



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego CA 92123
(858) 467-4207
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



June 15, 2020

Governor's Office of Planning & Research

Jun 15 2020

Ms. Alexis St. John
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825
alexis.stjohn@bia.gov

STATE CLEARINGHOUSE

Subject: SCH# 2020059024: Notice of Decision for the Rincon Indian Reservation - APN: 188-050-07-04 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 Wildlife (Department) has reviewed the above-referenced application filed by James V. Arviso for trust acquisition of fee lands. Mr. Arviso is a member of the Rincon Band of Luiseno Mission Indians of the Rincon Reservation and currently owns an undivided 2/12th interest in trust and an undivided 1/12th interest in fee. Rincon Allotment 24 (APN 188-050-07-04) is within Tribal Lands and outside of North County Multiple Species Conservation Program (NC-MSCP) planning area. The Bureau of Indian Affairs has determined that the property qualifies to be placed in trust status under the mandatory provisions of 25 CFR § 151.10 and 151.11. 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 NC-MSCP to address conservation needs and future planned development in north county (County of San Diego, 2019¹).

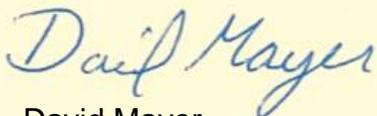
¹ <https://www.sandiegocounty.gov/content/dam/sdc/pds/mSCP/docs/NCMSCP/Options%20Assessment.pdf>

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.

1. The Department requests that any future change in land use or future development on the property include consideration of potential impacts to 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, for example, those 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 Nasseer Idrisi of the Department at (858) 467-2720 or Nasseer.Idrisi@wildlife.ca.gov.

Sincerely,



David Mayer
Environmental Program Manager
South Coast Region

cc: Office of Planning and Research, State Clearinghouse, Sacramento
State.Clearinghouse@opr.ca.gov