

**MULTIPLE SPECIES CONSERVATION PROGRAM CONFORMANCE STATEMENT
For Spring Valley Housing
PDS2019-TM-5636
APN(s) 578-161-02-00**

November 2, 2023

I. Introduction

The project proposes to subdivide the approximately 10-acre project site into 7 single family residential lots and an eighth lot that will be comprised entirely of open space. The project site is located southwest of the intersection of Grand Avenue and Eucalyptus Street within the community of Spring Valley. The project is also located within the Metro-Lakeside-Jamul segment of the County’s Multiple Species Conservation Program (MSCP). Access to the site will be from Grand Avenue. The site qualifies as Biological Resource Core Area (BRCA).

Biological resources on the site were evaluated in a Biological Resources Letter Report (Klutz Biological Consulting; October 5, 2023). The site contains 9.92 acres of Diegan coastal sage scrub habitat. Sensitive wildlife species identified on site include coastal California gnatcatcher (*Polioptila californica californica*), Coastal cactus wren (*Campylorhynchus brunnicapillus sandiegensis*), and Cooper’s Hawk (*Accipiter cooperi*). Sensitive plant species identified onsite include Palmer's grappling hook (*Harpagonella palmeri*), Munz's sage (*Salvia munzii*), ashy spike moss (*Selaginella cinerascens*), San Diego barrel cactus (*Ferocactus viridescens*), and San Diego sunflower (*Bahiopsis laciniata (Viguiera laciniata)*). As a result of this project, impacts will occur to 4.07 acres of Diegan coastal sage scrub; habitat for the coastal California gnatcatcher, coastal cactus wren, and Cooper’s hawk; six individual San Diego barrel cactus, Palmer’s grappling hook, ashy spike moss, and San Diego sunflower populations.

Impacts to sensitive biological resources will require mitigation. Mitigation will include the onsite preservation of 5.85 acres of Diegan coastal sage scrub habitat, 0.12 acre of which occurs within an existing SDG&E easement. The onsite open space easement will be protected with a limited building zone easement, open space fencing, and open space signage. Additionally, 0.38 of tier II (or higher tier) habitat will be purchased at a County approved mitigation bank, six individual San Diego barrel cactus will be translocated to the onsite open space easement, and breeding season avoidance will be implemented.

Table 1. Impacts to Habitat and Required Mitigation

Habitat Type	Tier Level	Existing On-site (ac.)	Proposed Impacts (ac.)	Mitigation Ratio	Required Mitigation
Diegan coastal sage scrub	II	9.92	4.07	1.5:1	6.11
Total:	--	9.92	4.07	--	6.11

The findings contained within this document are based on County records and the Biological Resource Letter Report (Klutz Biological Consulting; October 5, 2023). The

information contained within these Findings is correct to the best of staff's knowledge at the time the findings were completed. Any subsequent environmental review completed due to changes in the proposed project or changes in circumstance shall need to have new findings completed based on the environmental conditions at that time.

The project has been found to conform to the County's Multiple Species Conservation Program (MSCP) Subarea Plan, the Biological Mitigation Ordinance (BMO) and the Implementation Agreement between the County of San Diego, the CA Department of Fish and Wildlife and the US Fish and Wildlife Service. Third Party Beneficiary Status and the associated take authorization for incidental impacts to sensitive species (pursuant to the County's Section 10 Permit under the Endangered Species Act) shall be conveyed only after the project has been approved by the County, these MSCP Findings are adopted by the hearing body and all MSCP-related conditions placed on the project have been satisfied.

II. Biological Resource Core Area Determination

The impact area and the mitigation site shall be evaluated to determine if either or both sites qualify as a Biological Resource Core Area (BRCA) pursuant to the BMO, Section 86.506(a)(1).

A. Report the factual determination as to whether the proposed Impact Area qualifies as a BRCA. The Impact Area shall refer only to that area within which project-related disturbance is proposed, including any on and/or off-site impacts.

The Impact Area does qualify as a BRCA as it supports a number of sensitive species and is shown on the Habitat Evaluation Map as very high value habitat.

B. Report the factual determination as to whether the Mitigation Site qualifies as a BRCA.

As a Biological Resource Core Area, the open space resulting from this project is considered part of the regional MSCP preserve system. As such, all of the requirements relating to the "Preserve" outlined in the County's Subarea Plan, the Implementation Agreement and the Final MSCP Plan apply to this open space.

A portion of the mitigation will occur through a credit purchase at an offsite mitigation bank located within a BRCA in the MSCP.

III. Biological Mitigation Ordinance Findings

A. Project Design Criteria (Section 86.505(a))

The following findings in support of Project Design Criteria, including Attachments G and H (if applicable), must be completed for all projects that propose impacts to Critical Populations of Sensitive Plant Species (Attachment C), Significant Populations of Narrow Endemic Animal Species (Attachment D), Narrow Endemic

Plant Species (Attachment E) or Sensitive Plants (San Diego County Rare Plant List) or proposes impacts within a Biological Resource Core Area.

1. Project development shall be sited in areas to minimize impact to habitat.

The project development would result in impacts to 4.07 acres of coastal sage scrub habitat, which is located adjacent to the existing road and residential development to the east. The remainder of the coastal sage scrub onsite, including 5.85 acres, 0.12 acre of which occurs within an existing SDG&E easement, will be placed within an onsite open space easement. This area includes 2 individual San Diego barrel cactus, and the remaining 6 individuals will be translocated to the open space. This area is appropriate for open space as it ranked as having very high biological value and is considered a BRCA. Therefore, project development has been sited in areas to minimize impact to habitat.

2. Clustering to the maximum extent permitted by County regulations shall be considered where necessary as a means of achieving avoidance.

The project proposes to cluster development on the eastern portion of the property, adjacent to the existing road and residential development. This will allow avoidance of 5.85 acres of coastal sage scrub, which will be placed within an open space easement.

3. Notwithstanding the requirements of the slope encroachment regulations contained within the Resource Protection Ordinance, effective October 10, 1991, projects shall be allowed to utilize design that may encroach into steep slopes to avoid impacts to habitat.

Steep slopes are not located on the property. Therefore, encroachment into steep slopes is not applicable.

4. The County shall consider reduction in road standards to the maximum extent consistent with public safety considerations.

Minimum private road standards have been applied to the onsite proposed private roads. No reduction in road standards are necessary.

5. Projects shall be required to comply with applicable design criteria in the County MSCP Subarea Plan, attached hereto as Attachment G (Preserve Design Criteria) and Attachment H (Design Criteria for Linkages and Corridors).

The project complies with applicable design criteria in the County MSCP Subarea Plan (Attachment G and H) as discussed below.

B. Preserve Design Criteria (Attachment G)

In order to ensure the overall goals for the conservation of critical core and linkage areas are met, the findings contained within Attachment G shall be required for all projects located within Pre-Approved Mitigation Areas or areas designated as Preserved as identified on the Subarea Plan Map.

The project is not located within a Pre-Approved Mitigation Area (PAMA) or areas designated as Preserve land. Therefore, the Preserve Design Criteria from Attachment G does not apply.

C. Design Criteria for Linkages and Corridors (Attachment H)

For project sites located within a regional linkage and/or that support one or more potential local corridors, the following findings shall be required to protect the biological value of these resources:

The project site is not located within a regional linkage or corridor. Therefore, the Design Criteria for Linkages and Corridors from Attachment H does not apply.

IV. Subarea Plan Findings

Conformance with the objectives of the County Subarea Plan is demonstrated by the following findings:

1. The project will not conflict with the no-net-loss-of-wetlands standard in satisfying State and Federal wetland goals and policies.

The project site does not contain any wetlands under federal, state, or county jurisdiction. Therefore, this criterion does not apply.

2. The project includes measures to maximize the habitat structural diversity of conserved habitat areas including conservation of unique habitats and habitat features.

The project proposes to conserve 5.85 acres of Diegan coastal sage scrub within an onsite open space easement, which will include two San Diego barrel cactus individuals. The remaining San Diego barrel cactus onsite will be translocated to the onsite open space easement. The remaining mitigation required for impacts to coastal sage scrub will occur through the purchase of mitigation credits at a County approved mitigation bank, within a BRCA in the MSCP. Therefore, the project includes measures to maximize the habitat structural diversity of conserved habitat areas, including conservation of unique habitats and habitat features.

3. The project provides for conservation of spatially representative examples of extensive patches of Coastal sage scrub and other habitat types that were ranked as having high and very high biological values by the MSCP habitat evaluation model.

The project proposes to conserve 5.85 acres of Diegan coastal sage scrub within an onsite open space easement, which will include two San Diego barrel cactus individuals. The remaining San Diego barrel cactus onsite will be translocated to the onsite open space easement. This area is appropriate for open space as it is ranked as having very high biological value by the MSCP habitat evaluation model. Therefore, the project provides for conservation of coastal sage scrub and habitat ranked as having very high biological values.

- 4. The project provides for the creation of significant blocks of habitat to reduce edge effects and maximize the ratio of surface area to the perimeter of conserved habitats.**

The project proposes the conservation of 5.85 acres of coastal sage scrub onsite, which is ranked as having very high biological value. This open space will be protected by the implementation of a 100-foot limited building zone (LBZ) easement, open space fencing, and open space signage. This open space can assist with connecting undeveloped land also ranked as having very habitat value to the north and northeast.

- 5. The project provides for the development of the least sensitive habitat areas.**

The project development would result in impacts to 4.07 acres of coastal sage scrub habitat, which is located adjacent to the existing road and residential development to the east. The remainder of the coastal sage scrub onsite, including 5.85 acres, 0.12 acre of which occurs within an existing SDG&E easement, will be placed within an onsite open space easement. This area includes 2 individual San Diego barrel cactus, and the remaining 6 individuals will be translocated to the open space. This area is appropriate for open space as it is ranked as having very high biological value and is considered a BRCA. Therefore, the project provides for the development of the least sensitive habitat areas.

- 6. The project provides for the conservation of key regional populations of covered species, and representations of sensitive habitats and their geographic sub-associations in biologically functioning units.**

Covered species located on the project site include coastal California gnatcatcher coastal cactus wren, and Copper's hawk. The project provides for the conservation of 5.85 acres of coastal sage scrub habitat onsite, which provides suitable foraging and nesting habitat, and the purchase of 0.38 acres of credits at a County approved mitigation bank within a BRCA in the MSCP. The project will also implement breeding season avoidance to avoid potential impacts to the nesting of these species.

- 7. Conserves large interconnecting blocks of habitat that contribute to the preservation of wide-ranging species such as Mule deer, Golden eagle, and predators as appropriate. Special emphasis will be placed on conserving adequate foraging habitat near Golden eagle nest sites.**

No wide-ranging species are expected to occur onsite. However, the open space onsite provides foraging and nesting habitat for some species. This open space can assist with connecting undeveloped land also ranked as having very high biological value to the north and northeast.

- 8. All projects within the San Diego County Subarea Plan shall conserve identified critical populations and narrow endemics to the levels specified in the Subarea Plan. These levels are generally no impact to the critical populations and no more than 20 percent loss of narrow endemics and specified rare and endangered plants.**

One narrow endemic species, coastal cactus wren, was observed foraging onsite. The project provides for the conservation of 5.85 acres of coastal sage scrub habitat onsite, which provides suitable foraging and nesting habitat, and the purchase of 0.38 acres of credits at a County approved mitigation bank within a BRCA in the MSCP. The project will also implement breeding season avoidance to avoid potential impacts to the nesting of this species.

- 9. No project shall be approved which will jeopardize the possible or probable assembly of a preserve system within the Subarea Plan.**

The project will mitigate for habitat and sensitive species impacts per the BMO. This will occur through onsite preservation and purchase of mitigation credits at a County approved mitigation bank within a BRCA in the MSCP. Implementation of the project would not jeopardize the possible or probable assembly of a preserve system within the Subarea Plan.

- 10. All projects that propose to count on-site preservation toward their mitigation responsibility must include provisions to reduce edge effects.**

The project proposes to conserve 5.85 acres of coastal sage scrub habitat within an onsite open space easement. Of this, 5.73 acres will count towards the project's mitigation requirements. In order to reduce edge effects, the project will dedicate a 100-foot LBZ easement to prevent fire fuel modification and vegetation management within biological open space areas. Open space fencing and signage will also be implemented to prevent encroachment into the open space.

- 11. Every effort has been made to avoid impacts to BRCA's, to sensitive resources, and to specific sensitive species as defined in the BMO.**

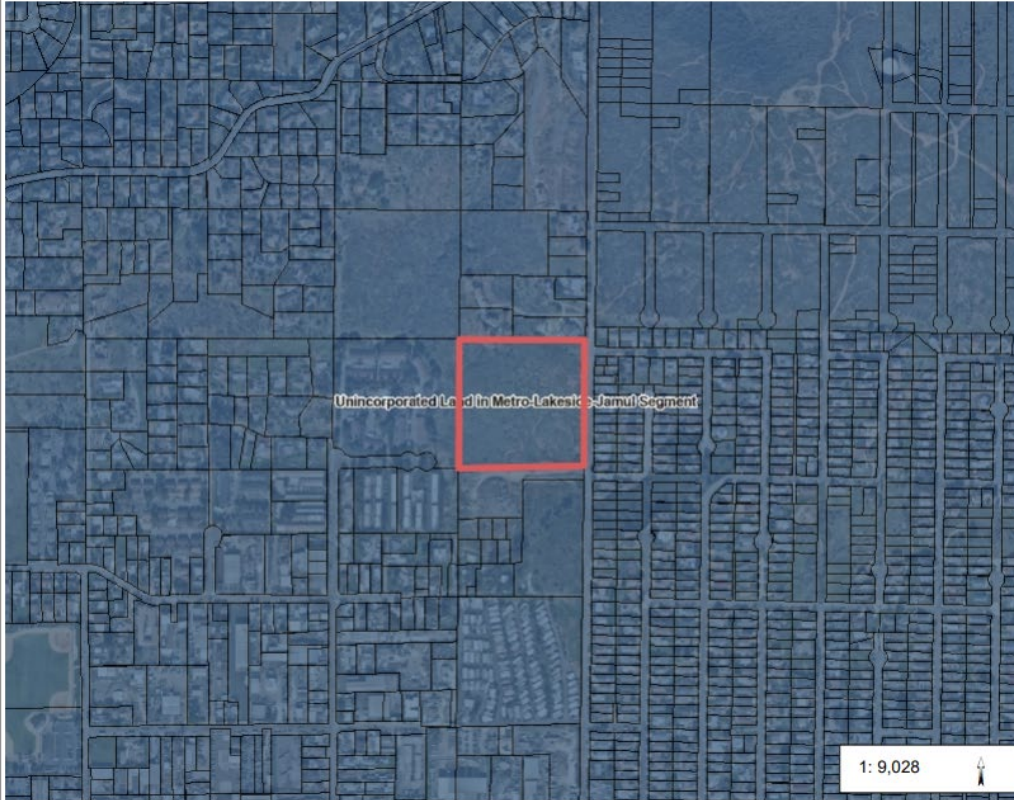
The project site is considered a BRCA and contains sensitive plant and wildlife species. The project development would result in impacts to 4.07 acres of coastal sage scrub habitat and sensitive species observed onsite. In order to reduce these impacts to a level below significance, the project proposes to preserve 5.85 acres of coastal sage scrub onsite, which is ranked as having very high biological value, and cluster development adjacent to the existing road and residential development to the east. The onsite open space includes 2 individual San Diego barrel cactus, and the

remaining 6 individuals will be translocated to the open space. The conserved habitat will provide suitable foraging and nesting habitat for the sensitive wildlife species observed onsite. Therefore, every effort has been made to avoid impacts to BRCAs, sensitive resources, and to specific sensitive species as defined in the BMO.

Kendalyn White, Planning & Development Services

November 2, 2023

MSCP Designation



- Legend**
- Parcels
 - Multiple Species Conservation County)
 - State and Federal Pre-Approved M
 - Hardline Preserve
 - Take Authorized Area
 - Conserved Subject to Agreement w
 - Otay Ranch Areas Where no Take
 - Major Amendment Area
 - Minor Amendment Area
 - Minor Amendment Area Subject to
 - Santa Fe Valley Sensitive Biological Areas
 - Golf Course Related Development, Open Space II Areas
 - Unincorporated Land in Metro-Lake

1: 9,028

Notes

0.3 0 0.14 0.3 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
 Planning and Development Services

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
 THIS MAP IS NOT TO BE USED FOR NAVIGATION