ALDEN ENVIRONMENTAL, INC
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January 20, 2023

Ms. Tina Andersen
T&B Planning, Inc.
3200 El Camino Real, Suite 100
Irvine, CA 92602

Subject: Towne Centre View Project

Dear Ms. Andersen:

The Towne Centre View Project (project) encompasses 33.55 acres located north of the current terminus of Towne Centre Drive in the University Community Plan Area of the City of San Diego (City), generally between Interstate (I)-5 to the west and I-805 to the east. The project site is associated with the following addresses: 9855/9865/9875/9885 Towne Centre Drive. The proposed development area is limited to the four privately-owned parcels in the southern portion of the project site and a portion of the Towne Center Drive right-of-way. The northern parcel within the project site and areas surroundings the project site is within the City's preserve, the Multi-habitat Planning Area (MHPA), and would remain undeveloped.

This letter report describes the existing biological resources on the developable portion of the Towne Centre View Project site (refer Figures 1 and 2), which excludes the northern open space parcel (APN 343-121-4300). This report evaluates the potential impacts to the biological resources on the site that may occur as a result of project implementation. This report is intended to provide the City with information necessary to assess significant impacts to biological resources under the California Environmental Quality Act (CEQA).

PROJECT DESCRIPTION

The project would involve redevelopment of the project site with a five-building campus (Buildings A through E), which would include scientific research and development (R&D), laboratory, technology, and office uses, with supporting parking structures and surface parking areas, recreational facilities, amenities, and landscaping. Buildings A, B and C would be six levels, Building D would be five levels, and Building E would be two levels. The building design would include application of "bird friendly" finishes to minimize avian collisions. The project would also incorporate a stormwater system with two biofiltration basins and a number of underground stormwater vaults (Figure 3).

Project development would result in direct impacts to 20.06 acres on site from grading and Brush Management Zone 1 (0.05 acre to sensitive habitats and 20.11 acres to non-sensitive habitats; Figure 3). The remaining developable portion of the project site supports 3.98 acres of sensitive habitats (scrub oak chaparral, Diegan coastal sage scrub, Diegan coastal sage scrub-disturbed, non-native grassland, and southern willow scrub) that would be preserved in open space (Figure 3). The project would also impact 1.41 acres of non-sensitive habitats and developed land off site as part of construction associated with the Towne Centre Drive (Figure 3). The project would comply with

City Environmentally Sensitive Lands (ESL) Regulations, including conveyance of non-impacted ESL resources to the MHPA, as follows.
Prior to recordation of the first final map and/or issuance of any grading permits, the on-site MHPA will be conveyed to the City's MSCP preserve through either fee title to the City, covenant of easement granted in favor of the City and wildlife agencies, or dedication of land in fee title to the City. Conveyance of any land in fee to the City requires approval from the Park and Recreation Department Open Space Division Deputy Director and excludes detention basins or other stormwater control facilities, brush management areas, landscape/revegetation areas, and graded slopes. To facilitate MHPA conveyance, any non-fee areas will have covenant of easements for MHPA lands placed over them if located in the MHPA and will be maintained in perpetuity by the owner/Permittee/Applicant unless otherwise agreed to by the City for acceptance of dedicated land in fee title.

The project proposes the subdivision and development of property within the Coastal Overlay Zone (Figure 3). Pursuant to Land Development Code Section 126.0706, "the City Manager shall determine whether the proposed coastal development lies within the appealable area at the time the application for the Coastal Development Permit is submitted to the City." The northern portion of the project site, including the open space parcel, is located in the non-appealable area of the Coastal Zone. Therefore, a Coastal Development Permit issued by the City is required.

METHODS

Prior to visiting the site, available maps, air photos, and existing conditions material for the site were reviewed. Searches of the California Native Diversity Database (CNDDB), USFWS species database, and SanBios database were conducted to identify previously mapped resources on the site and in the vicinity. On May 30, 2020 and October 30, 2022, Alden Environmental Inc. biologist Greg Mason conducted a site visit to identify, map, and photograph existing biological resources on site (Figure 3 and Attachment A). Observed plant and animal species were recorded in field notes and are presented in Attachments B and C, respectively.

Vegetation Mapping

The entire project site was walked and vegetation communities were mapped on aerial imagery. The communities were mapped according to Holland's Preliminary Descriptions of the Terrestrial Natural Communities of California (Holland 1986) as updated (Oberbauer 2008).

Jurisdictional Assessment

The project area also was assessed for features that could be considered jurisdictional by the U.S. Army Corps of Engineers (Corps), CDFW, Regional Water Quality Control Board (RWQCB), and the City.

Sensitive Plant Species

The May 30th site visit was conducted during the bloom period for most annual plant species, and the site visit included a search for sensitive annual and perennial plant species. These species were mapped when found.

Sensitive Animal Species

No focused sensitive animal species were conducted; however, sensitive animal species were searched for opportunistically during the field visit and mapped when found.

RESULTS

Environmental Setting

The site currently supports existing buildings and parking areas, and the western portion of the site is graded. Small areas around the existing development/graded area support revegetated habitat, landscaping, and native and naturalized vegetation. A portion of the project site is located within the MHPA, and the MHPA surrounds nearly the entire site. The project site is not within the Coastal Zone.

Elevations on site ranges from approximately 330 and 360 feet above mean sea level. The majority of the soil on site is mapped by the U.S. Department of Agriculture SoilWeb as Chesterton fine sandy loam (5 to 9 percent slopes) with small areas mapped as Altamont clay (30 to 50 percent slopes) and Terrace Escarpments. However, according to the Preliminary Geotechnical Investigation for the project (GEOCON, Inc. 2020), much of the site is covered with fill material.

Regional/Regulatory Context

<u>City of San Diego Environmentally Sensitive Lands (ESL) Regulations</u>

Mitigation requirements for sensitive biological resources follow the requirements of the City's Biology Guidelines (2018) as outlined in the City's Municipal Code ESL Regulations (Chapter 14, Article 3, Division 1). ESL include sensitive biological resources, steep hillsides, coastal beaches, sensitive coastal bluffs and 100-year floodplains (San Diego Municipal Code [SDMC] 143.0110). If ESL resources are present then the project will require a Site Development Permit.

The project would comply with City ESL Regulations, including conveyance of non-impacted ESL resources to the MHPA, as applicable.

City of San Diego MHPA

The MHPA was developed by the City in cooperation with the USFWS, CDFW, property owners, developers, and environmental groups using the Preserve Design Criteria contained in the MSCP Plan, and the City Council-adopted criteria for the creation of the MHPA. The project site is within the City's Urban Habitat Lands section of the overall MSCP. The City's MSCP Subarea Plan does not include any specific guidelines, policies, or measures for the portion of the MHPA located at the project site. The MHPA mapping shown on the project figures was confirmed with MSCP staff.

While the proposed project impact footprint is not within the MHPA, development will occur adjacent to the MHPA. Therefore, the project must ensure that indirect impacts to the MHPA are minimized. Section 1.4.3 of the City's Subarea Plan outlines the requirements to address indirect effects related to drainage and toxics, lighting, noise, public access, invasive plant species, brush management, and grading/land development. Because the project includes development adjacent to the MHPA, conformance with the adjacency guidelines is required. The project will comply with City MSCP requirements, including the MHPA Land Use Adjacency Guidelines (LUAG).

City of San Diego Biology Guidelines

The City's Biology Guidelines (2018) have been formulated by the Development Services Department to aid in the implementation and interpretation of the ESL Regulations; San Diego Land Development Code, Chapter 14, Division 1, Section 143.0101 et seq; and the Open Space Residential (OR-1-2) Zone, Chapter 13, Division 2, Section 131.0201 et seq. Section III of the Biology Guidelines (Biological Impact Analysis and Mitigation Procedures) also serves as standards for the determination of impact and mitigation under CEQA.

The project will comply with applicable City Biology Guidelines requirements.

Federal Government

Administered by the USFWS, the federal Endangered Species Act (ESA) provides the legal framework for the listing and protection of species (and their habitats) that are identified as being endangered or threatened with extinction. Actions that jeopardize endangered or threatened species and the habitats upon which they rely are considered take under the ESA. Section 9(a) of the ESA defines take as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct." "Harm" and "harass" are further defined in federal regulations and case law to include actions that adversely impair or disrupt a listed species' behavioral patterns.

All migratory bird species that are native to the U.S. or its territories are protected under the federal Migratory Bird Treaty Act (MBTA), as amended under the Migratory Bird Treaty Reform Act of 2004 (FR Doc. 05-5127). The MBTA is intended to protect migratory birds. Typically, protection of migratory birds through the MBTA is provided through restrictions on disturbance of active bird nests during the nesting season. In addition, the USFWS commonly places restrictions on disturbances allowed near active raptor nests.

Federal wetland regulation (non-marine issues) is guided by the Rivers and Harbors Act of 1899 and the Clean Water Act. The Rivers and Harbors Act deals primarily with discharges into navigable waters, while the purpose of the Clean Water Act is to restore and maintain the chemical, physical, and biological integrity of all Waters of the U.S. Permitting for projects filling Waters of the U.S. (including wetlands) is overseen by the Corps under Section 404 of the Clean Water Act. Projects could be permitted on an individual basis or be covered under one of several approved nationwide permits. Individual permits are assessed independently based on the type of action, amount of fill, etc. Individual permits typically require substantial time (often longer than 6 months) to review and approve, while nationwide permits are pre-approved if a project meets appropriate conditions. Given the lack of jurisdictional Waters of the U.S. features on site in the impact footprint, a Section 404 Permit will not be required for the project.

The project will comply with applicable federal requirements.

State of California

Primary environmental legislation in California is found in CEQA and its implementing guidelines (State CEQA Guidelines), which require that projects with potential adverse effects (impacts) on the environment undergo environmental review. Adverse impacts are typically mitigated as a result of the environmental review process in accordance with existing laws and regulations.

The California ESA is similar to the federal ESA in that it contains a process for listing of species and regulating potential impacts to listed species. Section 2081 of the California ESA authorizes CDFW to enter into a memorandum of agreement for take of listed species for scientific, educational, or management purposes.

The California Fish and Game Code (Sections 1600 through 1603) requires a CDFW agreement for projects affecting riparian and wetland habitats through issuance of a Streambed Alteration Agreement. A 1602 Streambed Alteration Agreement would be required for the project if impacts occur to CDFW jurisdictional areas. In addition, any project that requires a Section 404 Permit also would require a Water Quality Certification by the California Regional Water Quality Control Board (RWQCB) under Section 401 of the Clean Water Act. CEQA and its implementing guidelines (CEQA Guidelines) require discretionary projects with potentially significant effects (or impacts) on the environment to be submitted for environmental review. Mitigation for significant impacts to the environment is determined through the environmental review process in accordance with existing laws and regulations. Given the lack of jurisdictional features on site in the impact footprint, this permitting will not be required for the project.

The Porter-Cologne Water Quality Control Act of 1970 grants the State Water Resource Control Board (SWRCB) and its regional offices power to protect water quality and is the primary vehicle for implementation of the State's responsibilities under Section 401 of the Clean Water Act. The Porter-Cologne Act grants the SWRCB authority and responsibility to adopt plans and policies, regulate discharges to surface and groundwater, regulate waste disposal sites, and require cleanup of discharges of hazardous materials and other pollutants. Typically, the SWRCB and RWQCB act in concert with the Corps under Section 401 of the Clean Water Act in relation to permitting fill of federal jurisdictional waters.

Pursuant to California Fish and Game Code Section 3503, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. Raptors and owls and their active nests are protected by California Fish and Game Code Section 3503.5, which states that it is unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird unless authorized by the CDFW. Section 3513 states that it is unlawful to take or possess any migratory non-game bird as designated in the MBTA. These regulations could require that construction activities (particularly vegetation removal or construction near nests) be reduced or eliminated during critical phases of the nesting cycle unless surveys by a qualified biologist demonstrate that nests, eggs, or nesting birds will not be disturbed, subject to approval by CDFW and/or USFWS.

The project will comply with applicable state requirements.

Vegetation Communities

Nine vegetation communities and developed land occur on the project site (Table 1; Figure 3).

Table 1
EXISTING VEGETATION COMMUNITIES ON SITE[1]

Vegetation Community[2]	Inside MHPA	Outside MHPA	Total
Southern willow scrub (no tier)	<0.01	0.04	0.04
Scrub oak chaparral (Tier I)	0.07	0.28	0.35
Diegan coastal sage scrub (Tier II)	1.60	1.66	3.26
Diegan coastal sage scrub-disturbed (Tier II)	0.01	0.05	0.06
Non-native grassland (Tier IIIB)	0.01	0.30	0.31
Diegan coastal sage scrub -revegetation (Tier IV)[3]	<0.01	0.98	0.98
Ornamental (Tier IV)	0.00	1.52	1.52
Disturbed land (Tier IV)	0.00	0.03	0.03
Developed (no tier)	0.01	18.88	18.89
TOTAL	**1.70**	**23.74**	**25.44**

[1] Numbers are acres.
[2] Upland vegetation communities within the MSCP study area have been divided into four tiers of sensitivity (the first includes the most sensitive, the fourth the least) based on rarity and ecological importance. Wetland communities and developed land are not assigned a tier.
[3] Diegan coastal sage scrub-revegetation on site is considered herein as a Tier IV other upland rather than a Tier II uncommon upland because this community was the result of an MHPA Land Use Adjacency Guideline requirement for the previous Towne Centre Corporate Plaza project and not mitigation for the previous project's impacts.

Southern Willow Scrub

Southern willow scrub occurs near stream channels and typically consists of dense, broadleaved, winter-deciduous stands of trees dominated by shrubby willows (*Salix* sp.) in association with mule fat (*Baccharis salicifolia*), and sometimes with scattered emergent cottonwood (*Populus fremontii*) and western sycamores (*Platanus racemosa*). Southern willow scrub on site is comprised of arroyo willow with mule fat and dwarf nettle (*Urtica urens*) and occurs at the upper end of the bottom of a canyon in the eastern portion of the project site. Southern willow scrub is a wetland community that is not assigned to a tier by the City (2018). It is not, however, a City Wetland (see Jurisdictional Features below).

Scrub Oak Chaparral

Scrub oak chaparral is a dense, evergreen chaparral up to 20 feet tall, dominated by Nuttall's scrub oak (*Quercus dumosa*). Scrub oak chaparral occurs in somewhat more mesic areas than many other chaparrals, such as north facing slopes. Scrub oak chaparral on site occurs on slopes along the eastern border of the site. Scrub oak chaparral is recognized as a Tier I (rare upland) community by the City (2018).

Diegan Coastal Sage Scrub

Diegan Coastal sage scrub is located in the northern, southern, and eastern portions of the project site and contains a diverse suite of plant species such as California sagebrush (*Artemisia californica*), California buckwheat (*Eriogonum fasciculatum*), bush sunflower (*Encelia californica*), and laurel sumac (*Malosma laurina*). Diegan coastal sage scrub is recognized as a Tier II (uncommon upland) community by the City (2018).

Diegan Coastal Sage Scrub-Disturbed

Diegan coastal sage scrub-disturbed (Tier II) contains many of the same shrub species as the undisturbed community but is sparser and has a higher proportion of non-native, annual species (such as wild oats [*Avena fatua*] and black mustard [*Brassica nigra*] on site). Diegan coastal sage scrub disturbed is so because it occurs adjacent to existing development activities and is likely to have been disturbed during those activities. Diegan coastal sage scrub-disturbed is located along the western boundary of the project site.

Non-native Grassland

Non-native grassland includes a dense to sparse cover of non-native grasses, sometimes associated with species of showy-flowered, native, annual forbs (Holland 1986) but where the vegetative cover is at least 50 percent annual grass species (City 2018). This community typically occurs on gradual slopes with deep, fine-textured, usually clay soils. Characteristic grass species on site include wild oats, ripgut grass (*Bromus diandrus*), perennial rye grass (*Festuca perennis*), wild barley (*Hordeum murinum*), and Bermuda grass (*Cynodon dactylon*). Non-native grassland is located along western boundary and in the northern tip of the project site. Non-native grassland is recognized as a Tier IIIB upland community (common uplands) by the City (2018).

Diegan Coastal Sage Scrub-Revegetation

This community on site is the result of an MHPA Land Use Adjacency Guideline requirement for the previous Towne Centre Corporate Plaza project. It is not the result of mitigation for that project. The Mitigation Monitoring and Reporting Program for that project (Project 1591; Resolution Number R-300179 Adopted March 1, 2005) stated that, "No new, exotic, invasive plant species shall be utilized adjacent to the MHPA. All non-irrigated hydroseeded vegetation areas and areas adjacent to the MHPA shall consist of native or non-invasive species to the satisfaction of the Environmental Review Manager of Land Development Review."

Therefore, native Diegan coastal sage scrub species such as California sagebrush and California buckwheat were planted. Since this coastal sage scrub was planted to satisfy an MHPA adjacency requirement, it is considered herein as a Tier IV other upland rather than a Tier II uncommon upland because it was not mitigation for the previous project's impacts.

Ornamental

Ornamental vegetation on site includes non-native plant species that were planted for ornamental purposes but is considered separate from landscaping that is part of Developed (see description below) because it is not maintained. Ornamental plant species are located primarily along the perimeter of existing developed areas on site and include those such as oleander (*Nerium oleander*), Canary Island date palm (*Phoenix canariensis*), Mexican fan palm (*Washingtonia robusta*), Canary Island pine (*Pinus canariensis*), and Brazilian pepper tree (*Schinus terebinthifolius*). Ornamental is recognized as a Tier IV (other) community and is not considered sensitive by the City (2018).

Disturbed Land

Disturbed habitat includes unvegetated or sparsely vegetated areas, often where the soil has been heavily compacted by prior development or where agricultural lands have been abandoned. Disturbed land is generally dominated by non-native, weedy species that are adapted to frequent disturbance or consists of dirt trails and roads. Disturbed land is located in the southeastern corner of the project site, and some plant species in disturbed land on site include crown daisy (*Glebionis coronaria*), bristly ox-tongue (*Helminthotheca echioides*), prickly lettuce (*Lactuca serriola*), and Russian thistle (*Salsola tragus*). Disturbed habitat is recognized as a Tier IV (other) community by the City (2018).

Developed

Developed land on site includes, for example, existing buildings, internal roadways, maintained landscaping, and the area that was graded. Developed land is not assigned to a tier by the City (2018).

Jurisdictional Features

No features that could be jurisdictional to the Corps, CDFW, or RWQCB or that could qualify as City Wetland were found within the project impact footprint. Southern willow scrub that occurs outside the impact footprint may, however, be jurisdictional to one or more agency but is not a City Wetland.

The southern willow scrub is not a City Wetland because it occurs in a historically non-wetland location (City 2018). Historic aerial imagery back to 1953 shows what appears to be the typical patterns of scrub and chaparral on the north-south facing slopes. The southern willow scrub appears in the imagery after the creation of the now-existing, irrigated, vegetated (with ornamentals) slope above the canyon bottom that was manufactured just prior to 2022 (based on Google Earth imagery). During the October 30, 2022 site visit, significant irrigation runoff into the canyon was observed.

Since the southern willow scrub is not a City Wetland, a wetland buffer is not required. The manufactured slope, however, provides approximately 90 feet of distance between the southern willow scrub vegetation and the proposed development area above.

Sensitive Plant Species

One sensitive plant species was observed on site during the spring site visit, and this species is Nuttall's scrub oak, which is the dominant species in scrub oak chaparral.

Nuttall's scrub oak (*Quercus dumosa*)
Sensitivity: California Native Plant Society Rare Plant Rank 1B.1
Distribution: San Diego, Orange, and Santa Barbara counties; Baja California, Mexico
Habitat: Chaparral with a relatively open canopy cover in flat terrain (also found in coastal scrub). On north-facing slopes, may grow in dense monotypic stands.
Presence on Site: Nuttall's scrub oak is the dominant plant species in scrub oak chaparral on site (Figure 3).

The CNDDB search also reports other sensitive plant species that may occur on, or in the vicinity of, the site: San Diego barrel cactus (20 individuals of this species were observed by Mr. Mason just off site; Figure 3), wart-stemmed ceanothus (*Ceanothus verrucosus*), Campbell's liverwort (*Geothallus tuberosus*), California adolphia (*Adolphia californica*), and woven-spored lichen (*Texosporium sancti-jacobi*).

All sensitive plant species that were observed or that may have potential to occur on site are listed in Attachment D.

Sensitive Animal Species

One sensitive animal species was observed on site. The coastal California gnatcatcher (*Polioptila californica californica*; federal threatened, State species of special concern, and MSCP covered species) was observed on site in the MHPA (outside the project's direct impact footprint) and off site in the MHPA.

The CNDDB search also reports other sensitive animal species that may occur on, or in the vicinity of, the site: California black rail (*Laterallus jamaicensis coturniculus*) and mule deer (*Odocoileus hemionus*). These as well as other sensitive animal species that may have potential to occur on site are listed in Attachment E.

Nesting Birds

The project site contains vegetation that has potential to support bird nesting; however, that potential is very low in the developed portions of the site due to a lack of suitable nesting habitat where the majority of the project will occur.

Wildlife Corridors

The MHPA delineates core biological resource areas and corridors targeted for conservation as these lands have been determined to provide the necessary habitat quality, quantity, and connectivity to sustain the unique biodiversity of the San Diego region. The project will maintain the MHPA on site, and the majority of the project will occur on land outside the MHPA that is disturbed or already developed.

PROJECT IMPACTS

Direct Impacts

Direct impacts immediately alter the affected biological resources such that those resources are eliminated temporarily or permanently. All direct impacts associated with the project will be permanent.

<u>Vegetation Communities</u>

The project will directly impact a total of 20.06 acres on site from grading and Brush Management Zone 1. The project will directly impact 1.41 acres off site associated with construction within the Towne Centre Drive public right-of-way and slopes outside the right-of-way (Figure 3). Brush Management Zone 2 will affect a total 0.38 acre; however, Brush Management Zone 2 is considered impact neutral (i.e., not considered impacted but cannot be used as mitigation). Table 2 provides a breakdown of the project's impacts to vegetation communities.

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Table 2
PROJECT IMPACTS TO VEGETATION COMMUNITIES[1]

Vegetation Community	Existing On-site	On-site Impacts[2]			Off-site Impacts			TOTAL IMPACTS	Brush Management Zone 2[3]	
		Inside MHPA	Outside MHPA	Total On-site	Inside MHPA	Outside MHPA	Total Off-site		Inside MHPA	Outside MHPA
Southern willow scrub (no tier)	0.04	0.00	0.00	**0.00**	0.00	0.00	**0.00**	**0.00**	0.00	0.00
Scrub oak chaparral (Tier I)	0.35	0.00	0.00	**0.00**	0.00	0.00	**0.00**	**0.00**	<0.01 (0.001)	0.00
Diegan coastal sage scrub (Tier II)	3.26	0.00	0.01	**0.01**	0.00	0.00	**0.00**	**0.01**	0.01	0.10
Diegan coastal sage scrub-disturbed (Tier II)	0.06	0.00	0.04	**0.04**	0.00	0.00	**0.00**	**0.04**	0.00	0.00
Non-native grassland (Tier IIIB)	0.31	0.00	0.00	**0.00**	0.00	0.00	**0.00**	**0.00**	0.00	0.00
Diegan coastal sage scrub – revegetation (Tier IV)	0.98	0.00	0.35	**0.35**	<0.01 (0.001)	0.00	**<0.01 (0.001)**	**0.35**	0.00	0.21
Ornamental (Tier IV)	1.52	0.00	0.99	**0.99**	0.04	0.07	**0.11**	**1.10**	0.00	0.02
Disturbed land (Tier IV)	0.03	0.00	0.03	**0.03**	<0.01 (0.004)	<0.01 (0.002)	**0.01**	**0.04**	0.00	0.00
Developed (no tier)	18.89	0.00	18.64	**18.64**	0.59	0.71	**1.30**	**19.94**	<0.01 (0.003)	0.04
TOTAL	**25.44**	**0.00**	**20.06**	**20.06**	**0.63**	**0.78**	**1.41**	**21.47**	**0.01**	**0.37**

[1]Totals reflect rounding.
[2] Includes impacts from Brush Management Zone 1.
[3]Brush Management Zone 2 is impact neutral; therefore, it is not considered an impact (but cannot be used as mitigation).

The project will impact 0.05 acre of Tier II Diegan coastal sage scrub and Diegan coastal sage scrub-disturbed from grading and Brush Management Zone 1 outside the MHPA. According to the City's Biology Guidelines (2018), total impacts to Tiers I-IIIB that are less than 0.10 acre are not significant and do not require mitigation.

Tier IV communities (i.e., Diegan coastal sage scrub-revegetation, ornamental, and disturbed land) and developed are not considered to have significant habitat value, so the project's impacts to them on site are not considered significant. Likewise, the off-site impacts to these Tier IV communities and developed in the MHPA that will occur from Towne Centre Drive construction are not significant. Also, they are allowed in the MHPA.

The project will have no impacts to southern willow scrub, scrub oak chaparral, and non-native grassland.

Jurisdictional Features

There will be no impacts to features that could be jurisdictional to the Corps, CDFW, or RWQCB or that could qualify as City Wetland because none occur in the project impact footprint.

Sensitive Plant Species

Almost all of the project's impacts will be to disturbed or already developed land, thereby greatly reducing any potential for impacts to sensitive plant species as they are not likely to be present in those areas. One sensitive plant species, Nuttall's scrub oak, which is the dominant species in scrub oak chaparral, was found on site. However, this species and its scrub oak chaparral habitat on site will not be impacted but, instead, will be preserved in open space.

San Diego barrel cactus was observed off site and is a species that would have been observed if present on site or in the off-site impact area for Towne Centre Drive construction because this species is a perennial stem succulent that is detectable year-round. Therefore, impacts to this species will not occur. Other sensitive plant species that may have potential to occur on site were evaluated in Attachment D. None of the species listed in Attachment D has moderate or high potential to occur. Therefore, impacts to them are not anticipated.

Sensitive Animal Species

No sensitive animal species were observed in the project impact footprint on site, and none are anticipated to occur within the project impact footprint since the majority of it is already developed (Attachment E). As such, the project is not anticipated to directly impact sensitive animal species.

Nesting Birds

The project will comply with the MBTA and Fish and Game Code to avoid/minimize impacts to nesting birds, as required by those regulations. Therefore, potential impacts to nesting birds will be less than significant.

Wildlife Corridors

The project will preserve the MHPA on site in open space, thereby protecting land determined to provide the necessary habitat quality, quantity, and connectivity to sustain the unique biodiversity of the San Diego region. There will be no loss of regional or local wildlife corridors.

Indirect Impacts

Indirect impacts consist of secondary effects of a project that can occur during construction or from a project once built. Indirect effects listed in the City's Subarea Plan include those from grading/land development/MHPA boundaries, drainage, toxics/project staging/equipment storage, lighting, barriers, invasives, brush management, and noise as addressed by the LUAG specifically for indirect impacts to the MHPA from residential, active recreation, commercial, industrial, agricultural, landfill, and extractive uses but that may also affect sensitive biological resources outside the MHPA and during construction. Prior to issuance of any construction permits including, but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the owner/permittee shall depict the following requirements within the contract specifications and depict them on construction documents (as necessary) for the project site.

Other indirect impacts of a project can also include fugitive dust from construction and avian collisions. The magnitude of an indirect impact can be the same as a direct impact, but the effect usually takes a longer time to become apparent.

Grading/Land Development/MHPA Boundaries

Within or adjacent to the MHPA, all manufactured slopes associated with site development shall be included within the development footprint.

All manufactured slopes associated with the project are included within the development footprint.

Drainage

All staging and developed/paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials prior to release by incorporating the use of filtration devices, planted swales and/or planted detention/desiltation basins, or other approved temporary and permanent methods that are designed to minimize negative impacts, such as excessive water and toxins into the ecosystems of the MHPA.

Hardscape and landscape irrigation associated with the built project could result in runoff. Runoff can be associated with erosion, sedimentation, and pollution, which could significantly impact water quality in the adjacent MHPA and nearby sensitive plant and animal species. Potential impacts due to runoff will be minimized through the use of biofiltration basins and underground storm water vaults that will collect and treat water from the project before it is discharged, and none of the discharges will occur directly into the MHPA (Figure 3). Therefore, drainage impacts from the project will be minimized to less-than-significant levels consistent with this LUAG.

Toxics/Project Staging Areas/Equipment Storage

Projects that use chemicals or generate by-products such as pesticides, herbicides, and animal waste, and other substances that are potentially toxic or impactive to native habitats/flora/fauna (including water) shall incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. No trash, oil, parking, or other construction/development-related material/activities shall be allowed outside any approved construction limits. Provide a note in/on the construction documents that states: "All construction related activity that may have potential for leakage or intrusion shall be monitored by the Qualified Biologist/Owners Representative or Resident Engineer to ensure there is no impact to the MHPA."

The storage and use of hazardous or toxic chemicals during construction of projects has the potential for leakage that could impact the adjacent MHPA and nearby sensitive plant and animal species. Potential impacts from any use of pesticides or herbicides (the project will not generate animal waste) that could be spread via runoff will be minimized through the use of biofiltration basins and underground storm water vaults that will collect and treat water from the project before it is discharged, and none of the discharges will occur directly into the MHPA (Figure 3). Additionally, no trash, oil, parking, or other construction/development-related material/activities will be allowed outside the approved construction limits, and the required note will be included on the construction documents. Therefore, toxics, staging, and storage impacts from the project will be minimized to less-than-significant levels consistent with this LUAG.

Lighting

All lighting within or adjacent to the MHPA shall be directed away/shielded from the MHPA, or limited to the immediate area, and shall be in compliance with City Outdoor Lighting Regulations per LDC Section 142.0740.

Night lighting exposes wildlife to an unnatural light regime that may adversely affect foraging patterns, increase predation risk, cause biological clock disruptions, and result in a loss of species diversity in habitat adjacent to project sites. All project night lighting will be directed away/shielded from the MHPA, or limited to the immediate area, and will be in compliance with City Outdoor Lighting Regulations per LDC Section 142.0740. Therefore, lighting impacts from the project will be minimized to less-than significant levels consistent with this LUAG.

Barriers

Existing fences/walls and/or signage along the MHPA boundaries shall remain and/or be added to direct public access to appropriate locations, reduce domestic animal predation, protect wildlife in the preserve, and provide adequate noise reduction where needed.

The project includes existing and new retaining walls around its perimeter that will deter access to the MHPA, and no new trails are proposed. Noise associated with operation of the proposed facility is not expected to be of sufficient volume or duration to impact or interfere with wildlife utilization of adjacent habitat or the MHPA. As such, the project will not result in significant operational noise impacts within the adjacent MHPA. Therefore, potential access and operational noise impacts from the project will be less than significant and consistent with this LUAG.

Invasives

No invasive, non-native plant species shall be introduced into areas within or adjacent to the MHPA.

Invasive, non-native plant species, if used in a project's landscaping, can spread into the adjacent MHPA and displace native plant species, reduce diversity, increase flammability and fire frequency, change ground and surface water levels, and adversely affect the native wildlife that are dependent on native or naturalized vegetation.

The landscape plans for the project do not include any invasive or potentially invasive species (including those identified in the California Invasive Plant Inventory prepared by the California Invasive Plant Council). Therefore, the project is consistent with this LUAG.

Brush Management

Brush management zones will not be greater in size that is currently required by the City's regulations (this includes use of approved alternative compliance). Within Zone 2, the amount of woody vegetation clearing shall not exceed 50 percent of the vegetation existing when the initial clearing is done. Vegetation clearing shall be done consistent with City standards and shall avoid/minimize impacts to covered species to the maximum extent possible. For all new development, regardless of the ownership, the brush management in the Zone 2 area will be the responsibility of a homeowner's association or other private party.

Brush Management Zone 1 for the project will not be outside of a previously graded area, and all of it is outside the MHPA. Brush Management Zone 2 will occur outside of the impact footprint and MHPA (Figure 3). All brush management will be the responsibility of the project owner. Therefore, the brush management is consistent with this LUAG.

Noise

Construction noise that exceeds the maximum levels allowed (60 dB or greater at the beginning edge of the habitat) shall be avoided during the breeding season for the coastal California gnatcatcher (March 1 to August 15). If construction is proposed during the breeding season for the species, the following measures are required.

The project will implement the measures listed below for the coastal California gnatcatcher to be consistent with this LUAG.

1. *Prior to the issuance of any grading permit, the City Manager (or appointed designee) shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the following project requirements regarding the coastal California gnatcatcher are shown on the construction plans:*

   NO CLEARING, GRUBBING, GRADING, OR OTHER CONSTRUCTION ACTIVITIES SHALL OCCUR BETWEEN MARCH 1 AND AUGUST 15, THE BREEDING SEASON OF THE COASTAL CALIFORNIA GNATCATCHER, UNTIL THE FOLLOWING REQUIREMENTS HAVE BEEN MET TO THE SATISFACTION OF THE CITY MANAGER:

   A. *A QUALIFIED BIOLOGIST (POSSESSING A VALID ENDANGERED SPECIES ACT SECTION 10(a)(1)(A) RECOVERY PERMIT) SHALL SURVEY THOSE HABITAT AREAS <u>WITHIN THE MHPA</u> THAT WOULD BE SUBJECT TO CONSTRUCTION NOISE LEVELS EXCEEDING 60 DECIBELS [dB(A)] HOURLY AVERAGE FOR THE PRESENCE OF THE COASTAL CALIFORNIA GNATCATCHER. SURVEYS FOR THE COASTAL CALIFORNIA GNATCATCHER SHALL BE CONDUCTED PURSUANT TO THE PROTOCOL SURVEY GUIDELINES ESTABLISHED BY THE U.S. FISH AND WILDLIFE SERVICE WITHIN THE BREEDING SEASON PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION. IF GNATCATCHERS ARE PRESENT, THEN THE FOLLOWING CONDITIONS MUST BE MET:*

      I. *BETWEEN MARCH 1 AND AUGUST 15, NO CLEARING, GRUBBING, OR GRADING OF OCCUPIED GNATCATCHER HABITAT SHALL BE PERMITTED. AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; <u>AND</u>*

      II. *BETWEEN MARCH 1 AND AUGUST 15, NO CONSTRUCTION ACTIVITIES SHALL OCCUR WITHIN ANY PORTION OF THE SITE WHERE CONSTRUCTION ACTIVITIES WOULD RESULT IN NOISE LEVELS EXCEEDING 60 dB (A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED GNATCATCHER HABITAT. AN ANALYSIS SHOWING THAT NOISE GENERATED BY CONSTRUCTION ACTIVITIES WOULD NOT EXCEED 60 dB (A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED HABITAT MUST BE COMPLETED BY A QUALIFIED ACOUSTICIAN (POSSESSING CURRENT NOISE ENGINEER LICENSE OR REGISTRATION WITH MONITORING NOISE LEVEL EXPERIENCE WITH LISTED ANIMAL SPECIES) AND APPROVED BY THE CITY MANAGER AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES DURING THE BREEDING SEASON, AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; <u>OR</u>*

III. AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES, UNDER THE DIRECTION OF A QUALIFIED ACOUSTICIAN, NOISE ATTENUATION MEASURES (e.g., BERMS, WALLS) SHALL BE IMPLEMENTED TO ENSURE THAT NOISE LEVELS RESULTING FROM CONSTRUCTION ACTIVITIES WILL NOT EXCEED 60 dB(A) HOURLY AVERAGE AT THE EDGE OF HABITAT OCCUPIED BY THE COASTAL CALIFORNIA GNATCATCHER. CONCURRENT WITH THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES AND THE CONSTRUCTION OF NECESSARY NOISE ATTENUATION FACILITIES, NOISE MONITORING SHALL BE CONDUCTED AT THE EDGE OF THE OCCUPIED HABITAT AREA TO ENSURE THAT NOISE LEVELS DO NOT EXCEED 60 dB (A) HOURLY AVERAGE. IF THE NOISE ATTENUATION TECHNIQUES IMPLEMENTED ARE DETERMINED TO BE INADEQUATE BY THE QUALIFIED ACOUSTICIAN OR BIOLOGIST, THEN THE ASSOCIATED CONSTRUCTION ACTIVITIES SHALL CEASE UNTIL SUCH TIME THAT ADEQUATE NOISE ATTENUATION IS ACHIEVED OR UNTIL THE END OF THE BREEDING SEASON (AUGUST 16).*

** Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB (A) hourly average or to the ambient noise level if it already exceeds 60 dB (A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.*

B. IF COASTAL CALIFORNIA GNATCATCHERS ARE NOT DETECTED DURING THE PROTOCOL SURVEY, THE QUALIFIED BIOLOGIST SHALL SUBMIT SUBSTANTIAL EVIDENCE TO THE CITY MANAGER AND APPLICABLE RESOURCE AGENCIES WHICH DEMONSTRATES WHETHER OR NOT MITIGATION MEASURES SUCH AS NOISE WALLS ARE NECESSARY BETWEEN MARCH 1 AND AUGUST 15 AS FOLLOWS:

I. IF THIS EVIDENCE INDICATES THE POTENTIAL IS HIGH FOR COASTAL CALIFORNIA GNATCATCHER TO BE PRESENT BASED ON HISTORICAL RECORDS OR SITE CONDITIONS, THEN CONDITION A.III SHALL BE ADHERED TO AS SPECIFIED ABOVE.

II. IF THIS EVIDENCE CONCLUDES THAT NO IMPACTS TO THIS SPECIES ARE ANTICIPATED, NO MITIGATION MEASURES WOULD BE NECESSARY.

Construction-related noise could result in significant, indirect, temporary noise-related impacts to other nesting avian species within the adjacent MHPA, as well, should the work be conducted during the general avian breeding season (January through August). These noise-related impacts would be considered significant.

However, as noted earlier, the project will comply with the federal MBTA and California Fish & Game Code requirements for protection of nesting avian species. Specifically, this compliance will be through having construction occur outside of the general avian breeding season. If construction adjacent to the MHPA cannot occur outside the general avian breeding season, a pre-construction avian nesting survey shall be conducted by a qualified biologist within 7 calendar days prior to construction. If nests are not observed, vegetation clearing may proceed. If nests are found, work may proceed provided that construction activity is: 1) located at least 900 feet from raptor nests; 2) located at least 300 feet from listed bird species' nests; and 3) located at least 100 feet from non-listed bird species' nests (specific measures will be implemented for the coastal California gnatcatcher; see below). A qualified biologist shall conspicuously mark the buffer so that vegetation clearing does not encroach into the buffer until the nest is no longer active (i.e., the nestlings fledge, the nest fails, or the nest is abandoned, as determined by a qualified biologist). Given that these measures will be incorporated into the project design, no significant construction noise impacts will occur within the MHPA to general avian species.

Noise associated with operation of the proposed facility is not expected to be of sufficient volume or duration to impact or interfere with wildlife utilization of adjacent habitat or the MHPA. As such, the project will not result in significant operational noise impacts within the adjacent MHPA.

Fugitive Dust

Fugitive dust produced during demolition and construction could disperse onto adjacent vegetation inside the MHPA. A continual cover of dust may reduce the overall vigor of individual plants by reducing their photosynthetic capabilities and increasing their susceptibility to pests or disease. This, in turn, could affect animals dependent on these plants (e.g., seed-eating rodents).

Construction of the project will adhere to applicable construction dust control measures prescribed by the City. These measures include, for example, reduced driving speeds on unpaved roads and regular watering of dirt surfaces. Potential impacts from fugitive dust will, therefore, be less than significant.

Avian Collisions

According to the USFWS (2016):

> Glass reflectivity and transparency create a lethal illusion of clear airspace that birds do not see as a barrier. During the daytime, birds collide with windows because they see reflections of the landscape in the glass (e.g., clouds, sky, vegetation, or the ground); or they see through glass to perceived habitat (including potted plants or vegetation inside buildings) or to the sky on the other side…The majority of collisions with both residential and urban buildings happen during the day, as birds fly around looking for food… avian mortalities at night more frequently occur at communication towers, offshore drilling platforms and in other situations where there is a bright light source in a dark area, especially during inclement weather.

To the extent practicable, the project will incorporate architectural design (windows/glass) and landscaping that is consistent with American Bird Conservancy Bird-Friendly Design (Sheppard and Phillips 2015) to minimize the potential for avian collisions with windows/glass and landscaping associated with the project and to reduce the potential impact to a less-than-significant level.

Cumulative Impacts

The MSCP was designed to compensate for the cumulative loss of biological resources throughout the San Diego region. Projects that conform to the MSCP as specified by the City's Subarea Plan and implementing ordinances, (i.e., Biology Guidelines and ESL Regulations) are not expected to result in a significant cumulative impact for those biological resources adequately covered by the MSCP.

The project would comply with the City's Subarea Plan by conforming to the MHPA LUAGs and by mitigating for significant impacts in accordance with ESL Regulations and the City's Biology Guidelines. Other projects in the City would also be required to comply with the City's Subarea Plan. Therefore, the project will not contribute considerably to cumulatively significant impacts on sensitive biological resources in the City.

CONCLUSION

The project will impact a total of less than 0.10 acre of sensitive (Tier II) habitats but will preserve 3.98 acres in open space that supports Tier I scrub oak chaparral, Tier II Diegan coastal sage scrub and Diegan coastal sage scrub-disturbed, Tier IIIB non-native grassland, and southern willow scrub. The project will have no direct impacts on sensitive plant species; will have no direct impacts on the coastal California gnatcatcher; is not anticipated to have direct impacts on sensitive animal species with moderate potential to occur; and will not contribute considerably to cumulatively significant impacts on sensitive biological resources in the City. Potential indirect impacts will be addressed by the project through consistency with the LUAGs, City-prescribed measures, and project design.

Therefore, the project, through its design that focuses its impacts on already developed and disturbed areas and preserves the remainder of the site in open space, along with compliance with the City's MSCP Subarea Plan, ESL Regulations, and Biological Guidelines will have no significant impacts to sensitive biological resources, and no mitigation will be required.

Please contact me if you have any questions.

Sincerely,

Greg Mason
Principal/Senior Biologist

Figures:
1 Regional Location
2 Project Location
3 Biological Resources

Attachments:
A Representative Site Photographs
B Plant Species Observed
C Animal Species Observed or Detected
D Sensitive Plant Species Observed or That May Have Potential to Occur
E Sensitive Animal Species Observed or That May Have Potential to Occur

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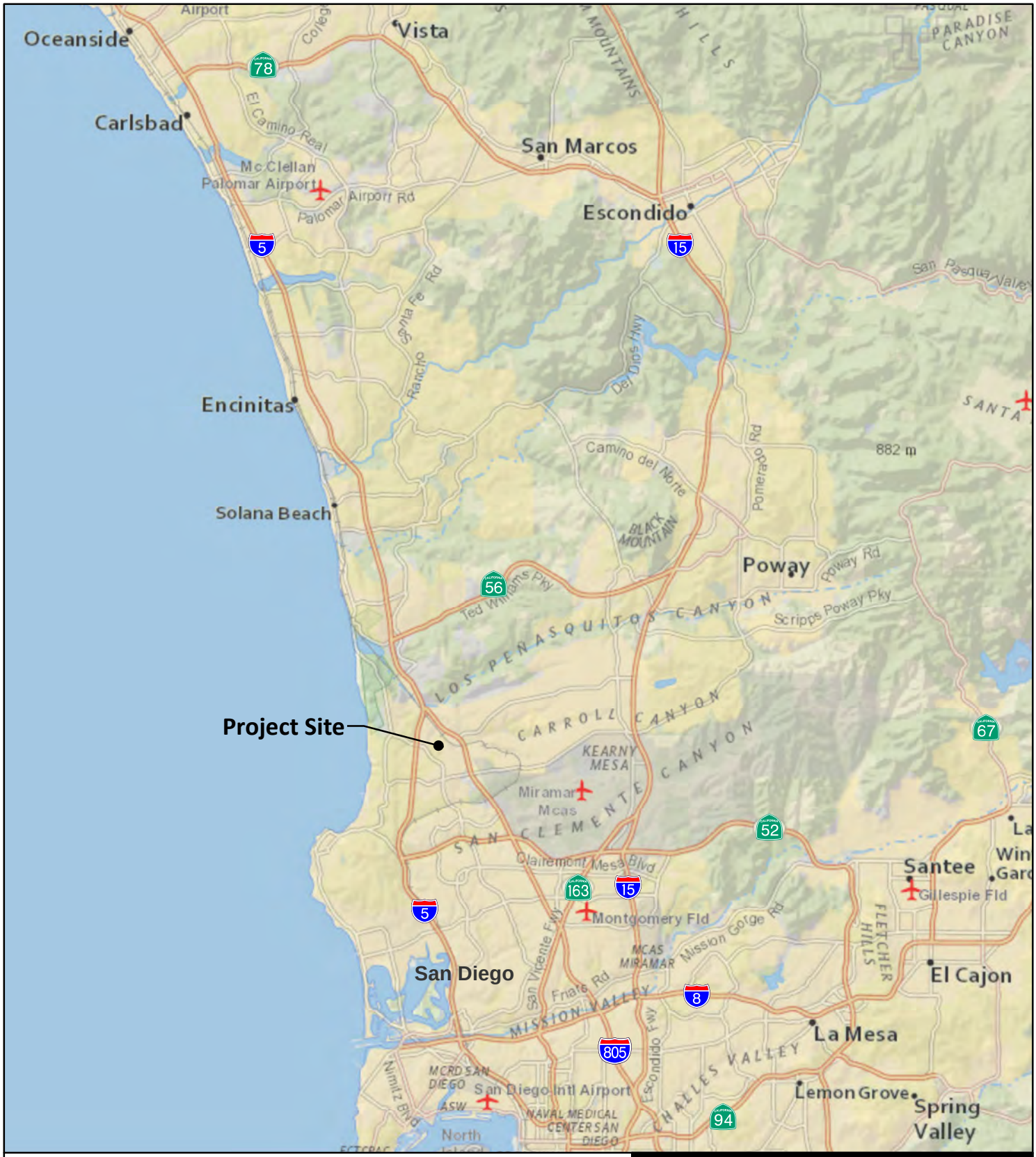

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ALDEN ENVIRONMENTAL, INC

Figure 1

Regional Location

TOWNE CENTRE VIEW PROJECT

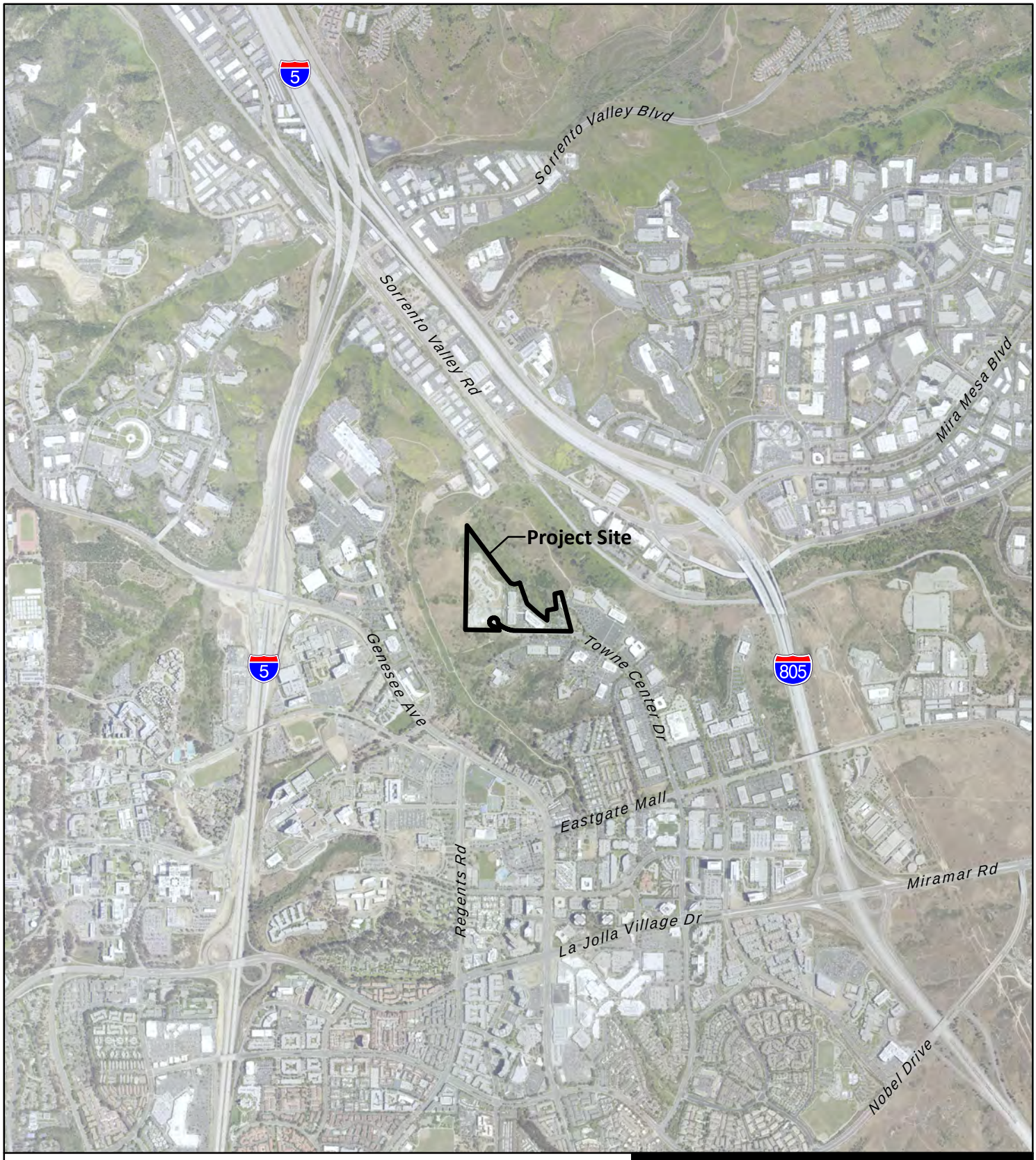

Figure 2

Project Location

TOWNE CENTRE VIEW PROJECT

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ALDEN ENVIRONMENTAL, INC

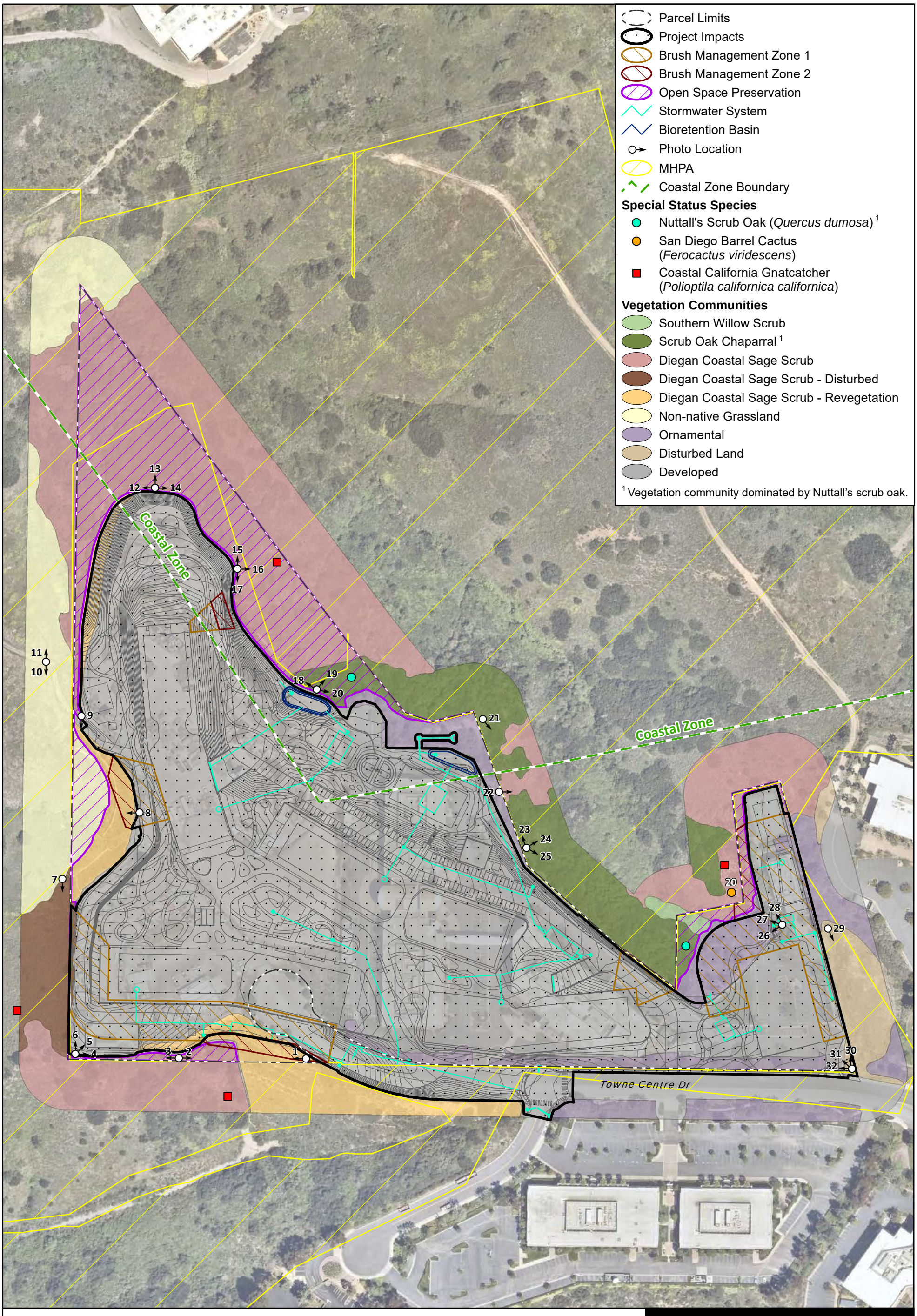

Figure 3

Biological Resources

TOWNE CENTRE VIEW PROJECT

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ALDEN ENVIRONMENTAL, INC

Representative Photographs

Photo Point 1. 10/30/22

Photo Point 2. 10/30/22

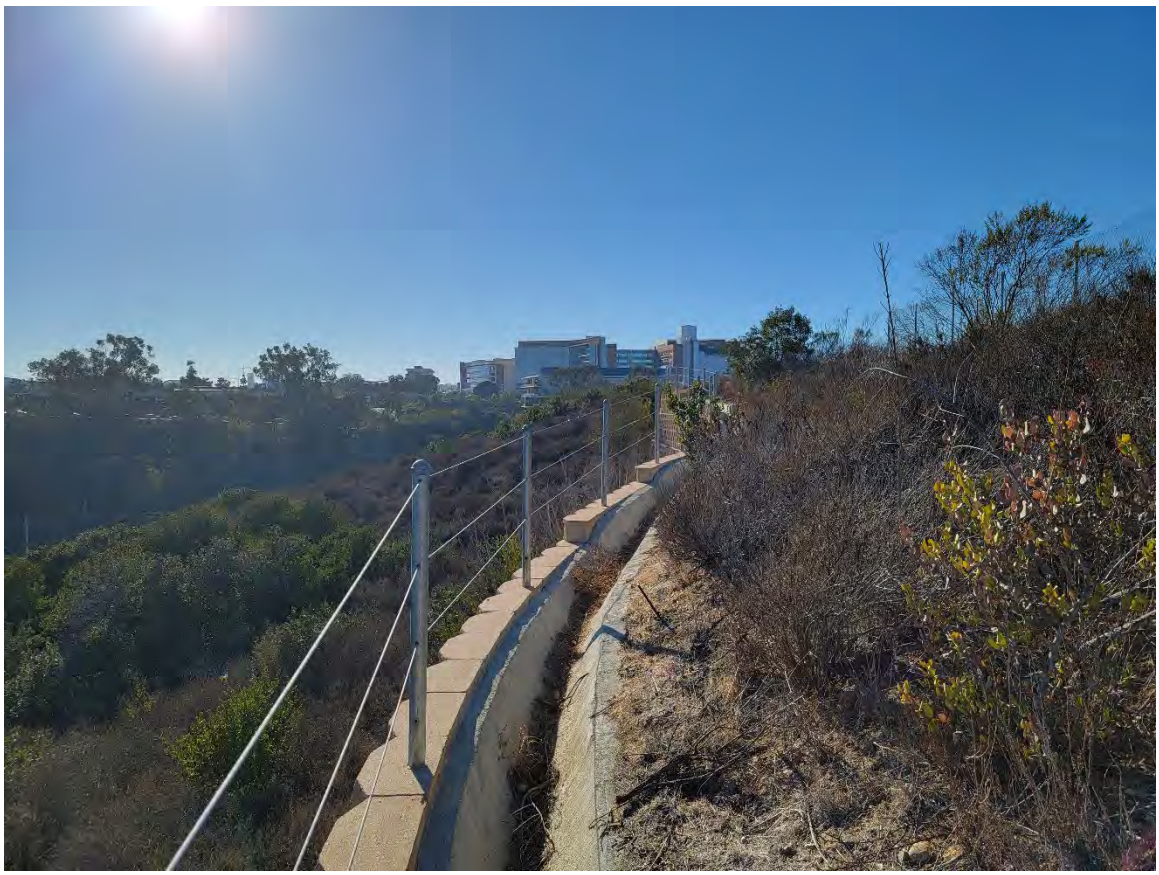

Photo Point 3. 10/30/22

Photo Point 4. 10/30/22

Photo Point 5. 10/30/22

Photo Point 6. 10/30/22

Photo Point 7. 10/30/22

Photo Point 8. 10/30/22

Photo Point 9. 10/30/22

Photo Point 10. 10/30/22

Photo Point 11. 10/30/22

Photo Point 12. 10/30/22

Photo Point 13. 10/30/22

Photo Point 14. 10/30/22

Photo Point 15. 10/30/22

Photo Point 16. 10/30/22

Photo Point 17. 10/30/22

Photo Point 18. 10/30/22

Photo Point 19. 10/30/22

Photo Point 20. 10/30/22

Photo Point 21. 10/30/22

Photo Point 22. 10/30/22

Photo Point 23. 10/30/22

Photo Point 24. 10/30/22

Photo Point 25. 10/30/22

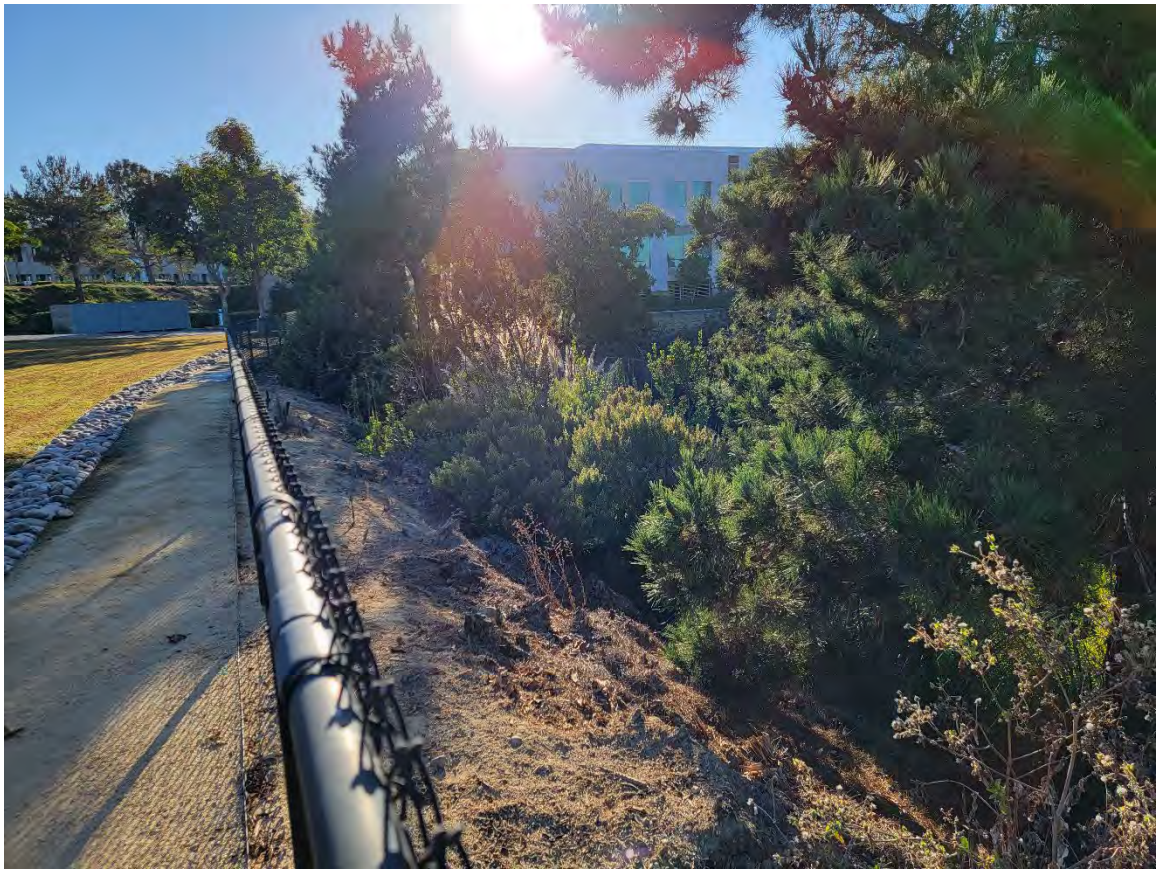

Photo Point 26. 10/30/22

Photo Point 27. 10/30/22

Photo Point 28. 10/30/22

Photo Point 29. 10/30/22

Photo Point 30. 10/30/22

Photo Point 31. 10/30/22

Photo Point 32. 10/30/22

Attachment B
PLANT SPECIES OBSERVED
Town Center View Project

SCIENTIFIC NAME[1]	COMMON NAME	Where Observed[2]
Adoxaceae	**Muskroot Family**	
Sambucus nigra ssp. *caerulea*	blue elderberry	NNG
Aizoaceae	**Fig-Marigold Family**	
Carpobrotus edulis[1]	hottentot fig	DL
Mesembryanthemum crystallinum[1]	crystalline iceplant	DL
Amaranthaceae	**Amaranth Family**	
Amaranthus albus [1]	white tumbleweed	DL
Atriplex canescens	fourwing saltbush	DL
Anacardiaceae	**Sumac Family**	
Malosma laurina	laurel sumac	CSS
Schinus terebinthifolius[1]	Brazilian pepper tree	ORN
Apiaceae	**Carrot Family**	
Foeniculum vulgare[1]	fennel	NNG
Apocynaceae	**Dogbane Family**	
Nerium oleander[1]	oleander	ORN
Arecaceae	**Palm Family**	
Phoenix canariensis[1]	Canary Island date palm	ORN
Washingtonia robusta[1]	Mexican fan palm	ORN
Asteraceae	**Sunflower Family**	
Artemisia californica	coastal sagebrush	CSS
Baccharis pilularis ssp. *consanguinea*	coyote brush	CSS, DL
Baccharis salicifolia	mule fat	SWS
Glebionis coronaria[1]	crown daisy	DL, CSS
Encelia californica	bush sunflower	CSS
Heterotheca grandiflora	telegraph weed	NNG, DL
Helminthotheca echioides[1]	bristly ox-tongue	DL
Lactuca serriola[1]	prickly lettuce	DL
Pseudognaphalium californicum	California everlasting	CSS
Sonchus asper[1]	prickly sow-thistle	DL
Sonchus oleraceus[1]	common sow-thistle	DL
Brassicaceae	**Mustard Family**	
Brassica nigra[1]	black mustard	CSS, NNG, DL

SCIENTIFIC NAME[1]	COMMON NAME	Where Observed[2]
Hirschfeldia incana[1]	short-pod mustard	NNG, DL
Sisymbrium irio[1]	London rocket	NNG, DL
Chenopodiaceae	**Goosefoot Family**	
Chenopodium album[1]	lamb's quarters	DL
Salsola tragus[1]	Russian thistle	DL
Cactaceae	**Cactus Family**	
Ferocactus viridescens[3]	San Diego barrel cactus	CSS (off site)
Opuntia littoralis	coastal prickly pear	CSS
Convolvulaceae	**Morning-glory Family**	
Convolvulus arvensis[1]	bindweed	NNG
Fabaceae	**Pea Family**	
Acacia spp.[1]	acacias	ORN
Medicago polymorpha[1]	burclover	DL
Fagaceae	**Oak Family**	
Quercus dumosa[3]	Nuttall's scrub oak	SOC
Iridaceae	**Iris Family**	
Sisyrinchium bellum	blue-eyed grass	NNG
Malvaceae	**Mallow Family**	
Malva parviflora[1]	cheeseweed	DL
Myrsinaceae	**Myrsine Family**	
Lysimachia arvensis[1]	scarlet pimpernel	DL
Myrtaceae	**Myrtle Family**	
Eucalyptus sp.[1]	eucalyptus	ORN
Oxalidaceae	**Oxalis Family**	
Oxalis pes-caprae[1]	Bermuda buttercup	ORN
Pinaceae	**Pine Family**	
Pinus canariensis[1]	Canary Island pine	ORN
Poaceae	**Grass Family**	
Avena fatua[1]	wild oats	NNG, CSS
Bromus diandrus[1]	ripgut grass	NNG
Cortaderia selloana[1]	pampas grass	NNG
Cynodon dactylon[1]	Bermuda grass	NNG, DL

SCIENTIFIC NAME[1]	COMMON NAME	Where Observed[2]
Festuca perennis[1]	perennial rye grass	NNG
Hordeum murinum[1]	wild barley	NNG
Paspalum dilatatum[1]	Dallis grass	DL, ORN
Paspalum distichum	knot grass	DL
Polypogon monspeliensis[1]	rabbitsfoot grass	DL
Polygonaceae	**Buckwheat Family**	
Eriogonum fasciculatum	California buckwheat	CSS, SOC
Salicaceae	**Willow Family**	
Salix lasiolepis	arroyo willow	SWS
Solanaceae	**Nightshade Family**	
Nicotiana glauca[1]	tree tobacco	DL
Urticaceae	**Nettle Family**	
Urtica urens[1]	dwarf nettle	SWS, DL

[1]Non-native species

[2]CSS=coastal sage scrub (Diegan, disturbed Diegan, and/or revegetation)
DL=disturbed land
NNG=non-native grassland
ORN=ornamental
SOC=scrub oak chaparral
SWS=southern willow scrub

[3]Sensitive species

Attachment C
ANIMAL SPECIES OBSERVED OR DETECTED
Town Center View Project

SCIENTIFIC NAME	COMMON NAME
INVERTEBRATES	
Pieridae – Whites and Suphurs	
Pieris rapae	cabbage white
Reptiles	
Phrynosomatidae – Spiny Lizards	
Sceloporus occidentalis	western fence lizard
Birds	
Accipitridae – Raptors	
Buteo jamaicensis	red-tailed hawk
Aegithalidae - Bushtits	
Psaltriparus minimus	bushtit
Charadridae – Banded Plovers	
Charadrius vociferous	killdeer
Columbidae – Doves and Pigeons	
Zenaida macroura	mourning dove
Corvidae – Corvids	
Corvus brachyrhynchos	American crow
Emberizidae – Sparrows, Longspurs, and Emberiza Buntings	
Melospiza melodia	song sparrow
Pipilo crissalis	California towhee
Fringillidae – Finches and Allies	
Haemorhous mexicanus	house finch
Mimidae – Mockingbirds	
Mimus polyglottos	northern mockingbird
Muscicapidae – Kinglets, Gnatcatchers	
Polioptila californica californica[1]	coastal California gnatcatcher
Passeridae – Old World Sparrows	
Passer domesticus	house sparrow
Trochilidae -Hummingbirds	
Calypte anna	Anna's hummingbird
Turdidae - Thrushes	
Turdus migratorius	American robin
Mammals	
Leporidae – Rabbits and Hares	
Sylvilagus audubonii	desert cottontail
Canidae – Foxes, Wolves, and Relatives	
Canis latrans	coyote

[1]Sensitive species

Attachment D SENSITIVE PLANT SPECIES OBSERVED OR THAT MAY HAVE POTENTIAL TO OCCUR		
SPECIES	**SENSITIVITY**[1]	**POTENTIAL TO OCCUR**
San Diego thorn-mint (*Acanthomintha ilicifolia*)	FT/SE CNPS RPR 1B.1 NE	Low. Clay soils are very limited on site.
California adolphia (*Adolphia californica*)	CNPS RPR 2B.1	Very low. A perennial shrub that would have been observed if present, and clay soils the species requires are very limited on site.
Shaw's agave (*Agave shawii*)	CNPS RPR 2B.1 NE	Very low. A perennial, leaf succulent that would have been observed if present.
San Diego ambrosia (*Ambrosia pumila*)	FE CNPS RPR 1B.1 NE	Low. Potential wetland/riparian habitat not present in the impact footprint and very limited on site.
Aphanisma (*Aphanisma blitoides*)	CNPS RPR 1B.2 NE	Not expected. No known populations in MSCP Plan Area.
San Diego sagewort (*Artemisia palmeri*)	CNPS 4.2	Low. Potential wetland/riparian habitat not present in the impact footprint and very limited on site.
Coastal dunes milk vetch (*Astragalus tener* var. *titi*)	FE/SE CNPS RPR 1B.1 NE	Not expected. Reported to the CNDDB in the vicinity, but it occurs in sandy places along the coast, including coastal dunes that are not present on site.
Encinitas baccharis (*Baccharis vanessae*)	FT/SE CNPS RPR 1B.1 NE	Not expected. Not known from near the project vicinity.
San Diego goldenstar (*Bloomeria clevelandii*)	CNPS RPR 1B.1 MSCP Covered	Low. Clay soils are very limited on site.
Orcutt's brodiaea (*Brodiaea orcuttii*)	CNPS RPR 1B.1 MSCP Covered	Low. Clay soils are very limited on site.
Wart-stemmed ceanothus (*Ceanothus verrucosus*)	CNPS 1B.1 MSCP Covered	Low. Reported to the CNDDB on/adjacent to the site, but this species is an evergreen shrub that would have been observed if present.
Summer holly (*Comarostaphylis diversifolia*)	CNPS 1B.2	Very low. This species is an evergreen shrub that would have been observed if present.
Snake cholla (*Cylindropuntia californica* var. *californica*)	CNPS RPR 1B.1 NE	Very low. A perennial, stem succulent that would have been observed if present.
Otay tarplant (*Deinandra conjugens*)	FT/SE CNPS RPR 1B.1 NE	Not expected. Not known from near the project vicinity.
Short-leaved dudleya (*Dudleya brevifolia*)	SE CNPS RPR 1B.1 NE	Not expected. Occurs on dry, sandstone bluffs in chamise chaparral that do not occur on site.
Variegated dudleya (*Dudleya variegata*)	CNPS RPR 1B.2 NE	Low. Clay soils are very limited on site.

San Diego button-celery (*Eryngium aristulatum* var. *parishii*)	FE/SE CNPS RPR 1B.1 NE	Low. Potential habitat very limited on site.
San Diego barrel cactus (*Ferocactus viridenscens*)	CNPS RPR 2B.1 MSCP Covered	Very low. Twenty barrel cacti were observed just off site (Figure 3). This perennial stem succulent would have been observed on site if present.
Campbell's liverwort (*Geothallus tuberosus*)	CNPS RPR 1B.1	Low. Reported to the CNDDB on site or in the vicinity, but occurs in mesic coastal scrub and vernal pool habitats that are limited or absent on site.
Prostrate navarretia (*Navarretia prostrata*)	FT CNPS RPR 1B.1 NE	Not expected. Suitable habitat (vernal pools) does not occur on site.
California Orcutt grass (*Orcuttia californica*)	FE/SE CNPS RPR 1B.1 NE	Not expected. Suitable habitat (vernal pools) does not occur on site.
San Diego mesa mint (*Pogogyne abramsii*)	FE/SE CNPS RPR 1B.1 NE	Not expected. Suitable habitat (vernal pools) does not occur on site.
Otay Mesa mint (*Pogogyne nudiuscula*)	FE/SE CNPS RPR 1B.1 NE	Not expected. Suitable habitat (vernal pools) does not occur on site.
Nuttall's scrub oak (*Quercus dumosa*)	CNPS RPR 1B.1	Present in scrub oak chaparral on site.
Woven-spored lichen (*Texosporium sancti-jacobi*)	CNPS RPR 3	Low. Occurs in chaparral openings that are limited on site.

[1]FE = Federally listed endangered
FT = Federally listed threatened
SE = State listed endangered

CNPS RPR = California Native Plant Society Rare Plant Rank

1B.1 = Rare, threatened, or endangered in California and elsewhere. Seriously endangered in California (over 80 percent of occurrences threatened/high degree and immediacy of threat).

1B.2 = Rare, threatened, or endangered in California and elsewhere. Moderately endangered in California (20 to 80 percent occurrences threatened/moderate degree and immediacy of threat).

2B.1 = Rare, threatened, or endangered in California but more common elsewhere. Seriously endangered in California (over 80 percent of occurrences threatened/high degree and immediacy of threat).

3 = Lacking the necessary information to assign them to one of the other ranks or to reject them. Nearly are taxonomically problematic.

4.2 = A watch list for species of limited distribution. Moderately endangered in California (20 to 80 percent occurrences threatened/moderate degree and immediacy of threat).

MSCP Covered = Species for which the City has take authorization from the USFWS and CDFW within the City's subarea.
NE (Narrow Endemic) = MSCP Covered species with very limited geographic ranges.

Attachment E SENSITIVE ANIMAL SPECIES OBSERVED OR THAT MAY HAVE POTENTIAL TO OCCUR		
SPECIES	**SENSITIVITY**[1]	**POTENTIAL TO OCCUR**
Reptiles		
Orange-throated whiptail (*Aspidoscelis hyperythra*)	SSC MSCP Covered	Moderate in coastal sage scrub and chaparral, on site. Low in the largely developed and disturbed project impact footprint.
Birds		
Northern harrier (*Circus cyaneus*)	SSC MSCP Covered	Low. Found in open grasslands and marshes. Grassland on site is extremely limited.
White-tailed kite (*Elanus leucurus*)	Fully Protected	Low. Found in association with riparian woodlands and oak or sycamore groves adjacent to grassland. Woodlands/groves not present on site or nearby.
California black rail (*Laterallus jamaicensis coturniculus*)	BCC ST, FP	Not expected. Reported to the CNDDB nearby, but it inhabits tidal and freshwater marshes that are not present on site.
Coastal California gnatcatcher (*Polioptila californica californica*)	FT/SSC MSCP Covered	Present. The coastal California gnatcatcher was observed in the northern portion of the site in its Diegan coastal sage scrub habitat in the MHPA. The species was also observed in three other locations surrounding the site in the MHPA.
Mammals		
Pallid bat (*Antrozous pallidus pacificus*)	SSC	Low. Generally found in xeric sage scrub, chaparral, or grassland communities (very limited on site) and requires undisturbed rocky areas for roosting (not present).
Dulzura pocket mouse (*Chaetodipus californicus femoralis*)	SSC	Low. Primarily associated with mature chaparral that is very limited on site.
Mule deer (*Odocoileus hemionus*)	MSCP Covered	Moderate in the MHPA on site. Reported to the CNDDB on site and/or in the vicinity.
Southern grasshopper mouse (*Onychomys torridus ramona*)	SSC	Low. Believed to inhabit flat, sandy, valley floor habitats (Collins 1998) not present on site.

[1] FT = Federally listed threatened
BCC = Bird of Conservation Concern: Non-listed subspecies or populations of federal threatened or endangered species

ST = State listed threatened

SSC = State Species of Special Concern: Declining population levels, limited ranges, and/or continuing threats have made them vulnerable to extinction.

FP = Fully Protected: all vertebrate and invertebrate taxa of concern to the California Natural Diversity Data Base regardless of legal or protection status. These species may not be taken or possessed without a permit from the Fish and Game Commission and/or CDFW.

MSCP Covered = Species for which the City has take authorization from the USFWS and CDFW within the City's subarea.

Reference:
Collins, Paul W. 1998. Ramona Grasshopper Mouse, *Onychomys torridus ramona. In* Terrestrial Mammal Species of Special Concern in California, Bolster, B.C., Ed., 1998.