting Row Crop Agriculture and Urban Developed Habitat are considered **less than significant**, as defined by CEQA. Mitigation for these losses is not required pursuant to the County's Biology Guidelines.
- (2) Impacts from unauthorized grading of 3.76 acres of Coastal Sage Scrub and 0.45 acre of Riparian Vegetation are considered **significant**, as defined by CEQA Mitigation for this potential loss of habitat is required pursuant to the County's Biology Guidelines.

Indirect Impacts

Some indirect impacts resulting from changes in land use are anticipated. These are primarily “edge effects” impacting remaining natural areas. Because the development area is already impacted to a degree by edge effects from historical use of the area for agriculture, the adjacent road, and surrounding developments, these indirect impacts are considered **less than significant**. No specific mitigation is recommended or required for indirect impacts.

Cumulative Impacts

According to Section 15130(a) of the CEQA Guidelines, cumulative impacts must be discussed when project impacts, even though individually limited, are cumulatively considerable. Cumulatively considerable means the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, other current projects, and probable future projects.

A list of projects was assembled by reviewing County files in order to establish a biological resources cumulative study area. This area included projects impacting or potentially impacting the same or similar biological resources within one mile of the Dentro De Lomas Project site. Projects included in the biological resources cumulative study area are the subject project (PDS2022-LDGRMN-20336), PDS2022-LDGRMJ-30418, PDS2006-2700-15170, PDS2021-STP-21-024, PDS2003-2700-14446, PDS1998-2140-4736-1, PDS2023-TPM-21336, PDS2023-TM-5649, PDS2014-AD-14-018, PDS2016-MUP-16-014, PDS2004-3000-04-065, PDS2013-AD-13-026, PDS2014-LDGRMJ-00026, and PDS2010-3000-10-037. Only the first eight of these projects has a potential to impact biological resources and each of these projects includes full mitigation for their respective impacts to biological resources, as applicable. The remaining six projects will have no impact to biological resources.

The following statements are addressed in order to assess potential cumulatively considerable impacts associated with the Dentro De Lomas Project:

1. *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal species?*

Response: The Dentro De Lomas Project impacted approximately 0.45 acres of RV and 3.76 acres of CSS. Although regulated and considered sensitive, these habitat-types remain relatively well-distributed in San Diego County. Furthermore, the habitats present on the Dentro De Lomas project site were disturbed and somewhat isolated in nature. Therefore, this project’s relatively minor impacts to RV and CSS (from a regional perspective) are not considered “cumulatively considerable” when viewed in the context of the substantial acreages of these habitat-types persisting in San Diego County. Furthermore, all impacts to these habitat-types will be fully mitigated for, reducing them to below a level of significance.

2. *Does the project have impacts that are individually limited, but cumulatively considerable?*

Response: Because all project impacts will be mitigated to a level that is below significance, Dentro De Lomas project will not have cumulatively considerable impacts when viewed in connection with the effects of past

projects, the effects of other current projects, and the effects of probable future projects affecting the same resources.

Proposed Mitigation

All project impacts are considered “less than significant” assuming the adoption of the following mitigation measures (Table 2):

1. Impacts to 3.76 acres of CSS are considered significant and require in-kind mitigation. The loss of this habitat can be mitigated offsite within an approved conservation bank having a service area that includes the NCMSCP planning area, such as the nearby Red Mountain Conservation Bank. Because the project will impact CSS, a Habitat Loss Permit will need to be obtained from the County in consultation with the California Department of Fish and Wildlife and US Fish and Wildlife Service.
2. Impacts to 0.45 acre of RV are considered significant and require in-kind mitigation. The loss of this habitat can be mitigated offsite within an approved conservation bank having a service area that includes the NCMSCP planning area, such as the nearby San Luis Rey Mitigation Bank.
3. Because the Dentro De Lomas project has impacts to Waters of the State, the project will need to provide evidence of permits and/or agency clearances indicating that these permits will not be required from the San Diego Regional Water Quality Control Board and the California Department of Fish and Wildlife per Section 401 of the Clean Water Act or the Porter-Cologne Act and a 1600-series Lake and Streambed Alteration agreement per the California Fish and Game Code, respectively.

No other biological mitigation associated with the Dentro De Lomas Project is recommended at this time.

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- Stebbins, R. 2003. Western Reptiles and Amphibians. Peterson Field Guide Series, Houghton-Mifflin.
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Preparer and Persons/Organizations Contacted



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Attachments

Table 1. Plants and Animals Observed

Table 2. Habitat Impacts/Mitigation Analysis

Table 3. Sensitive Species Known from the Vicinity

Figure 1. Regional Location

Figure 2a. 2008 Aerial Photo

Figure 2b. 2009 Aerial Photo

Figure 2c. 2018 Baseline Aerial Photo

Figure 2d. 2022 Current Aerial Photo

Figure 3. Biological Resources on Current Aerial Photo

Figure 4. Biological Resources on Grading Plan

Figure 5. Open Space on Adjoining Properties

Table 1. Plants and Animals Observed – Dentre De Lomas Grading Violation Project

<u>Scientific Name</u>	<u>Common Name</u>
<u>Plants</u>	
<i>Artemisia californica</i> ◇	California Sagebrush
<i>Eriogonum fasciculatum</i> ◇	Flat-top Buckwheat
<i>Malosma laurina</i> ◇	Laurel Sumac
<i>Nicotiana glauca</i> *	Tree Tobacco
<i>Phacelia ramosissima</i> ◇	Branching Phacelia
<i>Salix gooddingii</i> ◇	Goodding’s Willow
<i>Salix laevigata</i> ◇	Red Willow
<i>Tamarix sp.</i> * ◇	Tamarisks
<i>Vitis girdiana</i> ◇	Desert Wild Grape
<u>Reptiles</u>	
<i>Sceloporus occidentalis longipes</i>	Great Basin Fence Lizard
<u>Birds</u>	
<i>Carpodacus mexicanus</i> ◇	Housefinch
<u>Mammals</u>	
<i>Thomomys bottae</i>	Valley Pocket Gopher

Total: 9 species of plants and 3 species of animals detected

* = Non-native species ◇ = Observed immediately offsite

Table 2. Vegetation Community Impact/Mitigation Analysis - Dentro De Lomas Grading Violation Project

Vegetation Community	Total Acres Onsite	Acres Impacted	Standard Mitigation Ratio	Offsite Mitigation
Urban/ Developed	7.77 acres	7.77 acres	none	none
Row Crop Agriculture (Forensic)	3.43 acres	3.43 acres	none	none
Riparian Vegetation (Forensic)	0.45 acres	0.45 acres	3:1	1.35 acres
Diegan Coastal Sage Scrub (Forensic)	3.76 acre	3.76 acres	5:1	18.8 acres
TOTALS	15.41 acres	15.41 acres	--	20.15 acres

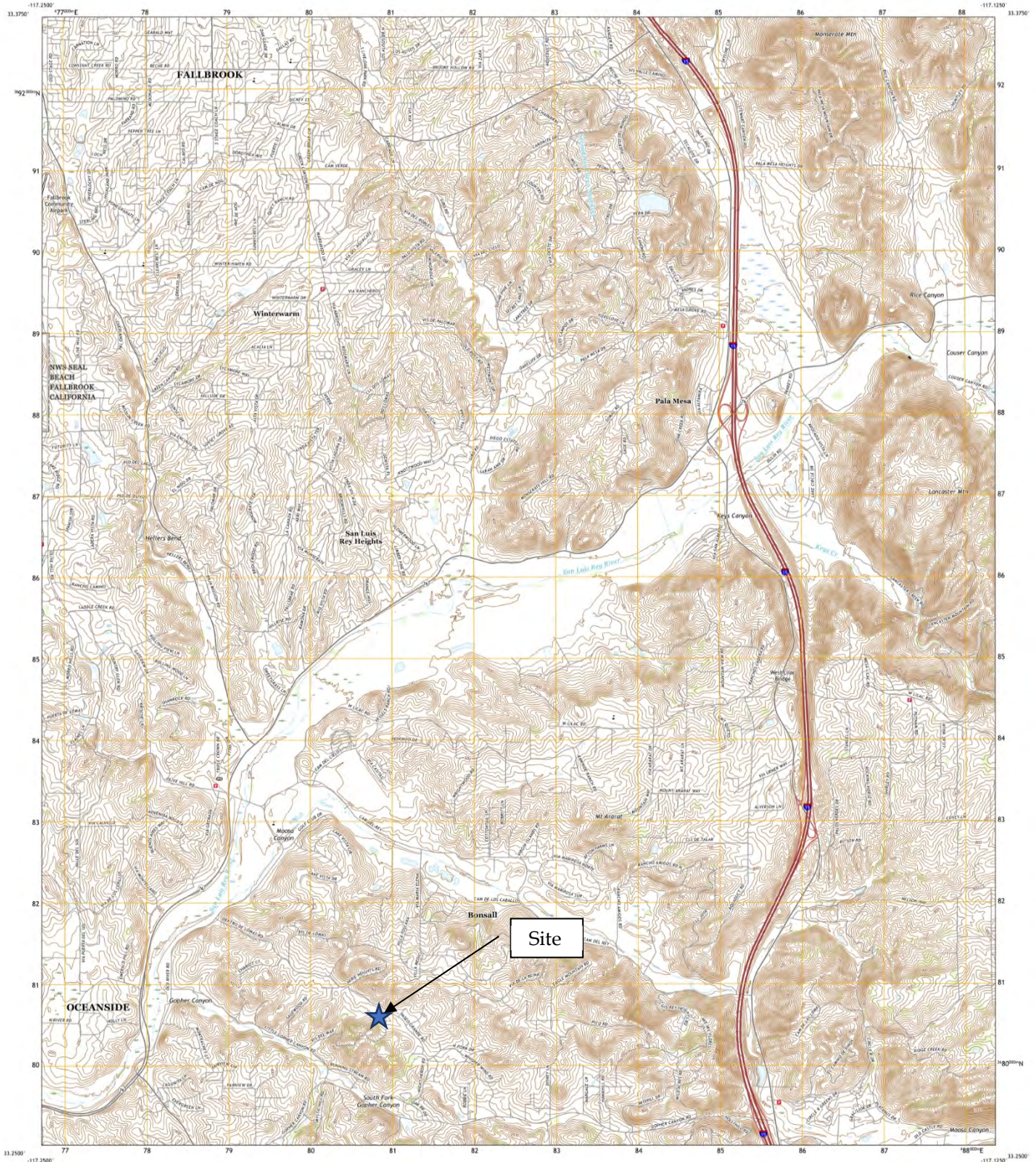
Figure 1. Regional Location – Dentro De Lomas Project U.S.G.S.
 “Bonsall, California” 7.5’ Quadrangle



U.S. DEPARTMENT OF THE INTERIOR
 U.S. GEOLOGICAL SURVEY



BONSALL QUADRANGLE
 CALIFORNIA - SAN DIEGO COUNTY
 7.5-MINUTE SERIES



Produced by the United States Geological Survey
 North American Datum of 1983 (NAD83)
 World Geodetic System of 1984 (WGS84) Projection and
 1:500-meter grid (National Transverse Mercator Zone 13)
 This map is not a legal document. Boundaries may be
 generalized for this map scale. Private lands within government
 reservations may not be shown. Obtain permission before
 entering private lands.

Imagery: NAIP, May 2016 - October 2016
 Bathymetry: U.S. Census Bureau, 2016
 Names: GNIS, 1981-2016
 Hydrography: National Hydrography Dataset, 2004
 Contours: National Elevation Dataset, 1999-2016
 Boundaries: Multiple sources, see metadata file, 2011-2017
 Public Land Survey System: BLM, 2011
 Wetlands: FWS, National Wetlands Inventory, 1983-2003

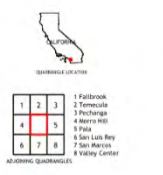
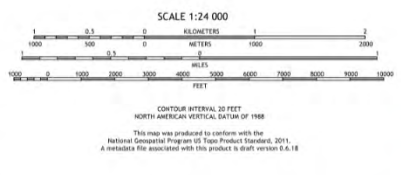
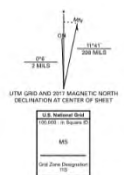


Figure 2a. Aerial Photo of Site in 2008 - Dentro De Lomas Grading Violation Project

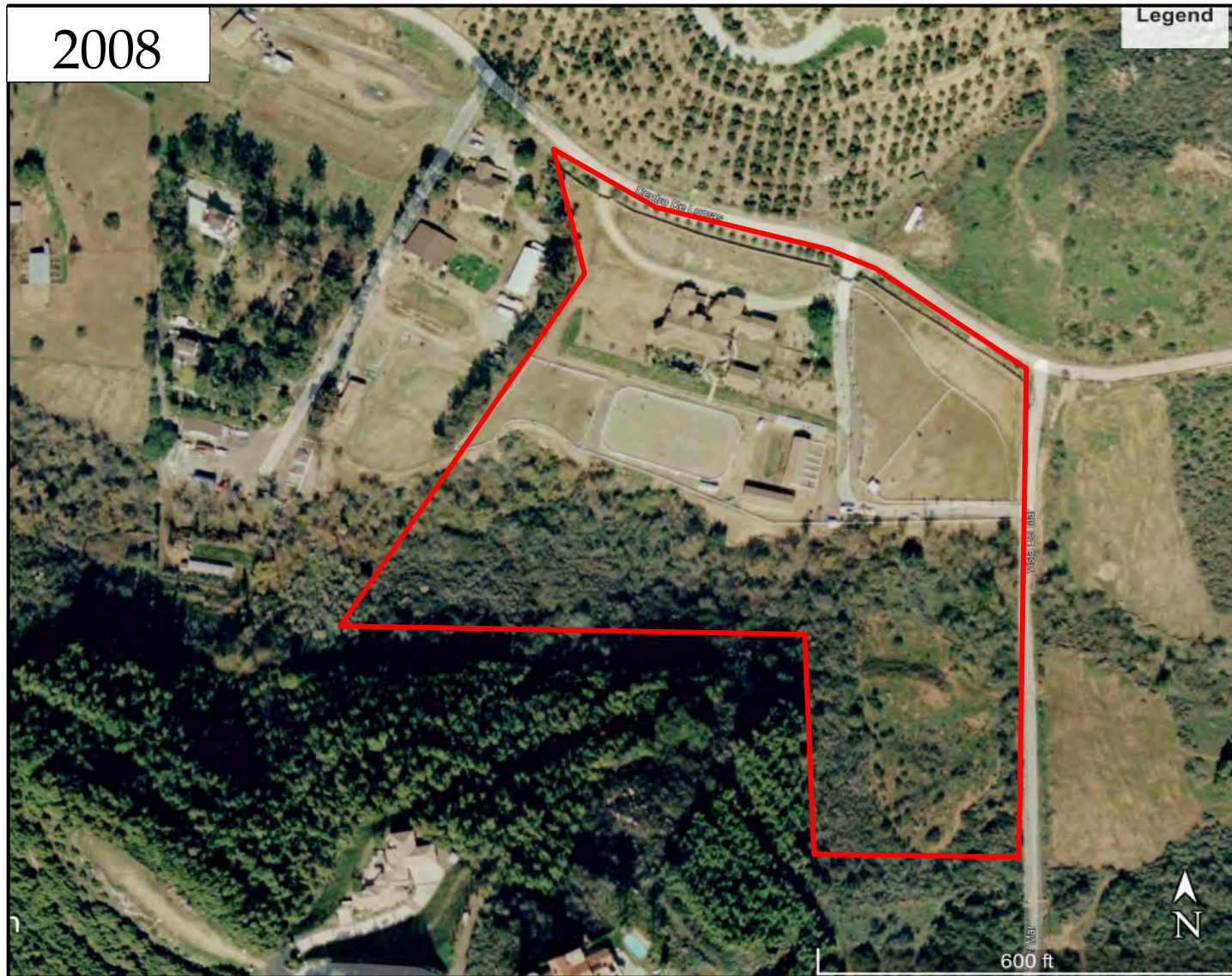


Figure 2b. Aerial Photo of Site in 2009- Dentro De Lomas Grading Violation Project



Figure 2c. Aerial Photo showing Baseline Conditions in 2018 – Dentre De Lomas Grading Violation Project



Figure 2d. Aerial Photo showing Existing (2022) Conditions - Dentro De Lomas Grading Violation Project



Figure 3. Forensic Biological Resources on Current (2022) Aerial Photo - Dentre De Lomas Grading Violation Project

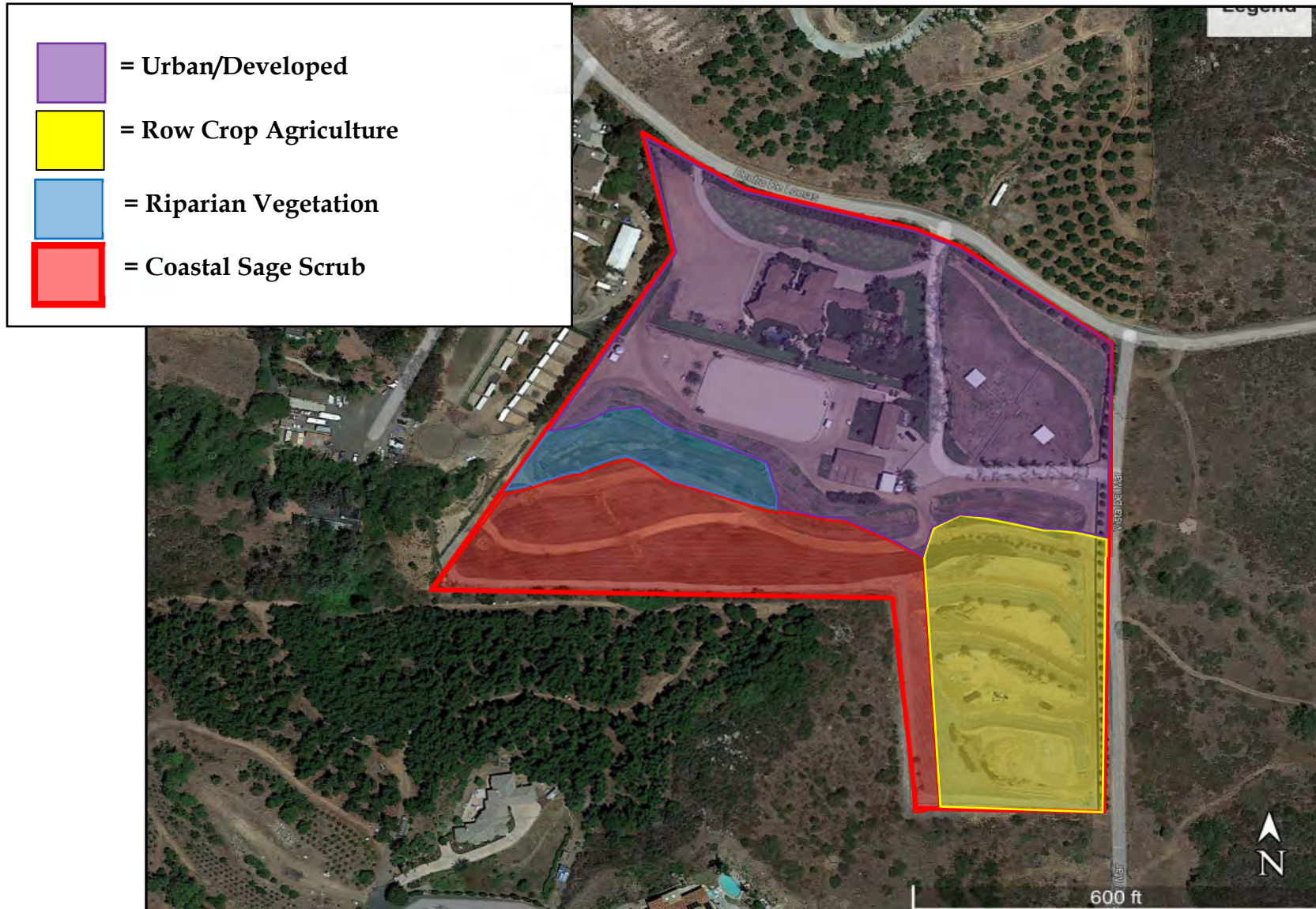


Figure 4. Vegetation on Proposed Remedial Grading Plan - Dentro De Lomas Grading Violation Project

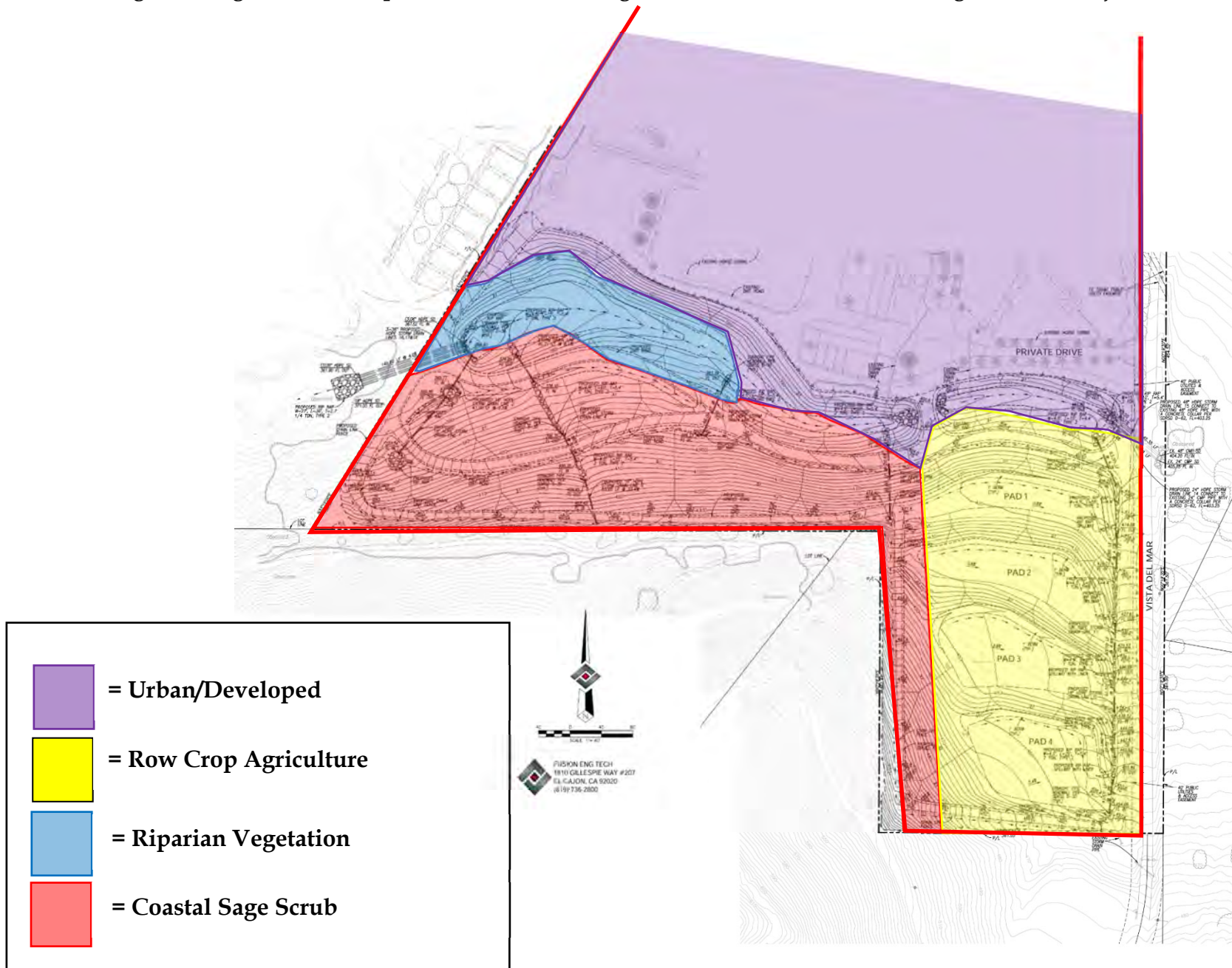


Figure 5. Open Space on Adjoining Properties - Dentro De Lomas Grading Violation Project

