



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
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Governor's Office of Planning & Research

July 5, 2019

JULY 05 2019

STATE CLEARINGHOUSE

Ms. Alexis St. John
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825

Subject: SCH# 2019060005: Notice of (Non-Gaming) Land Acquisition Application for the Rincon Band of Luiseno Mission Indians of the Rincon Reservation APNs: 133-190-03-00 and 133-190-08-00 of California to Have Real Property Accepted into Trust by the United States of America, San Diego County

Dear Ms. St. John:

The California Department of Fish and Game (Department) has reviewed the above-referenced application filed by the Rincon Band of Luiseno Mission Indians for transfer of approximately 22.90 acres of land to Indian trust, dated June 7, 2019. The comments provided herein are based on information provided in the associated documents, our knowledge of sensitive and declining vegetation communities in the County of San Diego, and our participation in regional conservation planning efforts.

As trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. In this capacity, the Department administers the California Endangered Species Act (CESA), the Native Plant Protection Act, and other provisions of the California Fish and Game Code that afford protection to the State's fish and wildlife trust resources. The Department also administers the Natural Community Conservation Planning (NCCP) Program. The Department, the U.S. Fish and Wildlife Service, and the County of San Diego (County) entered into a NCCP planning agreement in 2008 for the draft North and East County Multiple Species Conservation Program (MSCP) planning areas (NC-MSCP and EC-MSCP, respectively) to address conservation needs and future planned development in north and east county (County of San Diego, 2008 and 2013).

The two adjoining parcels, referred to as the Ganje property, consist of a total of 22.90 acres of land (Assessor's Parcel Numbers: 133-190-03-00 and 133-190-08-00). It is located contiguous to the Rincon Indian Reservation, approximately 0.53 miles north of the San Luis Rey River, east of North Calac Road, and south of McCormick Lane. Currently, the property is undeveloped and consists of natural terrain, including portions of the San Luis Rey River floodplain. Based on the information provided, the proposed fee-to-trust proposes no change in land use or ground-disturbing activity, and future planned land use is categorized as "spaced rural residential." The NC-MSCP identifies the San Luis Rey River as a key regional linkage for numerous covered species while simultaneously providing core areas for several sensitive biological resources. The proposed fee-to-trust property is located near existing and planned conserved lands.

Pursuant to its jurisdiction, the Department offers the following comments and recommendations below to assist the Bureau of Indian Affairs in avoiding or minimizing potential impacts to biological resources in association with this action.

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1. Existing and anticipated conserved lands are located to the east and west of the proposed annexation property. Most of the adjacent property in the area has been conserved or will have limited residential development. The Department requests that any future change in land use or future development on the property include consideration of potential impacts to these adjacent areas. Examples of direct and indirect biological impacts to adjacent conserved areas are: habitat fragmentation, detrimental edge effects from residential landscaping, lighting, drainage/stormwater runoff (resulting in the introduction of pollutants or detrimental erosion), domestic pets, uncontrolled access, and increase in traffic (resulting in potential for wildlife strike from vehicles). Planning elements that would reduce potential impacts include locating future development in areas with the least long-term biological value (e.g. degraded or disturbed areas) and designing development in a manner that is consistent with the regional draft NC-MSCP preserve design.
2. The Department requests that any change in land use or future development on the property include documentation that discloses potential impacts to sensitive species (including those identified by the CESA and the federal Endangered Species Act). If significant impacts to these species cannot be avoided or minimized, a mitigation plan that demonstrates how impacts would be offset would be appropriate. For any mitigation planning, we request that habitat and/or species impacts from the fee-to-trust property and any related future development be mitigated in the same general area (i.e. the San Luis Rey River area) and be located in a way which helps to maintain wildlife connectivity.
3. The quality and quantity of wetlands habitat remaining in the region have been significantly reduced from development, and consequently we would emphasize the need to avoid, reduce, and minimize direct and indirect impacts to biological resources and water quality associated with the San Luis Rey River and for the continued protection of the surrounding watershed associated with the San Luis Rey.

We appreciate the opportunity to comment on the proposed land transfer to Indian trust. Should you have any questions or comments regarding this letter, please contact Jennifer Turner of the Department at (858) 467-2717.

Sincerely,



Gail K. Sevens
Environmental Program Manager
South Coast Region

ec: Scott Morgan (State Clearinghouse)