Appendix B

Biological Technical Report

BIOLOGICAL ASSESSMENT LETTER REPORT
FOR THE
PROPOSED BREEZE PROJECT
CITY OF OCEANSIDE

PREPARED FOR:

Howard A. Jacobs
President General Partner
Oceanside-Nevada, LP
PO Box 531
Rancho Santa Fe, CA 92067

PREPARED BY:

Michael Jefferson
Senior Biologist
BLUE Consulting Group

March 19, 2019

Michael Jefferson
Senior Biologist

P.O. Box 501115 San Diego, CA 92150 858.391.8145 Mike@blueconsulting.com
www.BLUEconsulting.com

TABLE OF CONTENTS

P.O. Box 501115 San Diego, CA 92150 858.391.8145 Mike@blueconsulting.com
www.BLUEconsulting.com

TABLE OF CONTENTS cont.

P.O. Box 501115 San Diego, CA 92150 858.391.8145 Mike@blueconsulting.com
www.BLUEconsulting.com

1.0 SUMMARY OF FINDINGS

This Biological Assessment letter report documents the results of the biological surveys completed within and surrounding the boundaries of the subject property and the impact analysis completed in support of the proposed residential development (potential project) on and off the subject property site.

The proposed development is proposed within four undeveloped Assessor's Parcel Number (APN's 152-121-06, 152-123-05, 152-123-20, and 152-320-11), totaling approximately 2.66 acres located in the incorporated City of Oceanside (City) in the County of San Diego (County), California (Figure 1). A general and rare species potential biological survey and protocol coastal California Gnatcatcher (CAGN) surveys were conducted over the approximately 2.66-acre property and surrounding areas. The site was walked on foot and resources mapped using a 2016 aerial photograph of the area. All discussions relating to potential take, habitat restoration/creation and mitigation is based on the premise that the property will be developed under the City of Oceanside's biological regulations.

Animal species observed directly or detected from calls, tracks, scat, nests, or other sign were noted. All plant species observed on-site were also noted, and plants that could not be identified in the field were identified later using taxonomic keys. The site visit included a directed survey for sensitive plants that would be apparent at the time of the survey. Additionally, surveys were performed during the day and nocturnal animals were not observed.

There were no significant limitations to the compilation of a comprehensive floral checklist; only limited to the natural constraints of the season of the survey (Feb. 2017). Since surveys were performed during the day, nocturnal animals were detected by sign.

Floral nomenclature for common plants follows Hickman (1993). Plant community classifications follow the California Natural Diversity Data Base (CNDDB) and Holland (1986). Zoological nomenclature for birds is in accordance with the American Ornithologists' Union Checklist (1998); for mammals, Jones et al. (1982); and for amphibians and reptiles, Collins (1997). Assessments of the sensitivity of species and habitats are based primarily on CEQA, Final Oceanside Subarea Habitat Conservation Plan/Natural Communities Conservation Plan (City of Oceanside, 2010), State of California (CDFW, 2014), and U.S. Fish and Wildlife Service (USFWS, 2014).

No gnatcatchers, sensitive wildlife or sensitive plants species were observed. Potentially significant biological impacts to sensitive habitats are proposed to occur and compensatory mitigation will be required.

2.0 INTRODUCTION

The approximately 2.66-acre subject property is currently located in the City of Oceanside, west of Interstate 5 (I-5) and southwest of the intersection of Oceanside Boulevard and Oceanside Blvd., and is situated within Sections 25 and 26, Township 11 South, Range 5 West, San Bernardino Baseline and Meridian, of the "San Luis Rey, CA" U.S. Geological Survey (USGS) 7.5-minute topographical quadrangle (quad) (Figure 2).

Land Use, Topography, Soils

The subject property is located with the City of Oceanside Coastal Zone and outside of the following City Zones: Pre-Approved Mitigation Area (PAMA), the Wildlife Corridor Planning Zone, the Offsite Mitigation Zone, the Offsite Mitigation Zone, the Softline Preserve Area and the Hardline Preserve Area. The subject property is surrounded by land zoned as Special Commercial District for highway oriented commercial areas (CS-HO) to the east, Medium Density Residential (mobile home park) to the south, Urban High Density Residential (RH-U) to the west and north, with Single Family Residential to the north of Oceanside Boulevard.

The project site occurs within a developed landscape, abutting residential development on all sides. Offsite adjacent to the southern Property Line, at the bottom of the natural slope, is the North County Transit District (NCTD) Railway and lined control channel which drains the storm event flows through (in parallel) to the NCTD area. No wetlands were observed. The site is topographically varied, comprised of a natural slope on the southern and eastern portions of the site and the existing historically graded and currently maintained areas up above.

The subject property is generally flat with the exception of manufactured slopes. Elevation on the subject property ranges from a low of approximately 17 feet above mean sea level (AMSL) in the southern portion of the property to a high of approximately 77 feet AMSL adjacent to the northern Property Line of the subject property. Fuel Modification/Brush Management Zone protecting the existing residences and NCTD easement are in place.

Soils on the subject property are primarily composed of Made Land (Md) primarily on the slopes and Terrace escarpments (TeF) within the northern portion of the Property (NRCS, 2017).

Regional Setting

The proposed project is located in the City of Oceanside Subarea Habitat Conservation Plan (HCP)/Natural Community Conservation Plan area. This Plan addresses how the City of Oceanside will conserve natural biotic communities and sensitive plant and wildlife species under the MHCP framework. The Subarea Plan will provide regulatory certainty to the landowners within the City and aid in conserving the region's biodiversity and enhancing the quality of life. The Subarea Plan addresses the potential impacts to natural habitats and rare, threatened or endangered species caused by projects within the Cities. The Subarea Plans will also form the basis for Implementing Agreements, which will be the legally binding agreements between the City and the Wildlife Agencies that ensure implementation of the plan and provides the City with State and federal "Take authority."

3.0 SURVEY METHODOLOGY

BLUE senior biologist Michael Jefferson conducted the general and rare species surveys within the survey area (Table 1). Travis Cooper; Permit Number - TE-170389-5, who is permitted by the U.S. Fish and Wildlife Service (USFWS) to conduct Protocol surveys for the coastal California gnatcatcher, conducted the 2017 protocol CAGN surveys on the property. Mr. Cooper conducted three protocol surveys, according to the USFWS gnatcatcher survey protocol. The site was surveyed on foot and habitat mapped (Figure 4).

Mapping was performed following the Guidelines for Determining Significance and Survey, Report Format, Content and Mapping Requirements (City). Wildlife species were identified directly by sight or by vocalizations, and indirectly by scat, tracks, or burrows. Field notes were maintained throughout the surveys and species of

interest were mapped. The primary focus of the survey was to document and map the size, location, and general quality of all habitat types and the presence or potential presence of any sensitive resources onsite.

TABLE 1
Survey Details

Date	Survey Type	Time	Conditions Temp (ºF), Wind (mph) begin and end, Cloud Cover (CC)	Biologists
2-20-17	CAGN	1045- 1130	73°, 2-4mph, 25%cc 73°, 2-4mph, 25%cc	TC*
3-4-17	CAGN	0645- 0730	52°, 1-2mph, 10%cc 53°, 1-2mph, 10%cc	TC
3-6-17	General/Rare	0845- 1015	52°, 1-2mph, 10%cc 55°, 1-2mph, 10%cc	MJ*
3-10-17	CAGN	0720- 0815	58°, 0-2mph, 5%cc 62°, 0-2mph, 5%cc	TC
4-21-17	General/Rare	0845- 0930	55°, 1-2mph, 10%cc 58°, 1-2mph, 10%cc	MJ

*TC = Travis Cooper; MJ = Mike Jefferson

Vegetation communities were assessed and mapped on a color aerial with topography flown in March 2016 (Google earth). Animal species observed directly or detected from calls, tracks, scat, nests, or other sign were noted. All plant species observed on-site were also noted, and plants that could not be identified in the field were identified later using taxonomic keys.

Limitations to the compilation of a comprehensive faunal and floral checklist were few within the survey area – most of which had been previously, legally, graded and or cleared and is actively maintained. The general quality of the urbanized habitat within the survey area is, as expected, of low quality. The field visits were conducted in the spring and all potentially occurring special status species would have been apparent. Due to the conditions of the area and the ongoing use and maintenance it was determined that the existing site conditions precluded the recommendation of additional surveys being recommended as a comprehensive checklist was prepared.

Prior to conducting the biological survey, a thorough review of relevant maps, databases, and literature pertaining to biological resources was performed. Recent aerial imagery (Google Earth 2017), topographic maps (USGS 2015), soils maps (USDA 2012), and other maps of the project site and immediate vicinity were acquired and reviewed to obtain updated information on the natural environmental setting. In addition, a query of sensitive species and habitat databases was conducted, including the California Natural Diversity Database (CNDDB; CDFG 2012a), the California Native Plant Society Electronic Inventory (CNPSEI; CNPS 2012), and the Consortium of California Herbarium (Consortium 2012) applications, as well as a review of regional species lists produced by the USFWS (USFWS 2012a) and CDFW (CDFW 2011, 2012a, CDFW 2012b, and 2012c).

The pre-survey investigation also included a verification of whether the project site falls within areas designated as final or proposed USFWS Critical Habitat for federally threatened or endangered species (USFWS 2012b).

The complete list of sensitive species (CNDDB) and habitats that have been previously recorded within the vicinity of the project site was compiled, and all recorded locations of species and other resources were mapped and overlaid onto aerial imagery using Geographic Information Systems (GIS) software. The CNDDB list of sensitive species included all database results for areas within 9 California USGS 7.5 minute topographic quadrangles.

Delineated boundaries of all features identified within the study area were recorded using a 1" =100' aerial photograph.

No jurisdictional wetlands or City wetland habitats were identified within the survey area.

4.0 RESULTS

The following discussion summarizes the existing and potentially present biological resources onsite and within the project footprint.

4.1 Vegetation

Habitat descriptions are based on the City's Biological Mapping Requirements (City) and Terrestrial Vegetation Communities in San Diego County based in Holland's Descriptions (Oberbauer 1996). Four habitat types occur within the project site: chaparral (maritime succulent scrub, disturbed), coastal sage scrub (CSS, disturbed), disturbed habitat, urban disturbed and developed area. A complete list of plant species observed onsite is included in Appendix A.

TABLE 2
Onsite Biological Resources

Habitat Type	Acreage
Chaparral (maritime succulent scrub, disturbed)	0.28
Chaparral/Coastal Sage Scrub (disturbed)	0.03
Disturbed Habitat	2.34
Developed	0.01
Total	**2.66***

Coastal Sage Scrub, Disturbed

Typical stands of Coastal Sage Scrub (CSS) are dominated by the native shrub, California sagebrush (*Artemisia californica*), with a sub-dominance of one or more native shrubs, and an herbaceous understory consisting of native and non-native grasses and annual forbs. Species include California sagebrush, California buckwheat (*Eriogonum fasciculatum*), black sage (*Salvia mellifera*), white sage (*Salvia apiana*), laurel sumac (*Malosma laurina*), sticky monkeyflower (*Mimulus auranticus*), and California aster (*Corethrogyne filaginifolia*), among others.

Onsite, the disturbed CSS habitat remaining is a mixed vegetative community dominated by non-native species,

with occasional CSS indicator shrub species such as California sagebrush, Rhus, and California buckwheat scattered throughout.

Chaparral

Onsite, the City of Oceanside chaparral is a broad description of habitat. Onsite, the chaparral is made up of maritime succulent scrub. Typically, this is a low (knee to waist high), open (25-75% cover) scrub dominated by drought deciduous, subligneous, malacophyllous shrubs with a rich admixture of stem and leaf succulents. The proportion of cacti is highest toward the south or in some inland areas. The ground is more or less bare between the shrubs. Growth and flowering are concentrated in the spring and found on thin rocky or sandy soils, often on steep slopes of coastal headlands and bluffs. Characteristic Species include: *Acalypha californica, Agave shawii, Bergerocactus emoryi, Encelia californica, Euphorbia misera, Ferocactus viridescens, Lycium californicum, Opuntia littoralis, O. oricola, O. prolifera, Rhus integrifolia, Viguera laciniata*.

The Chaparral onsite is comprised of disturbed maritime succulent scrub species with an understory of Lady Fingers (Dudleya edulis, a MC species) and non-native species such as. *Avena* sp., red brome (*Bromus madritensis* ssp. *rubens*), ripgut (*Bromus diandrus*), ryegrass (*Lolium* sp.), and mustard (*Brassica* sp.).

Disturbed

Disturbed land consists of all land graded, disturbed and/or covered by non-native ornamental (landscape) vegetation. Non-native plant species typical of urban/developed areas include ornamental trees such as pine (*Pinus* spp.), pepper (*Schinus* spp.), palm (*Washingtonia* spp., *Phoenix* spp.), and gum; shrubs such as acacia (*Acacia* spp.) and oleander (*Nerium oleander*); and, groundcover such as turf grass, red apple (*Aptenia cordifolia*), and hottentot-fig (*Carpobrotus edulis*), Russian thistle (*Salsola tragus*), telegraph weed (*Heterotheca grandiflora*), horehound (*Marrubium vulgare*), and sow-thistle (S*onchus oleraceus*). Disturbed land typically provides little habitat for wildlife species.

Onsite, the dominant habitat type is urban/disturbed land has been historically graded (into the pad area, surrounding roads, slopes, and pads) and is maintained with bi-annual mowing to control fire potential. This area supports non-native annual herb ground cover species and the non-native chrysanthemum.

Developed

This designation is used for the portion of the site that includes the areas that have previously been converted to pavement, paths or structures. Onsite, this area is limited to the area adjacent to the northern Property line (developed areas offsite).

4.2 Wildlife

No sensitive, rare or special status species was observed. Invertebrates observed included butterflies and bees. The reptile species observed onsite include the western fence lizard (*Sceloporus occidentalis*). Bird species observed included Mallard, Western Gull, Rock Pigeon, Mourning Dove, Anna's Hummingbird, Allen's Hummingbird, Black Phoebe, Cassin's Kingbird, American Crow, California Scrub-Jay, Bushtit, House Wren, Northern Mockingbird, Cedar Waxwing, Orange-crowned Warbler, Yellow-rumped Warbler, California Towhee,

Song Sparrow, Lincoln's Sparrow, White-crowned Sparrow, House Finch, Lesser Goldfinch, House Sparrow. No mammals were observed or detected onsite.

4.3 Sensitive Resources

Sensitive or special interest plant and wildlife species and habitats are those which are considered rare, threatened, or endangered within the state or region by local, state, or federal resource conservation agencies. Sensitive habitats, as identified by these same groups, are those which generally support plant or wildlife species considered sensitive by these resource protection agencies or groups. Sensitive species and habitats are so called because of their limited distribution, restricted habitat requirements, particular susceptibility to human disturbance, degradation due to development or invasion by non- native species, or a combination of all of these factors.

In addition to City Guidelines for Determining Significance, the following were used in the determination of sensitive biological resources: U.S. Fish and Wildlife Service (USFWS), California Native Plant Society (CNPS), and California Department of Fish and Wildlife (CDFW). An explanation of the sensitivity codes used in this report is included in Appendix E.

4.3.1 Sensitive Habitats

The observed Chaparral and Coastal Sage Scrub are considered to be sensitive, even in a disturbed condition.

4.3.2 Sensitive Plants

Sensitive or special interest plant species are those which are considered rare, threatened, or endangered within the state or region by local, state, or federal resource conservation agencies. Sensitive plant species are so called because of their limited distribution, restricted habitat requirements, or particular susceptibility to human disturbance, or a combination of these factors. Sources used for the determination of sensitive plant species include: CDFW (2015), CNPS (2013), and CNDDB (2015).

No sensitive plant or animal species were observed onsite at the time of the surveys. Due to the low quality of the habitat onsite and surrounding areas, no sensitive species are expected to occur.

The subject property is located within a CNDDB-mapped occurrence for one listed plant: San Diego button-celery (*Eryngium aristulatum var parishii*), which is federally and state listed as Endangered and CNPS Rare Plant Rank 1B.1. The subject property is also located within CNDDB occurrences for the following five special status plants: coast woolly-heads (*Nemacaulis denudate var. denudate*; CNPS Rare Plant Rank 1B.2), slender cottonheads (*Nemacaulis denudate var. gracilis*; CNPS Rare Plant Rank 2B.2), sea dahlia (*Leptosyne maritima*; CNPS Rare Plant Rank 2B.2); cliff spurge (*Euphorbia misera*; CNPS Rare Plant Rank 2B.2); *and* smooth tarplant (*Centromadia pungens ssp. laevis*; CNPS Rare Plant Rank 1B.1). None of these plants were observed on the property and the onsite conditions are not favorable for these species to persist onsite.

Sensitive Plant Species with the Potential to Occur Onsite

Thirty -one sensitive plants were assessed for the potential to occur onsite and are discussed in Appendix C. In summary, of the thirty-one sensitive plants assessed, none has greater than a low potential to occur onsite due

to lack of observations in the area and onsite or a lack of appropriate habitat.

4.3.3 Sensitive Animals

Sensitive or special interest wildlife species and habitats are those which are considered rare, threatened, or endangered within the state or region by local, state, or federal resource conservation agencies. Sensitive species are so called because of their limited distribution, restricted habitat requirements, or particular susceptibility to human disturbance, or a combination of these factors. Sources used for the determination of sensitive biological resources include: USFWS, CDFW. Additional species receive federal protection under the Bald Eagle Protection Act and the Migratory Bird Treaty Act and Convention for the Protection of Migratory Birds and Animals.

The CDFW also lists species as threatened or endangered, or candidates for listing as threatened or endangered. Lower sensitivity animals may be listed as "species of special concern" (CDFW). The CDFW further classifies some species under the following categories: "fully protected," "protected furbearer," "harvest species," "protected amphibian," and "protected reptile." The designation "protected" indicates that a species may not be taken or possessed except under special permit from the CDFW; "fully protected" indicates that a species can be taken only for scientific purposes. The designation "harvest species" indicates that take of the species is controlled by the state government.

4.3.3.1 Sensitive Wildlife Observed

No CAGN were observed within the survey area and none are expected to occur. Due to the sparse and highly disturbed nature of the CSS habitat as well as the location, adjacent to the rail line and residential development, no sensitive animal species were observed and none are expected to occur. A complete list and explanation as to the potential occurrence of all Sensitive Wildlife with the Potential to Occur is described in Appendix D.

4.3.3.2 Sensitive Wildlife Species with the Potential to Occur Onsite (not observed)

The subject property is located within CNDDB-mapped occurrences for two special status species: one federally Endangered mammal, the lesser long-nosed bat (*Leptonycteris yerbabuenae*), and one California State Threatened bird, the bank swallow (*Riparia riparia*). Due to the poor condition and small size of the highly denuded natural habitat onsite (the chaparral/coastal sage scrub habitat located along the southern boundary of the subject property) is unlikely to provide suitable habitat for special status species. Additional protocol surveys are not recommended at this time.

Critical habitat is a term defined and used in the Endangered Species Act (ESA, 1973). It is a specific geographic area(s) that is essential for the conservation of a threatened or endangered species and that may require special management and protection. Critical habitat may include an area that is not currently occupied by the species but that will be needed for its recovery.

There is no designated Critical Habitat located within the subject property. The nearest designated critical habitat is located approximately 0.5 miles northeast of the subject property, east of I-5, and is designated for the coastal California gnatcatcher (*Polioptila californica californica*; CAGN).

4.3.3.3 Raptors

Within the Project footprint, but offsite, numerous scattered mature eucalyptus trees as well as mature ornamental landscaping exist. Mature trees can support raptor nesting. Raptors are large predatory or scavenger birds that typically require tall trees for perching and nesting associated with adjacent open grasslands to forage. Due to declining habitat and the associated declining numbers of these species on the whole, many raptor species have been designated as California Species of Special Concern by the CDFW. These species are protected, especially during their critical nesting and wintering stages. Raptors are protected under the CDFW California Raptor Protection Act (Title 14, Section 670). No raptor nests were observed within the trees onsite.

4.4 Wildlife Corridors

Development within San Diego County has reduced the total available open space for wildlife populations, and in some instances, created isolated "islands" of habitat. In general, corridors and linkages are smaller constrained areas of habitat that connect larger areas of habitat which are otherwise separated by rugged terrain, changes in vegetation, or urban development. This allows for an exchange of gene pool between wildlife populations, which increases the genetic viability of otherwise isolated populations.

Wildlife corridors are especially important for species with large habitat ranges or seasonal migrations. A corridor is a specific route that is used for the movement and migration of species, and may be different from a linkage in that it represents a smaller or narrower avenue for movement. A linkage is an area of land that supports or contributes to the long-term movement of wildlife and genetic exchange by providing live-in habitat that connects to other habitat areas. Many linkages occur as stepping-stone linkages that are comprised of fragmented archipelago arrangement of habitat over a linear distance. In either case, corridors and linkages will be comprised of land features which accommodate the movement of all sizes of wildlife, including large animals on a regional scale. Their contributing areas will support adequate vegetation cover, providing visual continuity and long lines of sight, so as to encourage the use of the corridor by all types of wildlife. In San Diego County, important corridors/linkages have been identified on the local and regional scale in establishing a connection between the northern and southern regions.

The property is surrounded by high density development and not within or adjacent to an existing recognized habitat corridor.

5.0 REGULATORY FRAMEWORK

Federal Jurisdictions

Section 404 of the Clean Water Act

Section 404 of the Clean Water Act (CWA) requires that a permit be obtained from the U.S. Army Corps of Engineers (USACE) prior to the discharge of dredged or fill materials into any "waters of the United States", including wetlands. Waters of the United States are broadly defined in the USACE's regulations (33 CFR 328) to include navigable waterways, their tributaries, lakes, ponds, and wetlands. Wetlands are defined as "Those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that normally do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas." Such permits often require mitigation to offset losses of these habitat types so there is no net loss. Wetlands that are not specifically exempt from Section

404 regulations (such as drainage channels excavated on dry land and isolated wetlands) are considered to be "jurisdictional wetlands." Under certain circumstances where multiple resources are impacted and interagency consultation is required, the USACE may consult with the U.S. Environmental Protection Agency (USEPA), U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), State Water Resources Control Board (SWRCB), and the various Regional Water Quality Control Boards (RWQCBs) throughout the State in carrying out its discretionary authority under Section 404.

Section 401 of the CWA

A Section 401 Water Quality Certification, or waiver thereof, is required from the SWRCB or RWQCB before a Section 404 permit becomes valid. The RWQCB will review the project for consistency with the achievement of water quality objectives and the reasonable protection of beneficial uses designated in the Water Quality Control Plan for the San Diego Basin 9 (Basin Plan). In reviewing the project, the RWQCB will consider impacts to waters of the United States, in addition to filling of isolated wetlands, riparian areas, and headwaters (i.e., areas of high resource value), hydromodification, applicable water quality objectives and designated beneficial uses,, special status species, among other things. Collectively, wetland and water resources regulated by the SWRCB and RWQCB are referred to as waters of the State, and these resources may or may not include waters of the United States. Usually, mitigation is required (if not already a condition of the 404 permit) in the form of replacement or restoration of adversely impacted waters of the U.S.

Migratory Bird Treaty Act of 1918

The Migratory Bird Treaty Act (MBTA) of 1918 (16 USC 703-711) implements various treaties and conventions between the U.S. and Canada, Japan, Mexico and the former Soviet Union for the protection of migratory birds. It is enforced in the United States by the USFWS, and makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed in 50 CFR Part 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). Disturbance that causes nest abandonment and/or loss of reproductive effort (e.g., killing or abandonment of eggs or young) may be considered a "take" and is potentially punishable by fines and/or imprisonment. Migratory birds include geese, ducks, shorebirds, raptors, songbirds, and many other species.

Bald and Golden Eagle Protection Act

Enacted in 1940, this Act prohibits the take, transport, sale, barter, trade, import, export, and possession of bald eagles, making it illegal for anyone to collect bald eagles and eagle parts, nests, or eggs without authorization from the Secretary of the Interior. The Act was amended in 1962 to extend the prohibitions to the golden eagle.

Federal ESA of 1973

The United States Congress passed the FESA in 1973 to provide a means for conserving endangered and threatened species in order to prevent species extinction, extirpation, etc. The FESA has four major components: the Section 4 provisions for listing species and designating critical habitat; the Section 7 requirement for federal agencies to consult with the USFWS to ensure that their actions are not likely to jeopardize the continued existence of species or result in the modification or destruction of critical habitat-the Section 9 prohibition against "taking" listed species-and the Section 10 provisions for permitting the incidental take of listed species. The term "take" is defined by the FESA to include the concept of "harm," which agency regulations define to include death

or injury that results from modification or destruction of a species habitat (50 CFR 17.3).

Section 9 of the FESA

Section 9 of the FESA prohibits any person from "taking" an endangered animal species. Regulations promulgated by USFWS and National Oceanic and Atmospheric Administration make the "take" prohibition generally applicable to threatened animal species as well (50 CFR 17.71). Section 9 thus prohibits the clearing of habitat that results in death or injury to members of a protected species.

An authorization or permit to incidentally take listed species can be obtained either through the Section 7 consultation process or through the Section 10 incidental take permit process. In the context of Section 7, incidental take is authorized through an "incidental take statement" (ITS) that is issued consistent with a Biological Opinion. Measures required to conform to the ITS are contained in "reasonable and prudent measures," as are the terms and conditions necessary to implement those measures. In the context of Section 10, incidental take is authorized through an "incidental take permit" (ITP) issued pursuant to Section 10(a)(1)(B). Measures contained in the ITP reflect the measures set out in a habitat conservation plan developed by the applicant in conjunction with the USFWS.

Section 7 of the FESA

Section 7 of the FESA provides that each federal agency undertaking a federal action which could significantly affect FESA species shall consult with the Secretary of Interior or Commerce, that any actions authorized, funded, or carried out by the agency are "not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of lands determined to be critical habitat" (16 USC Section 1536(a)(2)). The term "agency action" is broadly defined in a manner that includes nearly all actions taken by federal agencies such as permitting or carrying out a project, as well as actions by private parties which require federal agency permits or approval (50 CFR Section 402.02). The consultation requirement of Section 7 is triggered upon a determination that a proposed action "may affect" a listed species or designated critical habitat (50 CFR Section 402.14(a)). If the proposed action is a "major construction" activity, the federal agency proposing the action must prepare a biological assessment to include with its request for the initiation of Section 7 consultation.

Included in the USFWS Biological Opinion is an Incidental Take Statement (ITS) that authorizes a specified level of take anticipated to result from the proposed action. The ITS contains "reasonable and prudent measures" that are designed to minimize the level of incidental take, adverse modification, or destruction to critical habitat, and that must be implemented as a condition of the take authorization (50 CFR Section 402.14(i)(5)).

The issuance of a Biological Opinion concludes formal consultation, but consultation can be reinitiated if the amount or extent of incidental take authorized is exceeded, the action changes, new information reveals effects of the action not previously considered, or a new species is listed or critical habitat is designated (50 CFR Section 402.16). Once the Biological Opinion is issued, the project applicant must implement the terms and conditions, and conservation measures, mandated by the USFWS. Monitoring and reporting is required to be coordinated with the USFWS during the implementation of conservation measures.

Section 10 of the FESA

Under Section 10(a)(1)(B) of the FESA, the USFWS may permit the incidental take of listed species that may occur as a result of an otherwise lawful activity. To obtain a Section 10(a)(1)(B) permit, an applicant must prepare a habitat conservation plan that meets the following five criteria: 1) the taking will be incidental to an otherwise lawful activity; 2) the applicant will, to the maximum extent practicable, minimize and mitigate the impacts of such taking; 3) the applicant will ensure that adequate funding for the plan will be provided; 4) the taking will not appreciably reduce the likelihood of the survival and recovery of the species in the wild; and, 5) other measures, if any, that the USFWS requires as being necessary or appropriate for purposes of the plan will be met (16 USC Section 1539(a)(2)(A)).

State of California (CDFW)

California Endangered Species Act

The CESA declares that deserving plant or animal species will be given protection by the State because they are of ecological, educational, historical, recreational, aesthetic, economic, and scientific value to the people of the State. CESA establishes that it is State policy to conserve, protect, restore, and enhance endangered species and their habitats. Under State law, plant and animal species may be formally designated as rare, threatened, or endangered through official listing by the California Fish and Wildlife Commission. Listed species are given greater attention during the land use planning process by local governments, public agencies, and landowners than are species that have not been listed.

CESA authorizes that “private entities may take plant or wildlife species listed as endangered or threatened under FESA and CESA, pursuant to a federal incidental take permit issued in accordance with Section 10 of the FESA, if the CDFW certifies that the incidental take statement or incidental take permit is consistent with CESA (Fish and Game Code Section 2080.1(a)).

Section 2081(b) and (c) of the CESA allows CDFW to issue an incidental take permit for a state-listed threatened and endangered species only if specific criteria are met. These criteria can be found in Title 14 CCR, Sections 783.4(a) and (b). No Section 2081(b) permit may authorize the take of “fully protected” species and “specified birds.” If a project is planned in an area where a fully protected species or specified bird occurs, an applicant must design the project to avoid all take; the CDFW cannot provide take authorization under CESA. On private property, endangered plants may also be protected by the Native Plant Protection Act (NPPA) of 1977. Threatened plants are protected by CESA, and rare plants are protected by the NPPA; however, CESA authorizes that "Private entities may take plant species listed as endangered or threatened under the FESA and CESA through a federal Incidental Take Permit (ITP) issued pursuant to Section 10 of the FESA, if the CDFW certifies that the ITS or ITP is consistent with CESA.” In addition, CEQA requires disclosure of any potential impacts on listed species and alternatives or mitigation that would reduce those impacts.

CEQA: Treatment of Listed Plant and Animal Species

FESA and CESA protect only those species formally listed as threatened or endangered (or rare in the case of the State list). Section 15380 of the CEQA Guidelines independently defines "endangered" species of plants or animals as those whose survival and reproduction in the wild are in immediate jeopardy and "rare" species as those who

are in such low numbers that they could become endangered if their environment worsens. Therefore, a project normally will have a significant effect on the environment if it will substantially affect a rare or endangered species of animal or plant or the habitat of the species. The significance of impacts to a species under CEQA must be based on analyzing actual rarity and threat of extinction despite legal status or lack thereof.

Sections 1601 to 1603 of the California Fish and Game Code

Streambeds and other drainages that occur within the project proponent service area and proposed CIP project sites are subject to regulation by the CDFW. The CDFW considers most drainages to be "streambeds" unless it can be demonstrated otherwise. A stream is defined as a body of water that flows at least periodically or intermittently through a bed or channel with banks and supports fish or other aquatic life. This includes watercourses having a surface or sub-surface flow that supports, or has supported, riparian vegetation. CDFW jurisdiction typically extends to the edge of the blue-line streams, and therefore, usually encompasses a larger area than Corps jurisdiction.

Sections 3503, 3503.5, and 3800 of the California Fish and Game Code

These sections of the Fish and Game Code prohibit the take or possession of birds, their nests, or eggs. Disturbance that causes nest abandonment and/or loss of reproductive effort (killing or abandonment of eggs or young) is considered a take. Such a take would also violate federal law protecting migratory birds. ITPs are required from the CDFW for projects that may result in the incidental take of species listed by the State as endangered, threatened, or candidate species. The wildlife agencies require that impacts to protected species be minimized to the extent possible and mitigated to a level of insignificance.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act provides for statewide coordination of water quality regulations. The Act established the SWRCB as the State-wide authority and nine separate RWQCBs to oversee smaller regional areas within the State. The Act authorizes the SWRCB to adopt, review, and revise Water Quality Control Policies for all waters of the State (including both surface and ground waters); and directs the RWQCBs to develop regional Basin Plans. Section 13170 of the California Water Code also authorizes the SWRCB to adopt water quality control plans on its own initiative. The Water Quality Control Plan for the San Diego Basin 9 (Basin Plan) is designed to preserve and enhance the quality of water resources in the San Diego region for the benefit of present and future generations.

The purpose of the plan is to designate beneficial uses of the region's surface and ground waters, designate water quality objectives for the reasonable protection of those uses, and establish an implementation plan to achieve the objectives.

California Natural Community Conservation Planning Act of 1991

The NCCP Act is designed to conserve habitat-based natural communities at the ecosystem scale while accommodating compatible land uses in coordination with CESA. CDFW is the principal state agency implementing the NCCP Program. The Act established a process to allow for comprehensive, long-term, regional, multi-species, and habitat-based planning in a manner that satisfies the requirements of the State and FESAs (through a companion regional habitat conservation plan). The NCCP program has provided the framework for innovative

efforts by the State, local governments, and private interests, to plan for the protection of regional biodiversity and the ecosystems upon which they depend. NCCPs seek to ensure the long-term conservation of multiple species, while allowing for compatible and appropriate economic activity to proceed.

Local Jurisdiction

Multiple Habitat Conservation Program

The MHCP is a comprehensive, multiple jurisdictional planning program designed to develop an ecosystem preserve in northwestern San Diego County. Implementation of the regional preserve system is intended to protect viable populations of key sensitive plant and animal species and their habitats, while accommodating continued economic development and quality of life for residents of the North County region. The MHCP is one of several large multiple jurisdictional habitat planning efforts in San Diego County, each of which constitutes a subregional plan under the California NCCP Act of 1991. The MHCP includes seven incorporated cities in northwestern San Diego County: Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista. These jurisdictions will implement their respective portions of the MHCP through citywide "subarea" plans, which describe the specific implementing mechanisms each city will institute for the MHCP. The goal of the MHCP is to conserve approximately 19,000 acres of habitat, of which roughly 8,800 acres (46 percent) are already in public ownership and contribute toward the habitat preserve system for the protection of more than 80 rare, threatened or endangered species.

City of Oceanside Subarea Habitat Conservation Plan (HCP)/Natural Community Conservation Plan

The City of Oceanside Subarea Habitat Conservation Plan (HCP)/Natural Community Conservation Plan addresses how the City of Oceanside will conserve natural biotic communities and sensitive plant and wildlife species under the MHCP framework. The Subarea Plan will provide regulatory certainty to the landowners within the City and aid in conserving the region's biodiversity and enhancing the quality of life. The Subarea Plan addresses the potential impacts to natural habitats and rare, threatened or endangered species caused by projects within the Cities. The Subarea Plans will also form the basis for Implementing Agreements, which will be the legally binding agreements between the City and the Wildlife Agencies that ensure implementation of the plan and provides the City with State and federal "Take authority."

City of Oceanside General Plan

The City of Oceanside General Plan is the primary source of long-range planning and policy direction used to guide growth and preserve the quality of life within the City of Oceanside. The Oceanside General Plan states that a goal of the City is to analyze proposed land uses to ensure that the designations would contribute to a proper balance of land uses within the community. The Oceanside General Plan contains stated community goals and policies designed to shape the long-term development of the City, as well as protect its environmental, social, cultural, and economic resources.

6.0 ANTICIPATED PROJECT IMPACTS

This section addresses potential direct, indirect, and cumulative impacts to biological resources that would result from implementation of the proposed project, and provides analyses of significance for each potential impact.

Direct Impacts are immediate impacts resulting from temporary and permanent removal of habitat through grading and Brush Management Zone (BMZ impacts, onsite, are required).

Indirect Impacts result from changes in land use adjacent to natural habitat and primarily result from adverse "edge effects;" either short-term indirect impacts related to construction or long-term, chronic indirect impacts associated with urban development. During construction of the project, short-term indirect impacts include dust and noise which could temporarily disrupt habitat and species vitality or construction related soil erosion and run-off. Long-term indirect impacts may include intrusions by humans and domestic pets, noise, lighting, invasion by exotic plant and wildlife species, use of toxic chemicals (fertilizers, pesticides, herbicides, and other hazardous materials), soil erosion, litter, fire, and hydrological changes (e.g., groundwater level and quality).

Cumulative Impacts refer to incremental individual environmental effects of two or more projects when considered together. These impacts taken individually may be minor, but collectively significant as they occur over a period of time.

Thresholds of Significance refer to the evaluation of whether or not an impact to a particular biological resource is significant must consider both the resource itself and the role of that resource in a regional context. Substantial impacts are those that contribute to, or result in, permanent loss of an important resource, such as a population of a rare plant or animal. Impacts may be important locally because they result in an adverse alteration of existing site conditions, but considered not significant because they do not contribute substantially to the permanent loss of that resource regionally. The severity of an impact is the primary determinant of whether or not that impact can be mitigated to a level below significant. Generally, there are three levels of adverse impacts associated with biological resources: significant, locally important, and not significant.

6.1 Avoidance and Minimization

The proposed project has been designed to avoid impacts to biological resources in order to minimize significant cumulative impacts. The proposed development is clustered within the existing disturbed/developed area, avoiding the slope to the greatest extent possible (Figures 5).

Therefore, by avoiding impacts to the maximum extent practicable by project design, impacts to significant biological resources are not proposed as a result of the proposed project.

6.2 Project Impacts

The proposed project has been designed to avoid impacts to biological resources in order to minimize significant cumulative impacts. A total of 2.54 acres are proposed to be impacted. A total of 0.15 acres of sensitive habitats are proposed to be impacted. Of these impacts, a total of 0.3 acres are proposed as Brush Management Zone (BMZ) maintained areas (no grading).

TABLE 4
Project Impacts and
Mitigation Requirements

Habitat Type	Onsite Acreage	Impacts (onsite/offsite)	Avoidance	Mitigation Ratio	Mitigation Acreage
Chaparral (maritime succulent scrub, disturbed)*	0.28	0.14 (0.14/0.0)	0.14	3:1	0.42
Coastal Sage Scrub (unoccupied CSS, disturbed)*	0.03	0.01 (0.01/0.0)	0.02	2:1	0.02
Disturbed Habitat	2.34	1.89 (1.87/0.02)	0.47	N/A	0.0
Developed/Urban	0.01	0.5 (0.01/0.49)	0.0	N/A	0.0
Total	**2.66**	**2.54 (2.03/0.51)**	**0.63**		**0.44**

* Denotes a Sensitive Habitat

6.3 Significance of Impacts

Generally, there are three levels of adverse impacts associated with biological resources: significant, locally important, and not significant. These levels of impacts were applied to the project site and are used below in the discussion of specific potential impacts. Figure 5 details the proposed impact footprint.

Sensitive Habitat

Impacts to the 0.01 acres of disturbed CSS and maritime succulent scrub chaparral (0.14 acres) is considered significant and mitigation would be required.

Sensitive Plant Species

No sensitive plant species were documented onsite. No impacts to sensitive plant species are expected to occur and mitigation would be not be required.

Sensitive Wildlife Species

No sensitive wildlife species were documented onsite. No impacts to sensitive wildlife species are expected to occur and mitigation would be not be required.

Due to the fact that raptors have been historically observed in the area and there are large open areas onsite, raptor foraging within this area may occur. However, as this area is currently and historically utilized by human activity, the loss of this area does not constitute a significant habitat impact or loss of significant raptor foraging area. As potentially appropriate raptor nesting sites have been observed onsite, preventative measures to preclude direct and/or indirect impacts violating the Migratory Bird Treaty Act (MBTA) shall be implemented. Potential nesting sites are defined as large trees, and/or man made towers/poles etc. Preventative mitigation (pre-construction surveys) are recommended (Mitigation Section 7.2).

7.0 PROPOSED MITIGATION

Under CEQA, mitigation is required for all significant biological impacts (e.g. impacts within highly constrained areas). In addition, the CDFW 1600 and the ACOE 404 permit process generally require mitigation for the loss of wetland resources. The following mitigation measures are recommendations to locally important biological impacts. Although mitigation measures are not often required for locally important impacts, local jurisdictions often implement these measures to minimize cumulative impacts within the region.

According to Appendix G of the State CEQA guidelines, the proposed project would have a potentially significant impact to onsite biological resources if it would:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

7.1 Direct Impacts - Mitigation

Potentially significant impacts to 0.01 acres of CSS are proposed and mitigation is required. A mitigation ratio of 2:1 will be required. A total of 0.02 acres of CSS habitat is required.

Potentially significant impacts to 0.14 acres of City of Oceanside chaparral (maritime succulent scrub) are proposed and mitigation is required. A mitigation ratio of 3:1 will be required. A total of 0.42 acres of habitat is required as mitigation.

7.2 Indirect Impacts - Preventative Mitigation

In order to prevent potential significant indirect impacts to breeding birds/raptors, if grading is proposed during the bird/raptor breeding season (January to July) then a pre-construction survey for active nests shall be performed no more than three days prior to the initiation of construction. If an active nest is identified onsite,

then grading shall be postponed until the nest is no longer active.

7.3 Cumulative Impacts

The proposed project will not contribute to the cumulative loss of native habitat within the local community and unincorporated San Diego County. Through the proposed design, the project will not have a cumulatively considerable or significant impact to biological resources.

8.0 NCCP/4(D) CONFORMANCE FINDINGS

The proposed project has been designed to conform to the Conservation Guidelines provided by the Southern California Coastal Sage Scrub NCCP Process Guidelines (NCCP 2002). The project proposes impacts to approximately 33 percent of the coastal sage scrub onsite; 67% will be preserved within an onsite OS. All impacts onsite have been clustered to the maximum extent practical. In addition, impacts to sensitive resources will be mitigated in conformance with the NCCP process guidelines. As discussed, no recognized formal wildlife corridor will be affected by the proposed project. The proposed project will be contributing to the future sub-regional NCCP by preserving approximately 0.02 acres of coastal sage scrub onsite and impacts to 0.01 acres of sensitive CSS habitat will be mitigated (at 2:1) by purchasing 0.02 acres of offsite mitigation credits, contributing to the future Sub-regional NCCP.

9.0 LITERATURE CITED

AOU. American Ornithological Union. 1998, 2000. Forty-second Supplement to the American Ornithologists' Union Checklist of North American Birds.

CDFW. California Department of Fish and Wildlife. 2012. List of CDFW Special Status Plants, Animals and Natural Communities of San Diego County, CDFW Natural Heritage Division, Sacramento.

California Department of Fish and Wildlife. 2012. "Endangered, Threatened and Rare Plants of California." State of California Dept. of Fish and Wildlife, Natural Heritage Division, Plant Conservation Program, Sacramento. April.

California Department of Fish and Wildlife.2012. CDFW Natural Diversity Data Base. Special Animals. July 2012.

CNPS. 2015. California Native Plant Society's Electronic Inventory of Rare and Endangered Vascular Plants of California, (6th Edition, Electronic Inventory).

City of Oceanside. 2010. Oceanside Subarea Habitat Conservation Plan (HCP)/Natural Community Conservation Plan. Land Use and Environment Group.

City of Oceanside. General Plan.

Hickman, J. C. 1993. The Jepson Manual of Higher Plants of California. University of California Press, Berkeley.

Holland, R. F. 1986. Preliminary Descriptions of the Terrestrial Natural Communities of California. Non-game Heritage Program, State of California Department of Fish and Game, Sacramento, CA. 157 pp.

Jennings, M. R. 1983. An Annotated Checklist of the Amphibians and Reptiles of Southern California. California Department of Fish and Game 69(3):151-171.

Jones, J.K., *ET AL*. 1992. Revised Checklist of North American Mammals North of Mexico, 1991.

Oberbauer, T. 1996. Terrestrial Vegetation Communities in San Diego County Based on Holland's Descriptions.

Powell, J.A., C.L. Hogue. 1979. California Insects. University of California Press, Berkeley.

Stebbins, R. C. 2003. Field Guide to Western Reptiles and Amphibians Houghton Mifflin Co., Boston.

Unitt, P. A. 1984. Birds of San Diego County. Memoir 13, San Diego Society of Natural History. 276 pp.

USFWS. U.S. Fish and Wildlife Service. 2015. U.S. Endangered, Threatened and Candidate Plant and Animal Species by State and Lead Region. U.S. Department of the Interior. United States Fish and Wildlife Service Threatened and Endangered Species System,

Zeiner, D. C., W. F. Laudenslayer, Jr., K. E. Mayer, and M. White. 1990. California's Wildlife, Volume III, Mammals. State of California Department of Fish and Game, Sacramento. 168 pp.

10.0 CERTIFICATION

The following qualified Biologist completed the stated field survey(s) and preparation of this report: Michael Jefferson

CERTIFICATION: *I hereby certify that the statements furnished above and in the attached exhibits present data and information required for this biological evaluation, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.*

Signed:

Michael K. Jefferson
BLUE Consulting Group
Senior Biologist

Appendix A Plant Species Observed (Table 3)

ATTACHMENT 1
PLANT SPECIES OBSERVED

Scientific Name	Common Name	Habitat	Origin
Amaranthus blitoides S. Wats.	Pigweed, amaranth	DH	I
Agave shawii	Shaw's Agave	CH	N
Artemisia Californica	Sagebrush	CSS	N
Avena sp.	Wild oats	DH	N
Brassica nigra (L.) Koch.	Black mustard	DH	I
Bromus hordaceus L.	Smooth brome	DH	I
Bromus madritensis L. ssp. *rubens* (L.) Husnot	Foxtail chess	DH	I
Centaurea melitensis L.	Tocolote, star-thistle	DH	I
Chrysanthemum	Chrysanthemum	DH	I
Cylindropuntia prolifera	Coastal Cholla	CH	N
Dudleya edulis	Ladyfingers	CH	N
Eriogonum fasciculatum Benth. var. *fasciculatum*	California buckwheat	CSS	N
Eriophyllum confertiflorum (DC.) A. Gray var. *confertiflorum*	Golden-yarrow	CSS	N
Erodium cicutarium (L.) L. Her.	White-stemmed filaree	DH	I
Eucalyptus sp.	Eucalyptus sp.	DH	I
Foeniculum vulgare Mill.	Fennel	DH	I
Medicago polymorpha L.	California bur clover	DH	I
Melilotus alba	White sweet clover	DH	N
Opuntia littoralis	Prickly Pear	CH	N
Salsola tragus L.	Russian thistle, tumbleweed	DH	I
Schinus terebinthifolius Raddi	Brazilian pepper tree	DH	I
Urtica urens L.	Dwarf nettle	DH	I
Vulpia myuros (L.) var. *hirsuta* (Hackel.) Asch. & Graebr.	Rattail fescue	DH	I
Xanthium strumarium L.	Cocklebur	DH	N

HABITATS

DH = Developed/Disturbed/Ruderal habitat
CH = Chaparral
CSS = Coastal Sage Scrub

OTHER TERMS

N = Native to locality
I = Introduced species from outside locality

Appendix B USFWS IPAC Species List

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Carlsbad Fish And Wildlife Office
2177 Salk Avenue - Suite 250
Carlsbad, CA 92008-7385
Phone: (760) 431-9440 Fax: (760) 431-5901
http://www.fws.gov/carlsbad/

In Reply Refer To: May 31, 2017
Consultation Code: 08ECAR00-2017-SLI-0905
Event Code: 08ECAR00-2017-E-01930
Project Name: Oceanside

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, and proposed species, designated critical habitat, and candidate species that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the

human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Carlsbad Fish And Wildlife Office
2177 Salk Avenue - Suite 250
Carlsbad, CA 92008-7385
(760) 431-9440

Project Summary

Consultation Code: 08ECAR00-2017-SLI-0905

Event Code: 08ECAR00-2017-E-01930

Project Name: Oceanside

Project Type: DEVELOPMENT

Project Description: Development of housing

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/33.18492399154773N117.36570271310927W

Counties: San Diego, CA

Endangered Species Act Species

There is a total of 19 threatened, endangered, or candidate species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area. Please contact the designated FWS office if you have questions.

Mammals

NAME	STATUS
Pacific Pocket Mouse *(Perognathus longimembris pacificus)* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8080	Endangered
Stephens' Kangaroo Rat *(Dipodomys stephensi (incl. D. cascus))* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3495	Endangered

Birds

NAME	STATUS
California Least Tern *(Sterna antillarum browni)* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8104	Endangered
Coastal California Gnatcatcher *(Polioptila californica californica)* There is a **final** critical habitat designated for this species. Your location is outside the designated critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8178	Threatened
Least Bell's Vireo *(Vireo bellii pusillus)* There is a **final** critical habitat designated for this species. Your location is outside the designated critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5945	Endangered
Light-footed Clapper Rail *(Rallus longirostris levipes)* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6035	Endangered
Southwestern Willow Flycatcher *(Empidonax traillii extimus)* There is a **final** critical habitat designated for this species. Your location is outside the designated critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6749	Endangered
Western Snowy Plover *(Charadrius alexandrinus nivosus)* Population: Pacific Coast population DPS-U.S.A. (CA, OR, WA), Mexico (within 50 miles of Pacific coast) There is a **final** critical habitat designated for this species. Your location is outside the designated critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8035	Threatened

Amphibians

NAME	STATUS
Arroyo (=arroyo Southwestern) Toad *(Anaxyrus californicus)*	Endangered

There is a **final** critical habitat designated for this species. Your location is outside the designated critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/3762

Fishes

NAME	STATUS
Tidewater Goby *(Eucyclogobius newberryi)*	Endangered

There is a **final** critical habitat designated for this species. Your location is outside the designated critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/57

Crustaceans

NAME	STATUS
Riverside Fairy Shrimp *(Streptocephalus woottoni)*	Endangered

There is a **final** critical habitat designated for this species. Your location is outside the designated critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/8148

San Diego Fairy Shrimp *(Branchinecta sandiegonensis)*	Endangered

There is a **final** critical habitat designated for this species. Your location is outside the designated critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/6945

Vernal Pool Fairy Shrimp *(Branchinecta lynchi)*	Threatened

There is a **final** critical habitat designated for this species. Your location is outside the designated critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/498

Flowering Plants

NAME	STATUS
Del Mar Manzanita *(Arctostaphylos glandulosa ssp. crassifolia)* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7673	Endangered
San Diego Ambrosia *(Ambrosia pumila)* There is a **final** critical habitat designated for this species. Your location is outside the designated critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8287	Endangered
San Diego Button-celery *(Eryngium aristulatum var. parishii)* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5937	Endangered
San Diego Thornmint *(Acanthomintha ilicifolia)* There is a **final** critical habitat designated for this species. Your location is outside the designated critical habitat. Species profile: https://ecos.fws.gov/ecp/species/351	Threatened
Spreading Navarretia *(Navarretia fossalis)* There is a **final** critical habitat designated for this species. Your location is outside the designated critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1334	Threatened
Thread-leaved Brodiaea *(Brodiaea filifolia)* There is a **final** critical habitat designated for this species. Your location is outside the designated critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6087	Threatened

Critical habitats

There are no critical habitats within your project area.

Appendix C Sensitive Plant Species with the Potential to Occur

SENSITIVE PLANT SPECIES
OBSERVED (†) OR WITH THE POTENTIAL FOR OCCURRENCE

Species	State/Federal Status	City Status	CNPS List/Code	Typical Habitat/Comments
Acanthomintha ilicifolia San Diego thornmint	CE/FT	NE, MSCP	1B/2-3-2	Chaparral, coastal sage scrub, valley and foothill grassland/ clay soils. No appropriate habitat, not expected to occur
Ambrosia pumila San Diego ambrosia	–/–	NE, MSCP	1B/3-2-2	Creekbeds, seasonally dry drainages, floodplains. No suitable habitat. no potential to occur.
Arctostaphylos glandulosa ssp. *crassifolia* Del Mar manzanita	–/FE	MSCP	1B/3-3-2	Southern maritime chaparral. No appropriate habitat, not expected to occur
Artemisia palmeri San Diego sagewort	–/–	–	2/2-2-1	Coastal sage scrub, chaparral, riparian. No appropriate habitat, not expected to occur
Baccharis vanessae Encinitas coyote bush	CE/FT	NE, MSCP	1B/2-3-3	Chaparral. No appropriate habitat, not expected to occur
Brodiaea filifolia Thread-leaved brodiaea	CE/FT	MSCP	1B/3-3-3	Valley and foothill grassland, vernal pools. No appropriate habitat, not expected to occur
Brodiaea orcuttii Orcutt's brodiaea	–/–	MSCP	1B/1-3-2	Closed-cone coniferous forest, meadows, cismontane woodland, valley and foothill grassland, vernal pools. No appropriate habitat, not expected to occur
Chorizanthe polygonoides var. *longispina* Long-spined spineflower	–/–	–	1B/2-2-2	Open chaparral, coastal sage scrub, montane meadows, valley and foothill grasslands; vernal pools/clay. No appropriate habitat, not expected to occur
Dichondra occidentalis Western dichondra	–/–	–	4/1-2-1	Chaparral, cismontane woodland, coastal sage scrub, valley and foothill grassland/generally post-burn. No appropriate habitat, not expected to occur

SENSITIVE PLANT SPECIES
OBSERVED (†) OR WITH THE POTENTIAL FOR OCCURRENCE
(continued)

Species	State/Federal Status	City Status	CNPS List/Code	Typical Habitat/Comments
Ferocactus viridescens Coast barrel cactus	–/–	MSCP	2/1-3-1	Chaparral, coastal sage scrub, valley and foothill grassland. Not observed, not expected to occur
Harpagonella palmeri var. *palmeri* Palmer's grappling hook	–/–	–	2/1-2-1	Chaparral, coastal sage scrub, valley and foothill grassland. No appropriate habitat, not expected to occur
Juncus acutus ssp. leopoldii Spiny rush	–/–	–	4/1-2-1	Coastal dunes (mesic) meadows (alkaline), coastal salt marsh. No appropriate habitat, not expected to occur
Lessingia filaginifolia var. *filaginifolia* (=*Corethrogyne filaginifolia* var. *incana*) San Diego sand aster	–/–	–	1B/2-2-2	Coastal sage scrub, chaparral. No appropriate habitat, not expected to occur
Muilla clevelandii San Diego goldenstar	–/–	MSCP	1B/2-2-2	Chaparral, coastal sage scrub, valley and foothill grassland, vernal pools. No appropriate habitat, not expected to occur
Quercus dumosa Nuttall's scrub oak	–/–	–	1B/2-3-2	Coastal chaparral. No appropriate habitat, not expected to occur
Tetracoccus dioicus Parry's tetracoccus	–/–	MSCP	1B/3-2-2	Chaparral, coastal sage scrub. No appropriate habitat, not expected to occur

NOTE: See Appendix E for explanation of sensitivity codes.

Appendix D Sensitive Wildlife Species with the Potential to Occur

SENSITIVE WILDLIFE SPECIES
OBSERVED (∞) OR WITH THE POTENTIAL FOR OCCURRENCE

Species	Status	Habitat	Occurrence/Comments*
Invertebrates (Nomenclature from Collins 1997)			
Quino checkerspot butterfly *Euphydryas editha quino*	CSC, MSCP	Chaparral, coastal sage scrub with coarse sandy soils and scattered brush and *plantago* sp.	Outside of USFWS potential habitat area. No potential to occur onsite.
Monarch *Danaus plexippus*	CSC, MSCP	Open fields and meadows with milkweed.	No potential to occur onsite.
Reptiles (Nomenclature from Collins 1997)			
Southwestern pond turtle *Clemmys marmorata pallida*	CSC, FSS, MSCP	Ponds, small lakes, marshes, slow-moving, sometimes brackish water.	No appropriate habitat. No potential to occur onsite.
San Diego horned lizard *Phrynosoma coronatum blainvillii*	CSC, MSCP, *	Chaparral, coastal sage scrub with fine, loose soil. Partially dependent on harvester ants for forage.	No appropriate habitat. No potential to occur onsite.
Coastal rosy boa *Charina trivirgata roseofusca*	CSC, MSCP	Chaparral, coastal sage scrub with coarse sandy soils and scattered brush.	No appropriate habitat. No potential to occur onsite.
San Diego banded gecko *Coleonyx variegates abbottii*	CSC, MSCP	Rocky areas in coastal sage and chaparral.	No appropriate habitat. No potential to occur onsite.
Coastal whiptail *Cnemidophorus tigris stejnegeri*	CSC, MSCP	Chaparral, coastal sage scrub with coarse sandy soils and scattered brush.	No appropriate habitat. No potential to occur onsite.
Belding's orangethroat whiptail *Cnemidophorus hyperythrus beldingi*	CSC, MSCP	Chaparral, coastal sage scrub with coarse sandy soils and scattered brush.	No appropriate habitat. No potential to occur onsite.
Silvery legless lizard *Anniella pulchra pulchra*	CSC	Herbaceous layers with loose soil in coastal scrub, chaparral, and open riparian habitats. Prefers dunes and sandy washes near moist soil.	Low potential to occur onsite due to habitat. Not historically observed in the area, not expected to occur.

SENSITIVE WILDLIFE SPECIES
OBSERVED (∞) OR WITH THE POTENTIAL FOR OCCURRENCE
(continued)

Species	Status	Habitat	Occurrence/Comments*
Red diamond rattlesnake *Crotalus exsul (C. ruber ruber)*	CSC	Desert scrub and riparian habitats, coastal sage scrub, open chaparral, grassland, and agricultural fields.	No appropriate habitat. No potential to occur onsite.
San Diego ring neck snake *Diadophis punctatus similis*	CSC	Moist habitats, including wet meadows, rocky hillsides, gardens, farmland, grassland, chaparral, mixed coniferous forests, woodlands.	No appropriate habitat. No potential to occur onsite.
Coast patch-nosed snake *Salvadora hexalepis virgultea*	CSC	Grasslands, chaparral, sagebrush, desert scrub. Found in sandy and rocky areas.	Low potential to occur onsite due to habitat. Not historically observed in the area.
<u>Birds</u> (Nomenclature from American Ornithologists' Union)			
Great blue heron (rookery site) *Ardea herodias*	*	Bays, lagoons, ponds, lakes. Non-breeding year-round visitor, some localized breeding.	No appropriate habitat. No potential to occur onsite.
Great egret (rookery site) *Ardea alba*	*	Lagoons, bays, estuaries. Ponds and lakes in the coastal lowland. Winter visitor, uncommon in summer.	No appropriate habitat. No potential to occur onsite.
White-tailed kite (nesting) *Elanus leucurus*	CFP, *	Nest in riparian woodland, oaks, sycamores. Forage in open, grassy areas. Year-round resident.	No appropriate habitat. No potential to occur onsite.
Northern harrier (nesting) *Circus cyaneus*	CSC, MSCP	Coastal lowland, marshes, grassland, agricultural fields. Migrant and winter resident, rare summer resident.	No appropriate habitat. No potential to occur onsite.
Sharp-shinned hawk (nesting) *Accipiter striatus*	CSC	Open deciduous woodlands, forests, edges, parks, residential areas. Migrant and winter visitor.	No appropriate habitat. No potential to occur onsite.

SENSITIVE WILDLIFE SPECIES
OBSERVED (∞) OR WITH THE POTENTIAL FOR OCCURRENCE
(continued)

Species	Status	Habitat	Occurrence/Comments*
Cooper's hawk (nesting) *Accipiter cooperii*	CSC, MSCP	Mature forest, open woodlands, wood edges, river groves. Parks and residential areas. Migrant and winter visitor.	No appropriate habitat. No potential to occur onsite.
Ferruginous hawk (wintering) *Buteo regalis*	CSC	Require large foraging areas. Grasslands, agricultural fields. Uncommon winter resident.	No appropriate habitat. No potential to occur onsite.
Golden eagle (nesting and wintering) *Aquila chrysaetos*	CSC, CFP, BEPA, MSCP	Require vast foraging areas in grassland, broken chaparral, or sage scrub. Nest in cliffs and boulders. Uncommon resident.	No appropriate habitat. No potential to occur onsite.
Merlin *Falco columbarius*	CSC	Rare winter visitor. Grasslands, agricultural fields, occasionally mud flats.	No appropriate habitat. No potential to occur onsite.
Prairie falcon (nesting) *Falco mexicanus*	CSC	Grassland, agricultural fields, desert scrub. Uncommon winter resident. Rare breeding resident. Breeds on cliffs.	Low potential to occur onsite.
Western yellow-billed cuckoo (breeding) *Coccyzus americanus occidentalis*	SE	Large riparian woodlands. Summer resident. Very localized breeding.	Low potential to occur onsite.
Western burrowing owl (burrow sites) *Speotyto cunicularia hypugaea*	CSC, MSCP	Grassland, agricultural land, coastal dunes. Require rodent burrows. Declining resident.	Low potential to occur onsite.
Southwestern willow flycatcher *Empidonax traillii extimus*	SE, FE, FSS, MSCP	Nesting restricted to willow thickets. Also occupies other woodlands. Rare spring and fall migrant, rare summer resident. Extremely localized breeding.	No appropriate habitat. No potential to occur onsite.
Turkey Vulture *Cathartes aura*	CSC, MSCP	Grassland, agricultural land, coastal sage, chaparral. Declining resident.	Limited potential nesting onsite

SENSITIVE WILDLIFE SPECIES
OBSERVED (∞) OR WITH THE POTENTIAL FOR OCCURRENCE
(continued)

Species	Status	Habitat	Occurrence/Comments*
California horned lark *Eremophila alpestris actia*	CSC	Sandy shores, mesas, disturbed areas, grasslands, agricultural lands, sparse creosote bush scrub.	Low potential to occur onsite.
Coastal cactus wren *Campylorhynchus brunneicapillus couesi*	CSC, MSCP, *	Maritime succulent scrub, coastal sage scrub with *Opuntia* thickets. Rare localized resident.	No appropriate habitat. No potential to occur onsite.
Coastal California gnatcatcher *Polioptila californica californica*	FT, CSC, MSCP	Coastal sage scrub, maritime succulent scrub. Resident.	Competed protocol surveys, negative. No appropriate habitat no potential to occur onsite.
Loggerhead shrike *Lanius ludovicianus*	CSC	Open foraging areas near scattered bushes and low trees.	Low potential to occur onsite.
Least Bell's vireo (nesting) *Vireo bellii pusillus*	SE, FE, MSCP	Willow riparian woodlands. Summer resident.	Low potential to occur onsite.
Yellow warbler (nesting) *Dendroica petechia brewsteri*	CSC	Breeding restricted to riparian woodland. Spring and fall migrant, localized summer resident, rare winter visitor.	No appropriate habitat. No potential to occur onsite.
Yellow-breasted chat (nesting) *Icteria virens*	CSC, MSCP	Dense riparian woodland. Localized summer resident.	No appropriate habitat. No potential to occur onsite.
Southern California rufous-crowned sparrow *Aimophila ruficeps canescens*	CSC, MSCP	Coastal sage scrub, grassland. Resident.	No appropriate habitat. No potential to occur onsite.
Bell's sage sparrow *Amphispiza belli belli*	CSC, MSCP	Chaparral, coastal sage scrub. Localized resident.	No appropriate habitat. No potential to occur onsite.
Tricolored blackbird *Agelaius tricolor*	CSC, MSCP	Freshwater marshes, agricultural areas, lakeshores, parks. Localized resident.	No appropriate habitat. No potential to occur onsite.
Blue grosbeak (nesting) *Guiraca caerulea*	*	Riparian woodland edges, mule fat thickets. Summer resident, spring and fall migrant, winter visitor.	No appropriate habitat. No potential to occur onsite.

SENSITIVE WILDLIFE SPECIES
OBSERVED (∞) OR WITH THE POTENTIAL FOR OCCURRENCE
(continued)

Species	Status	Habitat	Occurrence/Comments*
Mammals (Nomenclature from Jones et al. 1982)			
Pallid bat *Antrozous pallidus*	CSC	Caves, mines, buildings. Found in a variety of habitats, arid and mesic.	Low to moderate potential to occur onsite due to habitat. Not historically observed in the area.
Ringtail cat *Bassariscus astutus*	CSC	Desert dune, rock outcrops, chaparral, forest (scrub) and mountains.	No appropriate habitat. No potential to occur onsite.
Pale big-eared bat *Corynorhinus townsendii pallescens*	CSC	Caves, mines, buildings. Found in a variety of habitats, arid and mesic.	Low to moderate potential to occur onsite due to habitat. Not historically observed in the area.
Townsend's western big-eared bat *Corynorhinus townsendii townsendii*	CSC, MSCP	Caves, mines, buildings. Found in a variety of habitats, arid and mesic.	Low to moderate potential to occur onsite due to habitat. Not historically observed in the area.
Californai leaf nosed bat *Macrotus californicus*	CSC, MSCP	Woodlands, rocky habitat, arid and semiarid lowlands, cliffs, crevices, buildings, tree hollows.	Low to moderate potential to occur onsite due to habitat. Not historically observed in the area.
Western mastiff bat *Eumops perotis californicus*	CSC, MSCP	Woodlands, rocky habitat, arid and semiarid lowlands, cliffs, crevices, buildings, tree hollows.	Low to moderate potential to occur onsite due to habitat. Not historically observed in the area.
Western small-footed myotis *Myotis ciliolabrum*	CSC, MSCP	Woodlands, rocky habitat, arid and semiarid lowlands, cliffs, crevices, buildings, tree hollows.	Low to moderate potential to occur onsite due to habitat. Not historically observed in the area.
Long-eared myotis *Myotis evotis*	CSC, MSCP	Woodlands, rocky habitat, arid and semiarid lowlands, cliffs, crevices, buildings, tree hollows.	Low to moderate potential to occur onsite due to habitat. Not historically observed in the area.
Yuma myotis *Myotis yumanensis*	CSC, MSCP	Woodlands, rocky habitat, arid and semiarid lowlands, cliffs, crevices, buildings, tree hollows.	Low to moderate potential to occur onsite due to habitat. Not historically observed in the area.

SENSITIVE WILDLIFE SPECIES
OBSERVED (∞) OR WITH THE POTENTIAL FOR OCCURRENCE
(continued)

Species	Status	Habitat	Occurrence/Comments*
Friged myotis *Eumops perotis californicus*	CSC, MSCP	Woodlands, rocky habitat, arid and semiarid lowlands, cliffs, crevices, buildings, tree hollows.	Low to moderate potential to occur onsite due to habitat. Not historically observed in the area.
Long legged myotis *Myotis volans*	CSC, MSCP	Woodlands, rocky habitat, arid and semiarid lowlands, cliffs, crevices, buildings, tree hollows.	Low to moderate potential to occur onsite due to habitat. Not historically observed in the area.
Big free-tailed bat *Nyctinomops macrotis*	CSC, MSCP	Woodlands, rocky habitat, arid and semiarid lowlands, cliffs, crevices, buildings, tree hollows.	Low to moderate potential to occur onsite due to habitat. Not historically observed in the area.
Pocketed free-tailed bat *Nyctinomops femorosacca*	CSC, MSCP	Woodlands, rocky habitat, arid and semiarid lowlands, cliffs, crevices, buildings, tree hollows.	Low to moderate potential to occur onsite due to habitat. Not historically observed in the area.
Californai leaf nosed bat *Macrotus californicus*	CSC, MSCP	Woodlands, rocky habitat, arid and semiarid lowlands, cliffs, crevices, buildings, tree hollows.	Low to moderate potential to occur onsite due to habitat. Not historically observed in the area.
Mountain lion *Felis concolor*	CSC, MSCP	Grassland, agricultural land, coastal sage, chaparral. Declining resident.	Low to moderate potential to occur onsite due to habitat. Not historically observed in the area.
Southern Mule Deer *Odocolleus hemionus*	CSC, MSCP	Grassland, agricultural land, coastal sage, chaparral. Declining resident.	Low to moderate potential to occur onsite due to habitat. Not historically observed in the area.
San Diego black-tailed jackrabbit *Lepus californicus bennettii*	CSC, MSCP	Open areas of scrub, grasslands, agricultural fields.	Low to moderate potential to occur onsite due to habitat. Not historically observed in the area.
Dulzura California pocket mouse *Chaetodipus californicus femoralis*	CSC, MSCP	San Diego County west of mountains in sparse, disturbed coastal sage scrub or grasslands with sandy soils.	No appropriate habitat, out of range, no potential to occur onsite.
Northwestern San Diego pocket mouse *Chaetodipus fallax fallax*	CSC, MSCP	San Diego County west of mountains in sparse, disturbed coastal sage scrub or grasslands with sandy soils.	No appropriate habitat, out of range, no potential to occur onsite.

SENSITIVE WILDLIFE SPECIES
OBSERVED (∞) OR WITH THE POTENTIAL FOR OCCURRENCE
(continued)

Species	Status	Habitat	Occurrence/Comments*
Stephen's kangaroo rat *Dipodomys stephensi*	CSC, MSCP	Sparse perennial plant cover is preferred (Thomas 1975). Burrows may be excavated in firm soil that is "neither extremely hard nor sandy" (Lackey 1967a)	No appropriate habitat, out of range, no potential to occur onsite.
San Diego desert woodrat *Neotoma lepida intermedia*	CSC	Coastal sage scrub and chaparral.	Low potential to occur onsite.
Southern grasshopper mouse *Onychomys torridus ramona*	FE, CSC, MSCP	Grasslands and sparse coastal sage scrub.	No appropriate habitat, out of range, no potential to occur onsite.
Los Angeles little pocket mouse *Perognathus longimembris brevinasus*	FE, CSC, MSCP	Fine, sandy soils, typically in arid grassland or coastal sage scrub habitats.	No appropriate habitat, out of range, no potential to occur onsite.
Pacific little pocket mouse *Perognathus longimembris pacificus*	FE, CSC, MSCP	Open coastal sage scrub; fine, alluvial sands near ocean.	No appropriate habitat, out of range, no potential to occur onsite.
American badger *Taxidea taxus*	MSCP	Dry, open grasslands, fields, and pastures.	No appropriate habitat, no potential to occur onsite.

Status Codes

Listed/Proposed
FE = Listed as endangered by the federal government
FT = Listed as threatened by the federal government
SE = Listed as endangered by the state of California

Other
BEPA = Bald and Golden Eagle Protection Act
CFP = California fully protected species
CSC = California Department of Fish and Wildlife species of special concern
FC = Federal candidate for listing (taxa for which the U.S. Fish and Wildlife Service has on file sufficient information on biological vulnerability and threat(s) to support proposals to list as endangered or threatened; development and publication of proposed rules for these taxa are anticipated)
FSS = Federal (Bureau of Land Management and U.S. Forest Service) sensitive species
MSCP = Multiple Species Conservation Program target species list

SENSITIVE WILDLIFE SPECIES
OBSERVED (∞) OR WITH THE POTENTIAL FOR OCCURRENCE
(continued)

* = Taxa listed with an asterisk fall into one or more of the following categories:

- Taxa considered endangered or rare under Section 15380(d) of CEQA guidelines
- Taxa that are biologically rare, very restricted in distribution, or declining throughout their range
- Population(s) in California that may be peripheral to the major portion of a taxon's range, but which are threatened with extirpation within California
- Taxa closely associated with a habitat that is declining in California at an alarming rate (e.g., wetlands, riparian, old growth forests, desert aquatic systems, native grasslands)

Appendix E Sensitivity Codes

APPENDIX E
SENSITIVITY CODES

FEDERAL CANDIDATES AND LISTED PLANTS

FE = Federally listed, endangered
FT = Federally listed, threatened
FPE = Federally proposed endangered
FPT = Federally proposed threatened

STATE LISTED PLANTS

CE = State listed, endangered
CR = State listed, rare
CT = State listed, threatened

CITY MSCP STATUS

NE = Narrow endemic species
CS = MSCP Covered Species List

CALIFORNIA NATIVE PLANT SOCIETY

LISTS

1A = Species presumed extinct.

1B = Species rare, threatened, or endangered in California and elsewhere. These species are eligible for state listing.

2 = Species rare, threatened, or endangered in California but which are more common elsewhere. These species are eligible for state listing.

3 = Species for which more information is needed. Distribution, endangerment, and/or taxonomic information is needed.

4 = A watch list of species of limited distribution. These species need to be monitored for changes in the status of their populations.

R-E-D CODES

R (Rarity)

1 = Rare, but found in sufficient numbers and distributed widely enough that the potential for extinction is low at this time.

2 = Occurrence confined to several populations or to one extended population.

3 = Occurrence limited to one or a few highly restricted populations, or present in such small numbers that it is seldom reported.

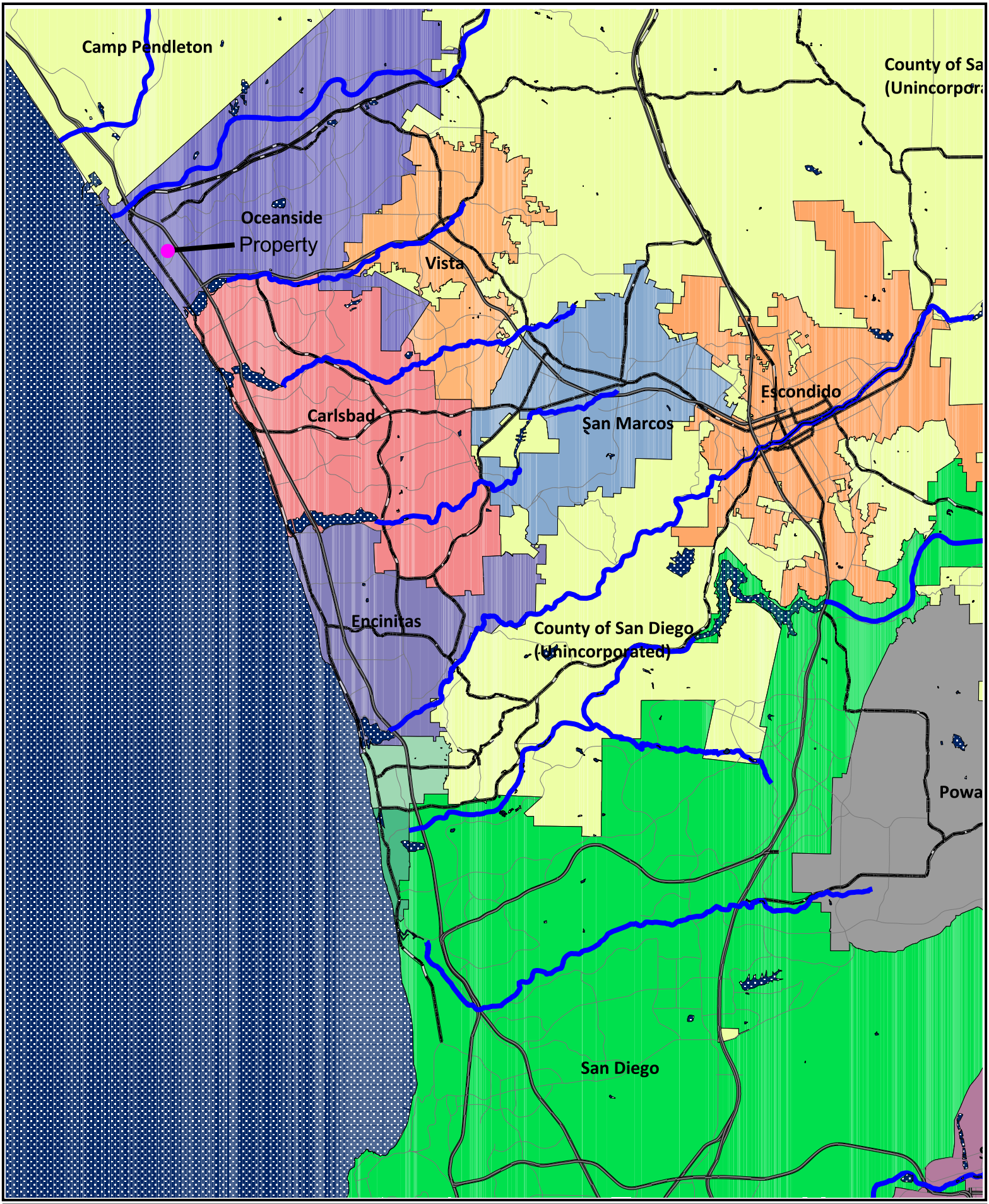
E (Endangerment)

1 = Not endangered
2 = Endangered in a portion of its range
3 = Endangered throughout its range

D (Distribution)

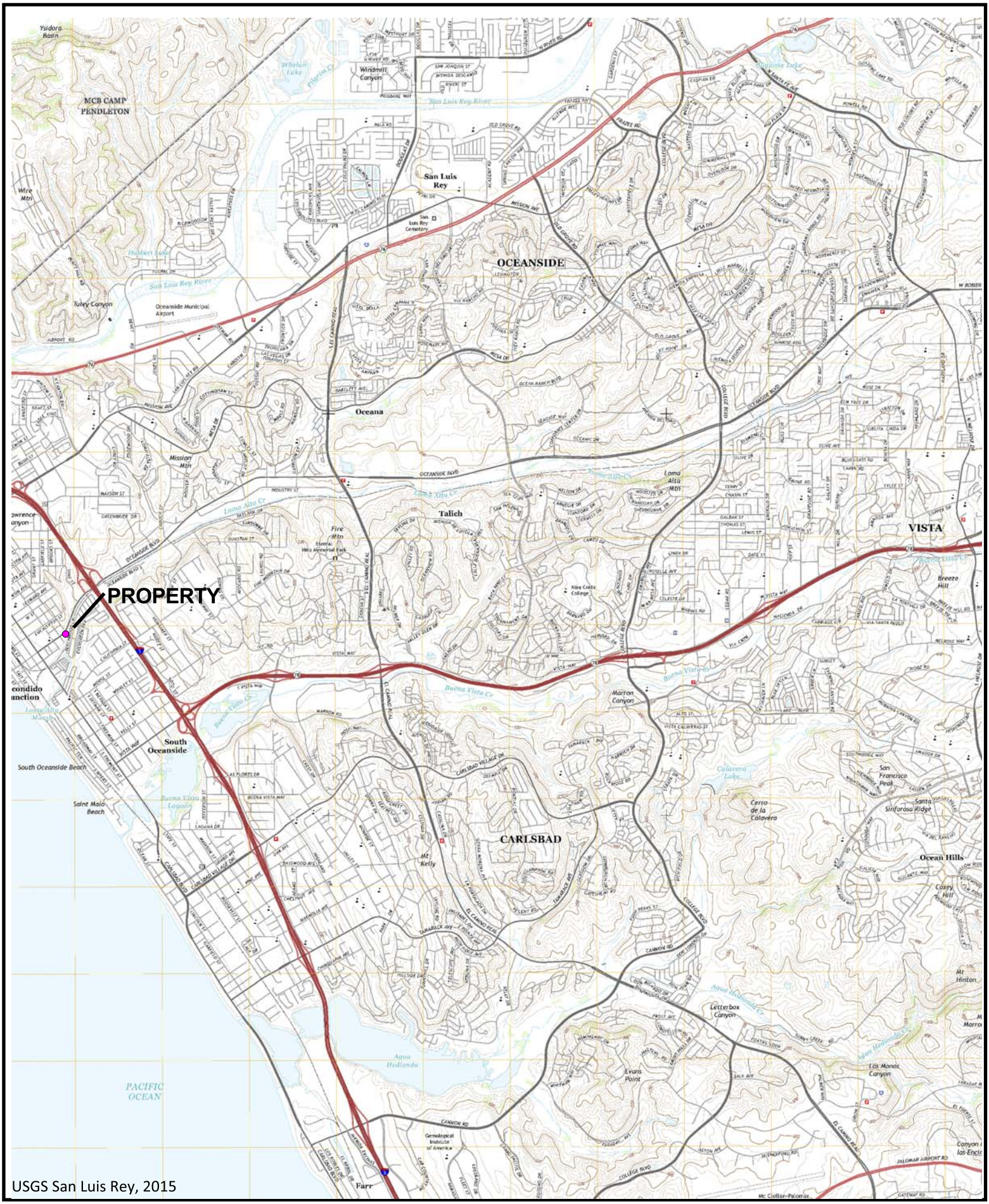
1 = More or less widespread outside California
2 = Rare outside California
3 = Endemic to California

Appendix F Figures 1-5



Property

FIGURE 1
Regional Project Location

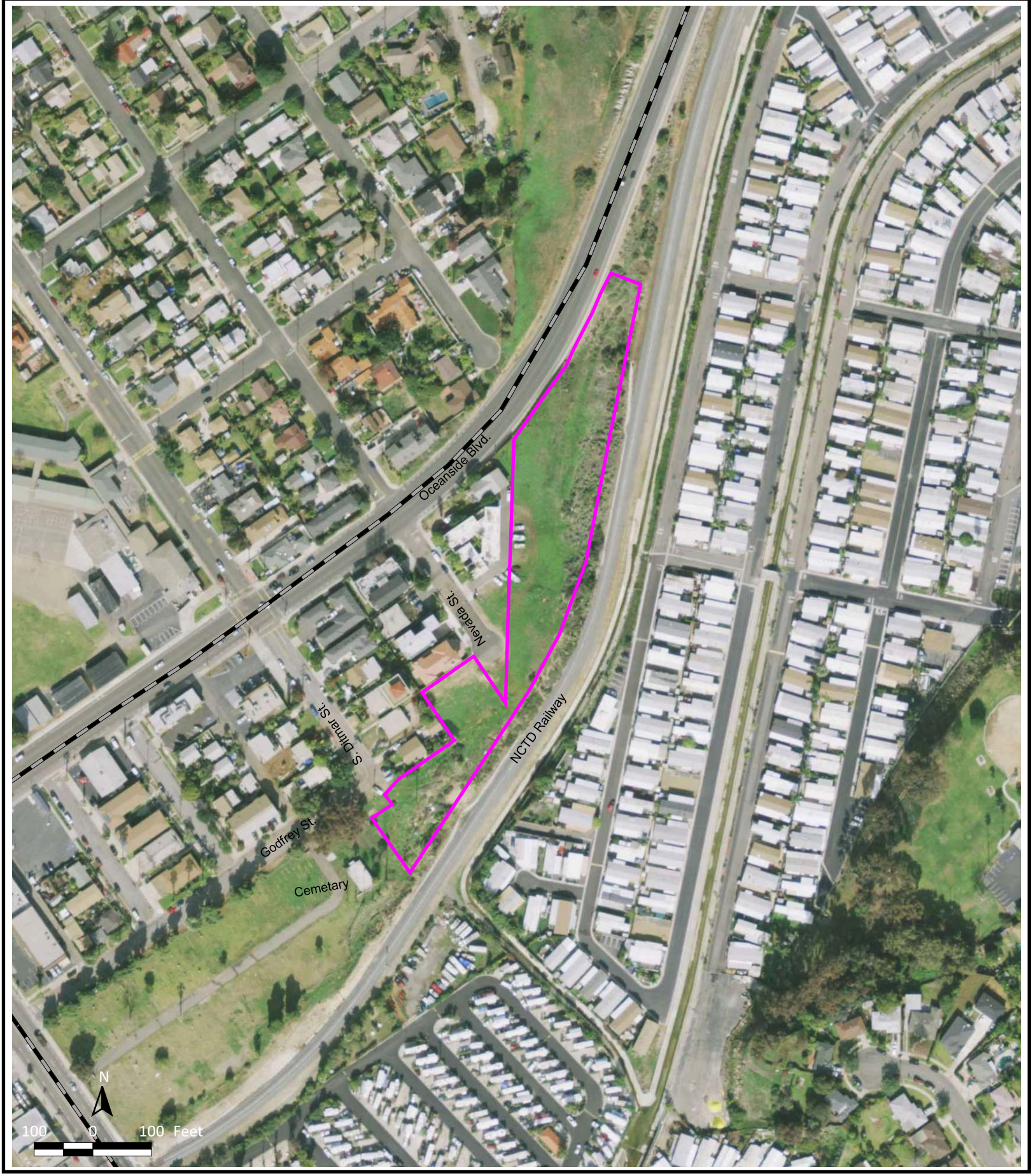


USGS San Luis Rey, 2015

Property

FIGURE 2

USGS Topo - Property Location



Property

FIGURE 3

Project Area Aerial

Property

Disturbed

Developed

Chaparral

Coastal Sage Scrub

FIGURE 4
Habitat Map

B L U E

Property

Grading Footprint

BMZ Clearing

Disturbed

Developed

Chaparral

Coastal Sage Scrub

FIGURE 5
Impact and Habitat Map

Appendix G Photographs 1-2

Photograph 1 Onsite; Looking east over the Disturbed, CSS and Maritime Succulent Scrub/Chaparral

Photograph 2 Onsite; Looking west over the disturbed habitat dominating the Site