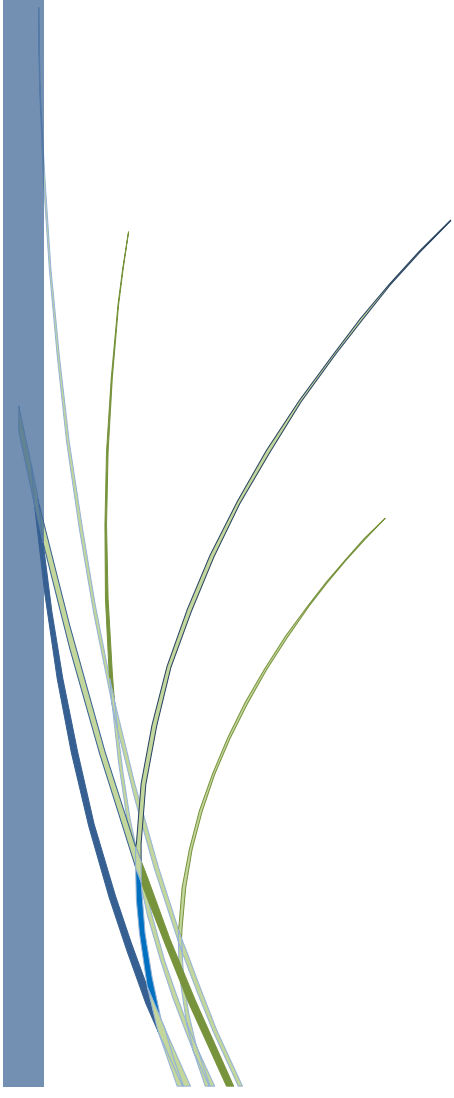
September 2020

# City of San Diego
# Foxhill
# Project No. 508125
# San Diego, California

Biological Resources Report



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# Foxhill

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# 1.0 EXECUTIVE SUMMARY

The purpose of this biological resources study is to document the existing biological conditions for the proposed Foxhill Project No. 508125 (herein referred to as Foxhill or project); identify potential impacts to biological resources that could result from implementation of the project, and recommend measures to avoid, minimize, and mitigate significant impacts consistent with the California Environmental Quality Act (CEQA) and applicable federal, state and local rules and regulations.

Foxhill is located at 7007 Country Club Drive, San Diego, California 92037 in the southeast section of Foxhill Estates property. The proposed project occupies the lower southeast section of APN: 352-300-04, east of the south terminus of Country Club Drive in the La Jolla Community Plan Area.

The proposed project will subdivide Foxhill Estates and an 11,601 square foot two story single-family residence will be constructed. The project scope includes: approximately 9,084 square foot living space, 2,517 square foot attached garage, 3,103 square foot open decks, 565 square foot covered patio, 1,051 porte-cochere and a 12-foot-wide concrete driveway with ample parking space.

The proposed project has been designed to minimize all permanent impacts to the maximum extent practicable. The least environmentally impactive location has been selected for development based on the location of sensitive biological resources, defensible space and access considerations. No water will be discharged directly into Environmentally Sensitive Lands (ESL). Design features to mitigate potential impacts from an increased impervious surface includes: retaining wall install, rain shutoff irrigation devices, convey runoff from increased impervious surface areas into three biofiltration basins, then released to a cobblestone energy dissipater and surrounding landscape.

The BSA lies within the City's Coastal Overlay Zone and Multiple Species Conservation Program (MSCP), entirely outside of the Multiple Habitat Planning Area (MHPA), approximately 0.42-mile north of the BSA at La Jolla Natural Park.

No critical habitat occurs within the Biological Survey Area (BSA). The closest critical habitat is approximately 3.80 miles east of the BSA adjacent to Marine Corps Air Station (MCAS) Miramar. Consequently, implementation of the proposed project would not result in impacts to critical habitat.

Although there is a jurisdictional ephemeral drainage in the adjacent Covenant of Easement (COE), there are no wetlands or jurisdictional drainages on Foxhill. The ephemeral drainage is approximately 650 feet up-slope of the BSA, draining southwest to a storm drain inlet at the COE south boundary. The US Army Corps of Engineers (Corps) determined the ephemeral drainage is non-wetland Waters of The US (WoUS) based on the lack of hydrophytic vegetation and hydric soils. Thus, no direct or indirect impacts to federally protected wetlands as defined by § 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means will occur as a result of project implementation. The ephemeral drainage does not meet the City's definition of City-jurisdictional "wetlands" as defined in the City's ESL Regulations and Biological Guidelines. Therefore, no impacts to City jurisdictional wetlands will occur as a result of project implementation.

The parcel supports 0.23-acre southern maritime chaparral (Tier I), 0.29-acre disturbed land (Tier IV) and 1.82-acre developed land (Tier IV). The development area is disturbed and developed land. According to the City of San Diego's Significance Determination Guidelines under the California Environmental Quality Act, direct impacts to disturbed and developed lands do not require mitigation. In addition, the 0.23-acre of southern maritime chaparral (Tier I) is located entirely

outside of the development area, in Brush Management Zone 2. Brush Management Zone 2 is "impact neutral," not considered an impact and not considered acceptable for mitigation. Consequently, implementation of the project would not result in permanent impacts to sensitive vegetation communities.

Sensitive flora species were located and mapped during the reconnaissance-level survey. Two Torrey pines (*Pinus torreyana* spp. *torreyana*), a California Rare Plant Rank (CRPR 1B.2), are present within the BSA near Foxhill's west fence line, approximately 65 feet northwest of the proposed project's driveway. The two Torrey pines are entirely outside the development area, the work limits and Brush Management Zone 1. Therefore, no direct impacts to sensitive flora species will occur due to implementation of the proposed project.

One sensitive wildlife species was observed in the BSA during the reconnaissance-level survey, a Cooper's hawk, an MSCP covered species and a CDFW Watch List species. The Cooper's hawk was observed actively ambushing passerines on the Foxhill Estate property. There are mature, dense trees suitable for nesting Cooper's hawk within the development area. Tree removal within the proposed development area is scheduled during the non-breeding period (September 16 through January 31). Therefore, no direct impacts to nesting Cooper's hawk would occur due to project implementation.

Suitable Cooper's hawk nesting sites lie adjacent to the development area. Noise from construction activities have the potential to result in indirect impacts to Cooper's hawk during the breeding season (February 1 through September 15). Therefore, mitigation measures are provided to reduce potential impacts to a less-than-significant level.

Based on the topography, habitat connectivity and cover, identified and/or potential species within the BSA, and land uses, the BSA possess low value as a wildlife corridor. The BSA is primarily landscaped with manicured trees, hedges, lawn and ground-cover. The BSA lies within the City's MSCP boundary. The closest wildlife corridor is San Clemente Canyon over 1.40 miles east of the BSA. Use by terrestrial animals with a north-south or east-west home-range movement would be unlikely. Although natural lands consisting primarily of southern maritime chaparral exists within the adjacent COE, the COE is isolated, surrounded by dense residential development. Consequently, no impacts to wildlife corridors would occur due to project implementation.

# 2.0 INTRODUCTION

## 2.1 Purpose of Study

This report presents the result of a biological survey and analysis for Foxhill. The purpose of this biological resources study is to document the existing biological conditions within the BSA; identify potential impacts to biological resources that could result from implementation of the project, and recommend measures to avoid, minimize, and mitigate impacts consistent with CEQA and applicable federal, state and local rules and regulations.

## 2.2 Project Location

Foxhill Project No. 508125 is located at 7007 Country Club Drive, in the southeast quadrant of the Foxhill Estates property. The proposed project occupies the lower southeast corner of APN: 352-300-04, east of the south terminus of Country Club Drive in the La Jolla Community Plan Area (Figure 1). Residential development surrounds the proposed project and the adjacent, isolated COE. La Jolla environs surround the approximately 3.29 acres BSA to the north and west. The ESL consists primarily of southern maritime chaparral and is approximately 40 feet to the east and south of the BSA (Dudek 2014).

Foxhill is developed land within the City's MSCP and the coastal overlay zone, and entirely outside of the MHPA (City of San Diego 2019).

## 2.3 Project Description

The proposed project will subdivide Foxhill Estates and an 11,601 square foot two story single-family residence will be constructed. The project scope includes:

- Approximately 9,084 square foot living space
- A 2,517 square foot attached garage
- A 3,103 square foot open decks
- A 565 square foot covered patio
- A 1,051 porte-cochere
- New 12-foot-wide concrete driveway with ample parking space

The proposed project has been designed to minimize all permanent impacts to the maximum extent practicable. The least environmentally impactive location has been selected for development based on the location of sensitive biological resources, defensible space and access considerations (Figure 2).

No water will be discharged directly into the ESL. Design features to mitigate potential impacts from an increased impervious surface includes:

- Retaining wall install
- Rain shutoff irrigation devices
- Convey runoff from an increased impervious surface area into three biofiltration basins, then released to a cobblestone energy dissipater and surrounding landscape


Figure 1 –Project Vicinity

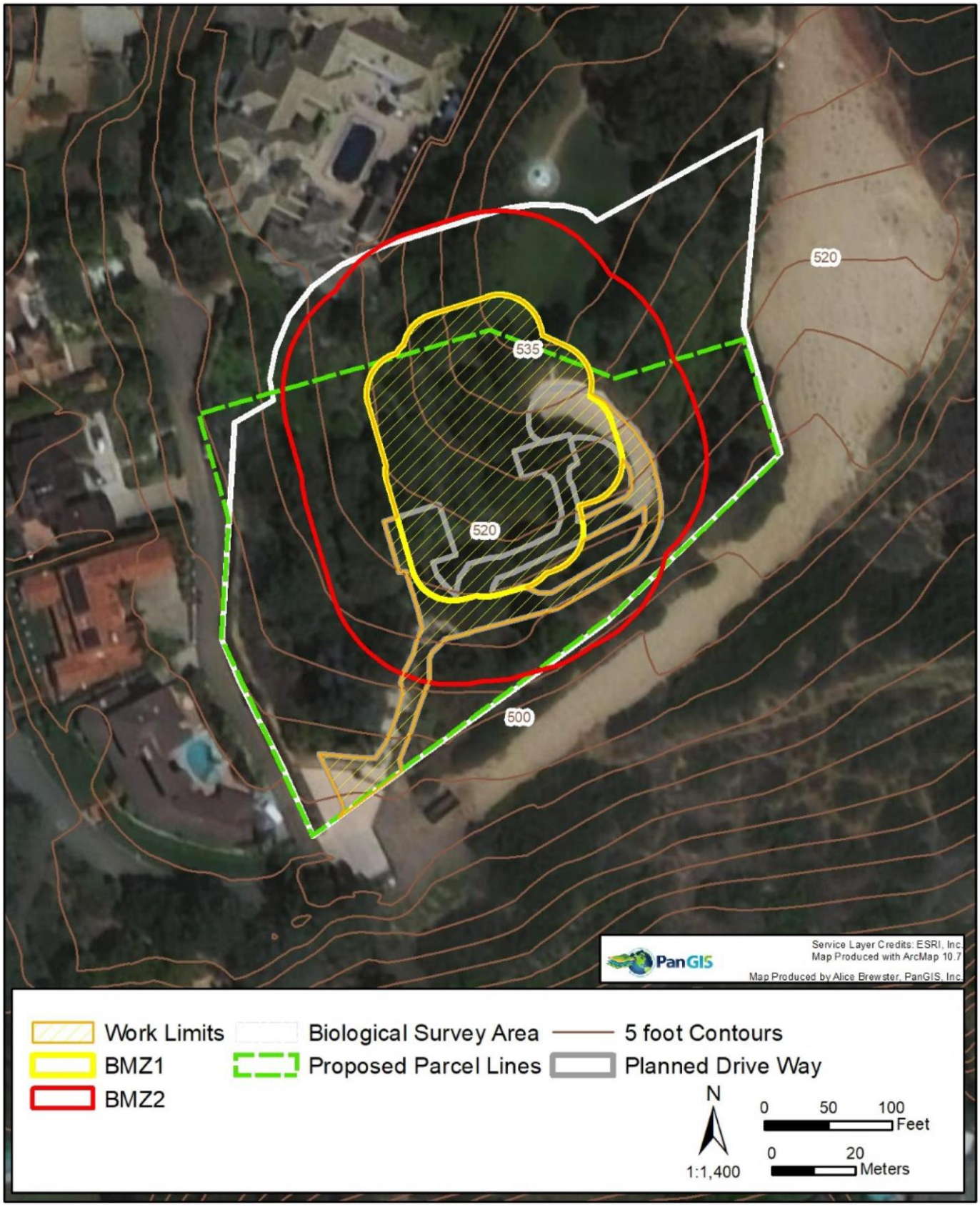


Figure 2 – Survey Area

# 3.0 METHODOLOGY

Literature and data pertaining to the BSA were reviewed prior to the on-site biological resource assessment. Literature, maps, databases, agency web sites, and aerial imagery were obtained from public domain sources. Review included examination of the following: historical U.S. Geological Survey (USGS) La Jolla quadrangle topographic maps (USGS 1996) and aerial imagery (Google Earth 2019), Draft VPHCP Interactive Map (City of San Diego 2019), California Natural Diversity Database State and Federally Listed Endangered, Threatened, and Rare Plants of California (CNDDB 2019), California Native Plant Society (CNPS) Rare and Endangered Plant Inventory (CNPS 2019), Information Planning and Conservation (IPaC) (USFWS 2019), San Diego County Plant Atlas (SDNHM 2019), USDA Web Soil Survey (USDA 2019), National Wetlands Inventory (USFWS 2019), Critical Habitat for Threatened & Endangered Species (USFWS 2019), CDFW BIOS Viewer for Multiple Species Conservation Program Cores and Linkages (CDFW 2019), the City of San Diego Land Development Code, Biology Guidelines (City of San Diego 2012) and the Biotechnical Report for the Copley Press The Reserve Project (Dudek 2014).

On November 13, 2019, Leopold's Senior Biologist conducted a reconnaissance-level survey within the BSA. Schedule of surveys are provided in Table 1.

**Table 1**
**Schedule of Surveys**

| Date | Hour | Personnel | Focus | Conditions |
|---|---|---|---|---|
| Nov 13, 2019 | 1000-1130 | Christine Harvey | Habitat assessment, plant and animal inventory, vegetation mapping | Cloud cover fog-70%, wind 2-3 mph, 61-65 $^{O}$F |

During the reconnaissance-level survey, the Senior Biologist used topographic and aerial maps to help direct in survey efforts. Sensitive species, vegetation communities and physical features were identified and recorded. In addition, the Senior Biologist used a Global Positioning System (GPS) unit and other GIS and survey-related techniques, hardware and software to collect locational data to record relevant attributes of features or species encountered. Digital color photographs were taken during the field survey to record site conditions and the biological resources present. Survey site photographs are provided in Appendix F.

Existing vegetation types were classified according to the Holland (1986) code classification system as modified by Oberbauer (2008) and were mapped in accordance with the City's current biological resource mapping requirements (City 2012). Plant identifications were either resolved in the field or later determined through verification of voucher specimens (Baldwin 2012). In addition, directed searches for the queried list of sensitive species with a potential to occur on-site were conducted within the BSA, and any other potential occurrences were assessed in the field based on the existing biological conditions.

After the biological survey and mapping of the vegetation communities was completed, an additional evaluation was conducted in the office for each sensitive plant species in the plant inventory. The evaluation considered whether the BSA contained suitable habitats and soils to support those sensitive plant species listed in the plant inventory. A species was determined to have "no potential

to occur" within the BSA if the existing habitats and/or soils in the BSA were clearly absent or unsuitable to support the species. Sensitive plant species with the potential to occur in the BSA is provided in Appendix C.

Biological inventories are generally subject to various survey limitations. Depending on the season and time of day during which biological surveys are conducted, some species may not be detected due to temporal species variability. The reconnaissance-level survey conducted for the proposed project was performed during daylight hours in early spring, thus, some dispersing species or nocturnal species may not have been detected. However, based on the literature review performed, as well as knowledge of species-specific habitat requirements, it is anticipated that any additional species potentially present within the parcel's boundaries can be fairly accurately predicted, and that the survey conducted was sufficient in obtaining a thorough review of the biological resources present on within the parcel's boundaries.

# 4.0 RESULTS

## 4.1 Physical Characteristics

The project site is developed land characterized by manicured landscape in the City's MSCP and coastal overlay zone, and entirely outside the MHPA (City of San Diego 2019).

Foxhill is bound by the residential community of La Jolla on a southwest facing slope near Mount Soledad. Residential development surrounds the proposed project site and the adjacent, isolated COE. La Jolla environs surround the approximately 3.29 acres BSA to the north and west. The COE consists primarily of southern maritime chaparral and is approximately 40 feet to the east and south of the BSA.

Site topography consists of a slight slope with no jurisdictional drainages present. Elevation ranges from approximately 538 feet above mean sea level (amsl) at the northeast BSA boundary to approximately 495 feet amsl at the southwest BSA boundary.

Review of the USDA web soil survey indicated two soil mapping units on-site: Gaviota fine sandy loam (GaF, 30 to 50 percent slopes) and Olivenhain cobbly loam (OhF 30 to 50 percent slopes). Gaviota soil series consists of shallow, well-drained fine sandy loams which formed in material weathered from hard sandstone or meta-sandstone. Olivenhain series consists of well-drained, deep cobbly loam with a cobbly clay subsoil. These soils form in cobbly alluvium (Bowman 1973).

Vegetation communities/land covers that were identified and mapped, and plant and animal species that were observed in the BSA are discussed below.

## 4.2 Vegetation Communities/Land Covers

Three vegetation communities/land covers were identified and mapped within the BSA: southern maritime chaparral, disturbed land and developed land (Sawyer, Keeler-Wolf 1995) (Figure 3). Vegetation communities/land covers acreages are summarized in Table 2.

**Table 2**
**Vegetation Communities/Land Covers in the Biological Survey Area**

| Vegetation Communities/Land Covers | Tier | Total Acres |
|---|---|---|
| Southern maritime chaparral | Tier I | 0.23 |
| Disturbed land | Tier IV | 0.39 |
| Developed land | No Tier | 2.67 |
| **Total** | | **3.29** |

#### *4.2.1 Southern Maritime Chaparral*

Southern maritime chaparral occurs on-sites with weathered sandy soils in the coastal overlay zone. Fire is necessary for the reproductive health of many indicator species. Southern maritime chaparral is characterized by low, fairly open chaparral with the presence of the following indicator species: wart-stemmed ceanothus (*Ceanothus verrucosus*) Del Mar manzanita (*Arctostaphylos glandulosa* spp. *crassifolia*), chamise, (*Adenostona fasciculatum*), Encinitas baccharis (*Baccharis vanessae*), San Diego mountain-mahogany (*Cercocarpus minutiflorus*), sea-dahlia (*Coreopsis maritima*), Torrey pine, Nuttall's scrub oak (*Quercus dumosa*), laurel sumac (*Malosma laurina*) and mission manzanita (*Xylococcus bicolor*) (Holland 1986) (Oberbauer 2008). The City determined the adjacent COE contains indicator species for Diegan coastal sage scrub but classified the vegetation community as southern maritime chaparral based on the presence of Nuttall's scrub oak, Torrey pine and San Diego barrel cactus (*ferocactus viridenscens*) in weathered sandy soil in the coastal overlay zone (City of San Diego 2012) (Dudek 2014). Foxhill continues to support native vegetation and soil composition consistent with the adjacent COE, within the proposed project BSA (USDA 2019). Southern maritime chaparral species are interspersed with planted ornamentals parallel to the south and southwest fence line. Ornamental plantings of hottentot fig (*Carpobrotus edulis*), *Viburnum* spp., *Pittosporum* spp. and *Photinia* spp. are sparsely interspersed with lemonade berry (*Rhus intregrifolia*), and bush sunflower (*Encelia californica*). Two Torrey pines (CRPR 1B.2) are present near the Foxhill west fence line, entirely outside of the development area, the work limits and Brush Management Zone 1, approximately 65 feet northwest of the proposed project driveway. Approximately 0.23-acre southern maritime chaparral occurs along the south and southwest parcel boundary, adjacent to the COE.

#### *4.2.2 Disturbed Land*

Disturbed lands are high traffic areas with compact soil, disturb access roads and trails. Pedestrian and vehicle traffic prohibit the growth of most vegetation in these areas (Holland 1986) (Oberbauer 2008). An approximate five-foot-wide pedestrian path runs parallel to the fence line. The path surrounds the parcel to the east, south and west. The disturbed land is characterized by a sparse forb layer of non-native vegetation consisting of horseweed (*Erigeron canadensis*), bur clover (*Medicago polymorpha*), red-stemmed filaree, (*Erodium cicutarium*), spotted spurge *(Euphorbia maculate*), prickly lettuce (*Latuca serriola*), common dandelion (*Taraxacum officinale*) and Bermuda grass (*Cynodon dactylon*). There is approximately 0.39-acre of disturbed land present within BSA.

#### *4.2.3 Developed Lands*

Developed land is land that has been constructed upon or otherwise physically altered to an extent that native vegetation is no longer supported. Developed land is characterized by permanent structures, hardscape and non-native vegetation landscaped areas requiring artificial irrigation (Oberbauer 2008). The BSA is surrounded by the City of San Diego environs to the north, and west.

The ESL is adjacent to the BSA to the east and south. The BSA consist primarily of developed land with dense, ornamental vegetation. There is approximately 2.67 acres developed land within the BSA.

### 4.3 Jurisdictional Wetlands and Non-Wetland Waters

According to the USFWS National Wetland Inventory, no wetlands or jurisdictional drainages are located on Foxhill. However, a wetland delineation was conducted for a single ephemeral drainage in the adjacent COE. The ephemeral drainage is approximately 650 feet up-slope of the BSA, draining southwest to a storm drain inlet at the COE south boundary. Due to the lack of hydrophytic vegetation and hydric soils, the Corps determined the ephemeral drainage is non-wetland WoUS (Dudek 2014).

The ephemeral drainage does not meet the City's definition of City-jurisdictional "wetlands" as defined in the City's ESL Regulations and Biological Guidelines (City of San Diego 2012).

### 4.4 Botanical Resources – Flora

A total of 61 flora species were observed within the BSA. A complete list of floral species observed within the BSA during the reconnaissance-level survey is included in Appendix A.

### 4.5 Zoological Resources – Fauna

A total of 40 faunal resources observed within the BSA are described below. Biological inventories are generally subject to various survey limitations. Depending on the season and time of day during which field surveys are conducted, some species may not be detected due to temporal species variability. The field survey conducted for the proposed project was performed during daylight hours in early spring, thus, some migratory and nocturnal species may not have been detected. However, based on the literature review performed, as well as knowledge of species-specific habitat requirements, it is anticipated that any additional species potentially present in the BSA can be fairly and accurately predicted, and that the survey conducted was sufficient in obtaining a thorough review of the biological resources present within the BSA. A complete list of faunal species observed or detected within the BSA during the reconnaissance-level survey is included with this report in the wildlife compendium Appendix B.

#### *4.5.1 Invertebrates*

Three invertebrate species were observed within the BSA during the recent reconnaissance-level survey that included common butterfly species such as common white (*Pieris rapae*) and wintering/migrating species such as monarch (*Danaus plexippus*) (Garth J.S. 1986).

#### *4.5.2 Amphibians and Reptiles*

Two reptile species observed on-site included western fence lizard (*Sceloporus occidentalis*) and side-blotched lizard (*Uta stansburiana*) (Lemm JM 2006).

#### *4.5.3 Birds*

Thirty-five common wintering avian species observed included: yellow-rumped warbler (*Setophaga coronate*), Townsend's warbler (*Setophaga townsendi*), hermit thrush (*Catharus guttatus*), ruby-crowned kinglet (*Regulus calendula*) and white-crowned sparrow (*Zonotrichia leucophrys*) (SDNHM 2019).

Cooper's hawk, an MSCP covered species and a CDFW Watch List species, was observed in the BSA during the reconnaissance-level survey. A Cooper's hawk was observed actively ambushing passerines on the Foxhill Estate property.

On August 25, 2017, a breeding bird survey confirmed the presence of an adult pair and fledgling California gnatcatcher, a USFWS threatened species and an MSCP covered species, protected within the MHPA. Although California gnatcatcher was previously observed in the isolated COE, no California gnatcatcher was observed on November 13, 2019 (CDFW 2019) (City of San Diego 1997).

#### *4.5.4 Mammals*

No mammal species were detected in the BSA. Common mammal species with the potential to occur on-site includes: California ground squirrel (*Spermophilus beecheyi*), desert cottontail (*Sylvilagus audubonii*), coyote (*Canis latrans*), Virginia opossum (*Didelphis virginiana*), striped skunk (*Mephitis mephitis*), black rat (*Rattus rattus*), and northern raccoon (*Procyon lotor*). The above listed mammals have been observed or detected in the adjacent COE (Stall 1990) (Jameson 2004).

# 5.0 FEDERAL, STATE AND LOCAL REGULATIONS

## 5.1 Federal Endangered Species Act

The U.S. Congress passed the federal Endangered Species Act (ESA) to protect and recover threatened and endangered species and the ecosystems on which they depend. The federal ESA has four components: 1) Section 4 provides listing species and designating critical habitat 2) Section 7 requires agencies, in consultation with the USFWS, to ensure their activities are not likely to jeopardize the existence of species protected under the federal ESA or result in the modification or destruction of critical habitat 3) Section 9 prohibits the "take" of listed species and 4) Section 10 provides permitted incidental "take" of listed species. "Take" is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect or to attempt to engage in any such conduct (FESA Section 3 [(3)(19)]).

Projects that support or potentially support species protected under the federal ESA are subject to federal ESA regulations.

## 5.2 Migratory Bird Treaty Act

In 1918, the U.S. Congress passed the Migratory Bird Treaty Act (MBTA) making it illegal to "take," possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird or the parts, nests or eggs of such native migratory birds except under the terms of a valid Federal permit (16 U.S. Code [USC] 703).

Non-native bird species such as house sparrow, European starling, and rock pigeon are not protected under the MBTA. Many groups of game birds such as ducks, geese, doves and many shorebirds are subject to limited protection and can be hunted in season. No permit is required to scare or herd depredating migratory birds excluding endangered or threatened species or bald or golden eagle.

Non-native mature trees in the BSA are suitable for nesting raptors and common bird species protected under the federal MBTA and the CDFG Code, which prohibit the "take" or destruction of migratory birds and raptors, their nests, and/or eggs. Furthermore, noise from construction

activities may have the potential to disrupt nesting activities if work is conducted during the breeding season (February 1 through September 15). Thus, the proposed project will comply with the MBTA.

### 5.3 Clean Water Act

The U.S. Army Corps of Engineers (Corps) regulates discharges of dredged or fill material into WoUS. These waters include wetland and non-wetland bodies of water that meet specific criteria. Corps regulatory jurisdiction pursuant to Section 404 of the CWA is founded on a connection, or nexus, between the water body in question and interstate commerce. This connection may be direct, through a tributary system linking a stream channel with traditional navigable waters used in interstate or foreign commerce, or may be indirect, through a nexus identified in the Corps regulations.

The Corps typically regulates as WoUS any body of water displaying an ordinary high-water mark (OHWM). Corps jurisdiction over non-tidal WoUS extends laterally to the OHWM or beyond the OHWM to the limit of any adjacent wetlands, if present (33 CFR 328.4). WoUS must exhibit an OHWM or other evidence of surface flow created by hydrologic physical changes. Jurisdiction typically extends upstream to the point where the OHWM is no longer perceptible.

### 5.4 California Fish and Game Code

The CDFW, through provisions of the California Fish and Game Code (Section 1600 et seq.), is empowered to issue agreements for any alteration of a river, stream, or lake where fish or wildlife resources may be adversely affected. Streams (and rivers) are defined by the presence of a channel bed and banks and at least an ephemeral flow of water. The CDFW regulates wetland areas only to the extent that those wetlands are part of a river, stream, or lake as defined by the CDFW.

In obtaining CDFW agreements, the limits of wetlands are not typically determined. The reason for this is that CDFW generally includes, within the jurisdictional limits of streams and lakes, any riparian habitat present. Riparian habitat includes willows, mule fat, and other vegetation typically associated with the banks of a stream or lake shorelines and may not be consistent with Corps definitions. In most situations, wetlands associated with a stream or lake would fall within the limits of riparian habitat. Thus, defining the limits of CDFW jurisdiction based on riparian habitat will automatically include any wetland areas and may include additional areas that do not meet Corps criteria for soils and/or hydrology (e.g., where riparian woodland canopy extends beyond the banks of a stream away from frequently saturated soils).

### 5.5 Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act protects wetlands and waters as Waters of the State (WoS) and designated the State Water Resources Control Board (SWRCB) and the Regional Water Quality Control Board (RWQCB) as the principal State agency with primary responsibility for the coordination and control of water quality which includes any surface water, groundwater, or saline water within the boundaries of the state. State Resolution 2008-0026 extends jurisdiction of the SWQCB to wetlands as defined in accordance with the federal definition for the CWA.

### 5.6 California Environmental Quality Act

In 1970, the California Environmental Quality Act was enacted and required State and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts when feasible. Development projects requiring a discretionary governmental approval

require at least some environmental review pursuant to CEQA, unless an exemption applies. CEQA does not specifically define what constitutes an "adverse effect" on a biological resource. Instead, lead agencies determine what should be considered a significant impact in accordance with CEQA guidelines (Public Resources Code Sections 21000 - 21189).

### 5.7 California Endangered Species Act

The California Endangered Species Act (CESA) generally parallels the main provisions of the federal ESA. CESA is administered by the CDFW. It prohibits take of any species that CDFW has classified as threatened or endangered or that is experiencing a significant decline that could lead to such as designation, and permits incidental "take" to otherwise lawful development projects with approval from CDFW (Chapter 1.5 Section [2050 - 2089.26]).

### 5.8 California Native Plant Protection Act

The California Native Plant Protection Act directs CDFW to carry out the legislature's intent to "preserve, protect and enhance rare and endangered plants in this State." The California native Plant Protection Act gives CDFW the power to designate native plants as "endangered" or "rare" and protects such designated plants from "take" (CFGC Section 1900 et seq.)

### 5.9 California Coastal Act

The California Coastal Commission defines the Coastal Overlay Zone as, "Generally extends 1000 yards inland from the mean high tide line. In significant coastal estuarine habitat and recreational areas, it extends inland to the first major ridgeline or five miles from the mean high tide line, whichever is less." (California Coastal Commission 2019). Development restrictions apply to these areas in order to preserve coastal bluffs, beaches, wetlands, public access (City of San Diego 2012).

### 5.10 Multiple Species Conservation Program

The City's MSCP Subarea Plan was developed pursuant to the general outline developed by USFWS and CDFW to meet the requirements of the California Natural Communities Conservation Planning (NCCP) Act of 1992. The MSCP is a coordinated program between the City, USFWS and CDFW which allows the City to issue "take" authorization for covered species for projects that comply with the MSCP.

The MHPA are lands included in the MSCP for habitat conservation. The MHPA provides the habitat quantity, quality and connectivity to support San Diego's biodiversity and are regarded as sensitive biological resources (City of San Diego 1997).

### 5.11 City of San Diego Land Development Code Biology Guidelines

The Land Development Code Biology Guidelines were drafted by the City of San Diego Development Services Department to assist in implementing the City's Environmentally Sensitive Lands Regulation, Land Development Code, Open Space Residential Zone Code, and to guide in the determination process for impacts and mitigation under CEQA and the Coastal Act (City of San Diego 2012). The Biology Guidelines guide in the protection of sensitive biological resources including: narrow endemic species, habitat for endangered and threatened species, Tier I, II, IIIA and IIIB, MHPA lands, and those areas inside and outside of the MHPA that qualify as wetlands according to the City of San Diego wetland definition.

### 5.12 Wetlands – City of San Diego Jurisdiction

The City's ESL regulations defines wetlands regulated under the Land Development Code as areas that meet the following criteria:

1. Areas that contain wetland vegetation, soils or hydrology created by human activities in historically non-wetland areas do not qualify as wetlands under this definition unless they have been delineated as wetland by the Corps or CDFW.

2. Naturally occurring wetland vegetation communities are typically characteristic of wetland areas.

3. Areas lacking naturally occurring wetland vegetation communities are still considered wetlands if hydric soil or wetland hydrology is present and past human activities have occurred to remove the historic vegetation, or catastrophic or recurring natural events preclude the establishment of wetland vegetation.

4. Seasonal drainage patterns that are sufficient enough to etch the landscape may not be sufficient enough to support wetland dependent vegetation. These types of drainages would not satisfy the City's wetland definition unless wetland dependent vegetation is either present in the drainage or lacking due to past human activities.

5. Areas lacking wetland vegetation communities, hydric soils and wetland hydrology due to non-permitted filling of previously existing wetlands will be considered a wetland under the ESL and regulated accordingly. The removal of the fill and restoration of the wetland may be required as a condition of project approval.

Some coastal wetlands, vernal pools and riparian areas have been previously mapped. The maps, labeled C-713 and C-740 are available to aid in the identification of wetlands (City of San Diego 2012).

### 5.13 City of San Diego Environmentally Sensitive Lands Regulations

The Land Development Code contains development restrictions which occurs within ESL. ESL regulations are intended to "protect, preserve and, where damaged, restore the ESL of San Diego and the viability of species supported by those lands." According to these regulations, the potential presence of sensitive biological resources such as southern maritime chaparral and steep hillsides within the Coastal Overlay Zone warrant review of the proposed project (City of San Diego 1997).

## 6.0 SENSITIVE RESOURCES

### 6.1 City of San Diego Environmentally Sensitive Lands

Sensitive biological resources are uniquely defined by local jurisdictions. Since the lands of the BSA lie within the jurisdiction of the City of San Diego, this report relies upon the City of Diego's definition of "sensitive biological resources", as documented in the San Diego Municipal Code, Land Development Procedures (Chapter 11, Article 3, and Division 1). Based on this definition, sensitive biological resources mean upland and/or wetland areas that meet any one of the following criteria:

(a) Lands that have been included in the City of San Diego MSCP Preserve
(b) Wetlands

(c) Lands outside the MHPA that contain Tier I habitats, Tier II habitats, Tier IIIA habitats, or Tier IIIBhabitats
(d) Lands supporting species or subspecies listed as rare, endangered, or threatened under Section 670.2 or 670.5, Title 14, California Code of Regulations, or the Federal Endangered Species Act, Title 50, Code of Federal Regulations, Section 17.11 or 17.12, or candidate species under the California Code ofRegulations
(e) Lands containing habitats with narrow endemic species as listed in the Biology Guidelines in the Land Development manual
(f) Lands containing habitats of covered species as listed in the Biology Guidelines in the Land Development Manual
(g) Steep hillsides and slopes within the Coastal Overlay Zone

The BSA lies within the City's Coastal Overlay Zone and MSCP, entirely outside of the MHPA, approximately 0.42-mile north of the BSA at La Jolla Natural Park (City of San Diego 2019). The parcel supports 0.23-acre southern maritime chaparral (Tier I), 0.29-acre disturbed land (Tier IV) and 1.82-acre developed land (Tier IV) (Figure 3). The 0.23-acre southern maritime chaparral (Tier I) is located entirely outside of the development area, in Brush Management Zone 2. Brush Management Zone 2 is "impact neutral," not considered an impact and not considered acceptable for mitigation. Consequently, implementation of the project would not result in permanent impacts to sensitive vegetation communities.

According to the NWI, no wetlands or jurisdictional drainages are located within the parcel boundaries. However, there is a jurisdictional ephemeral drainage present, approximately 650 feet up-slope of the BSA, draining southwest to a storm drain inlet at the COE south boundary. The Corps determined the ephemeral drainage is non-wetland WoUS based on the lack of hydrophytic vegetation and hydric soils (Dudek 2014). The ephemeral drainage does not meet the City's definition of City-jurisdictional "wetlands" as defined in the City's ESL Regulations and Biological Guidelines (City of San Diego 2012).

Based on the recent reconnaissance-level survey, known occurrence records (i.e., CDFW, USFWS), and development of the parcel for over 60 years, the BSA does not contain sufficient habitat to support or may potentially support sensitive species including City MSCP covered species (Appendix C; Appendix D). No City narrow endemic species were identified within the development area during the reconnaissance-level biological survey and none are expected to occur due to either the introduction of non-native vegetation through long-term development or the lack of sufficient suitable habitat (City of San Diego 1997).

The BSA lies within the City's Coastal Overlay Zone where the City of San Diego ESL regulations and steep hillside guidelines applies. Although steep hillsides occur in the adjacent ESL, no steep hillsides or slopes occur on-site. Therefore, no impacts to steep hillsides, slopes, or sensitive species will occur due to project implementation.

### 6.2 Critical Habitat

Critical habitat is occupied designated areas which contain features crucial to the conservation of an endangered or threatened species and that may require specific management and protection. Areas that are currently unoccupied that will assist in the recovery of the species may also be designated as critical habitat.

No critical habitat occurs within the BSA. The closest critical habitat is approximately 3.80 miles east of the BSA adjacent to MCAS Miramar (USFWS 2019). Consequently, implementation of the proposed project would not result in impacts to critical habitat.

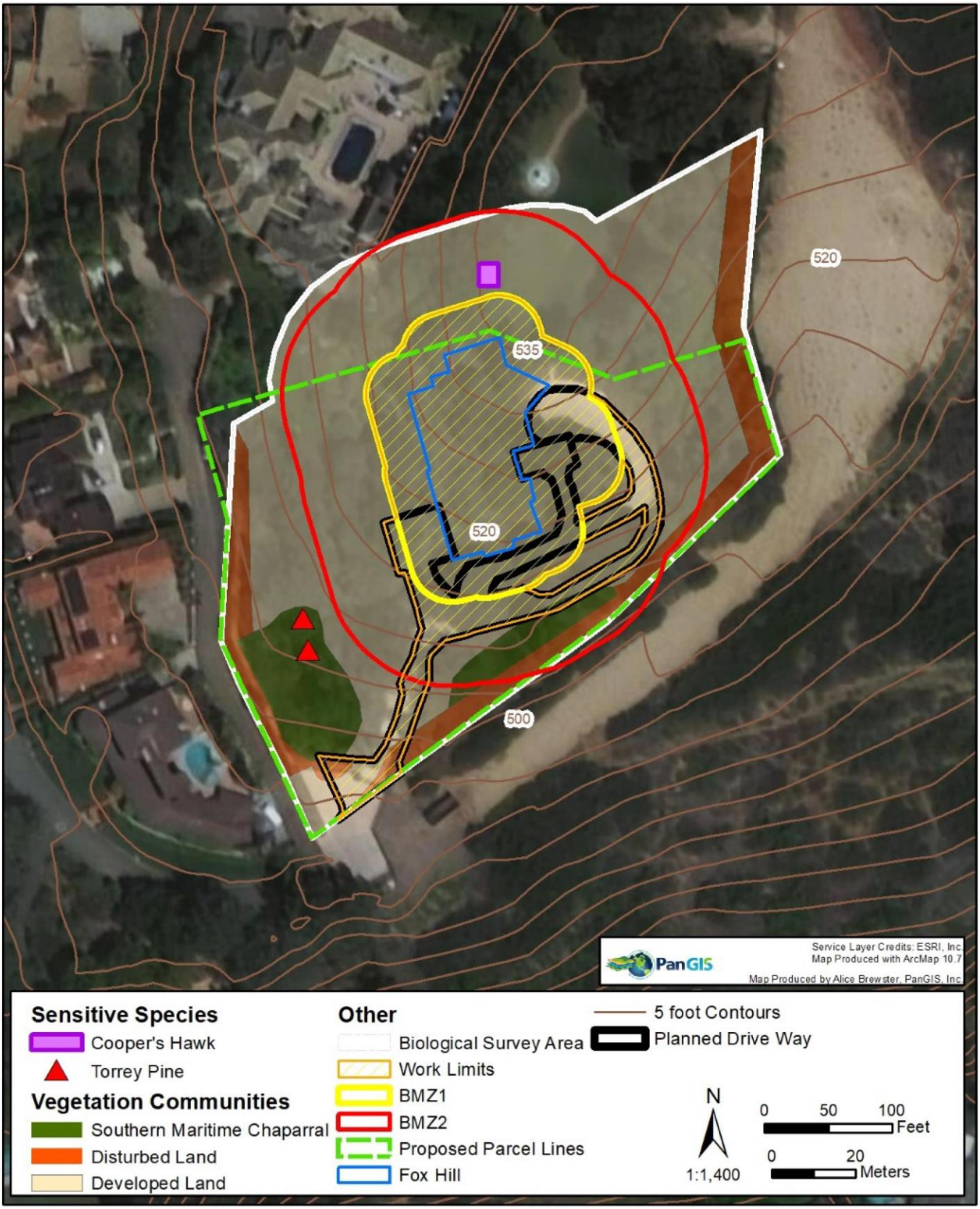


Figure 3 – Vegetation Communities

## 6.3 Rare, Threatened, Endemic, Sensitive Species or MSCP Covered Species

Sensitive species are those considered sensitive by the City or any state or federal agency (CDFW 2019) (City of San Diego 1997). For the purposes of this report, species listed as endangered or threatened under the federal Endangered Species Act (ESA) and California Endangered Species Act (CESA); species designated as California Special Concern species or Fully Protected species by the CDFW; and species listed as MSCP narrow endemics by the City (1997) are considered "sensitive." Species considered rare by the California Native Plant Society (CNPS) (2019) or as Special Plants or Animals in the CNDDB (2019), may be considered "sensitive" if they meet the CEQA Guidelines §15380 (Title 14, Chapter 3, Article 20) definition for "endangered, rare or threatened species."

Sensitive flora and fauna species observed within the BSA are discussed below.

### *6.3.1 Sensitive Flora*

This section describes the sensitive flora species detected within the BSA during the reconnaissance-level survey.

Sensitive flora species were located and mapped during the reconnaissance-level survey. Two Torrey pines (CRPR 1B.2) are present within the BSA near Foxhill's west fence line, approximately 65 feet northwest of the proposed project's driveway. The two Torrey pines are entirely outside the development area, the work limits and Brush Management Zone 1. An evaluation of the potential for sensitive flora species to occur within the BSA was conducted, based on suitable habitat, and site conditions. Appendix C includes a complete list of the sensitive flora species detected or evaluated for the potential to occur on-site, with their respective status, suitable habitat, and an assessment of their potential for occurrence (CDFW 2019) (CNPS 2019).

### *6.3.2 Sensitive Fauna*

One sensitive wildlife species was observed in the BSA during the reconnaissance-level survey, a Cooper's hawk, an MSCP covered species and a CDFW Watch List species. The Cooper's hawk was observed actively ambushing passerines on the Foxhill Estate property (CDFW 2019) (City of San Diego 1997). There are mature, dense trees suitable for nesting Cooper's hawk within the development area (SDNHM 2019). Tree removal within the development area is scheduled during the non-breeding period (September 16 through January 31). Therefore, no direct impacts to Cooper's hawk would occur due to project implementation.

In addition, suitable Cooper's hawk nesting sites lie adjacent to the development area. Noise from construction activities have the potential to result in indirect impacts to Cooper's hawk during the breeding season (February 1 through September 15). Therefore, mitigation measures are provided to reduce potential impacts to a less-than-significant level.

On August 25, 2017, a breeding bird survey confirmed the presence of an adult pair and fledgling California gnatcatcher in the isolated COE approximately 100 feet south of the BSA. Although California gnatcatcher was previously observed in the isolated COE, no California gnatcatcher was observed on November 13, 2019. California gnatcatcher is a CDFW Species of Special Concern, a USFWS threatened species and an MSCP covered species protected within the MHPA. However, the BSA is entirely outside of the MHPA. The closest MHPA is approximately 0.42-mile north at La Jolla

Natural Park. In addition, Foxhill does not support sufficient suitable California gnatcatcher habitat. Therefore, no impacts to California gnatcatcher would occur due to project implementation.

An evaluation of the potential for sensitive fauna species to occur within the BSA was conducted, based on suitable habitat, and/or site conditions. Appendix D includes a complete listing of the sensitive wildlife species detected or evaluated for the potential to occur on-site, with their respective status, suitable habitat, and an assessment of their potential for occurrence (CDFW 2019) (USFWS 2019).

### 6.4 Wildlife Corridors

Wildlife corridors are important in preserving species diversity. In the absence of corridors, habitats become isolated islands surrounded by development. Fragmented habitats support lower numbers of species and increase the likelihood of extinction for species restricted to small areas. Connections between areas of open space are integral to maintaining biological diversity and population viability. For the purposes of this report, we have defined wildlife corridor as follows: a linear landscape feature utilized by resident or transient wildlife for movement between two blocks of habitat (City of San Diego 2012).

Based on the topography, habitat connectivity and cover, identified and/or potential species within the BSA, and land uses, the BSA possess low value as a wildlife corridor. The BSA is developed land primarily landscaped with manicured trees, hedges, lawn and ground-cover. The closest wildlife corridor is San Clemente Canyon over 1.40 miles east of the BSA (CDFW 2019). Use by terrestrial animals with a north-south or east-west home-range movement would be unlikely. Although natural lands consisting primarily of southern maritime chaparral exists within the adjacent COE, the COE is isolated, surrounded by dense residential development.

# 7.0 PROJECT IMPACT ANALYSIS

## 7.1 CEQA Thresholds of Significance

State CEQA Guidelines §15065 (a) (Title 14, Chapter 3, Article 5) states, "A project may have significant effects on the environment" if:

- "The project has the potential to substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare or threatened species; or eliminate important examples of the major periods of California history or prehistory."

- "The project has possible environmental effects which are individually limited but cumulatively considerable."

In addition, the City has developed Significance Determination Thresholds and Biology Guidelines under CEQA (City of San Diego 2012).

The following analysis identifies potential impacts to biological resources that could result from implementing the proposed project. This report was prepared to satisfy the regulations of several different agencies that recognize temporary and permanent impact classification, in addition to the City that generally recognizes only permanent impacts. Both classifications of impacts are discussed and quantified in the following section.

## 7.2 Direct Impacts

### *7.2.1 Vegetation Communities*

The proposed project has been designed to avoid potential impacts the maximum extent practicable. The parcel is primarily 0.29-acre disturbed (Tier IV) and 1.82-acre developed lands (Tier IV). According to the City of San Diego's Significance Determination Guidelines under the California Environmental Quality Act, direct impacts to disturbed and developed lands are considered less-than-significant.

One sensitive vegetation community, 0.23-acre southern maritime chaparral (Tier I), occurs within the parcel boundaries. However, southern maritime chaparral is located outside of the development area, in Brush Management Zone 2. Brush Management Zone 2 is "impact neutral," not considered an impact and not considered acceptable for mitigation. Thus, no impacts to sensitive vegetation communities will occur due to project implementation (City of San Diego 2016).

### *7.2.2 Jurisdictional Wetlands and Non-Wetland Waters*

Although there is a jurisdictional ephemeral drainage in the adjacent COE, there are no wetlands or jurisdictional drainages on Foxhill. The ephemeral drainage is approximately 650 feet up-slope of the BSA, draining southwest to a storm drain inlet at the COE south boundary. The Corps determined the ephemeral drainage is non-wetland WoUS based on the lack of hydrophytic vegetation and hydric soils (Dudek 2014). Thus, no direct or indirect impacts to federally protected wetlands as defined by

§ 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means will occur as a result of project implementation.

The ephemeral drainage does not meet the City's definition of City-jurisdictional "wetlands" as defined in the City's ESL Regulations and Biological Guidelines (City of San Diego 2012). Therefore, no impacts to City jurisdictional wetlands will occur as a result of project implementation.

#### *7.2.3 Sensitive Flora*

One sensitive flora species, two Torrey pines (CRPR 1B.2), were present within the BSA near Foxhill west fence line, approximately 65 feet northwest of the proposed project's driveway. The two Torrey pines are entirely outside the development area, work limits and Brush Management Zone 1. Consequently, no direct impacts to sensitive flora species would occur due to project implementation.

#### *7.2.4 Sensitive Fauna*

One sensitive wildlife species, Cooper's hawk was observed within the BSA during the reconnaissance-level survey. There are mature, dense trees suitable for nesting Cooper's hawk within the development area (SDNHM 2019). However, tree removal within the development area is scheduled during the non-breeding period (September 16 through January 31). Therefore, no direct impacts to nesting Cooper's hawk would occur due to project implementation.

#### *7.2.5 Sensitive Flora and Fauna Species with Potential to Occur*

Potential occurrences of sensitive flora and fauna species were assessed in the field based on the existing biological conditions. After the reconnaissance-level survey was completed, an additional evaluation was conducted in the office for each sensitive flora and fauna species in the inventory. The evaluation considered whether the BSA contained suitable habitats and soils to support those sensitive flora and fauna species listed in the inventory. Based on the survey and review, it is unlikely for sensitive flora and fauna species to occur on-site due to the lack of sufficient suitable habitat. No direct impacts to sensitive flora and fauna species with the potential to occur is anticipated due to project implementation.

#### *7.2.6 Wildlife Corridors*

Based on the topography, habitat connectivity and cover, identified and/or potential species within the BSA, and land uses, the BSA possess low value as a wildlife corridor. The BSA is primarily landscaped with manicured trees, hedges, lawn and ground-cover. The closest wildlife corridor is San Clemente Canyon over 1.40 miles east of the BSA. Use by terrestrial animals with a north-south or east-west home-range movement would be unlikely. Although natural lands consisting primarily of southern maritime chaparral exists within the adjacent COE, the COE is isolated, surrounded by dense residential development. Consequently, no impacts to wildlife corridors would occur due to project implementation.

#### *7.2.7 Upland Habitat Direct Impacts*

No sensitive upland vegetation communities occur within the development area: Project activities are confined to developed lands or other non-sensitive habitat areas. Consequently, no impacts to sensitive vegetation communities will occur due to project implementation (City of San Diego 2019).

### 7.3 Indirect Impacts

CEQA guidelines §15358 define an "indirect impact or secondary effect" as "effects which are caused by the project and are later in time or farther removed in distance, but are still reasonably foreseeable" that can produce a temporary or permanent biologically significant, "physical change" in the environment.

Suitable Cooper's hawk nesting sites lie adjacent to the development area. Noise from construction activities have the potential to disrupt nesting activities, resulting in indirect impacts to Cooper's hawk during the breeding season (February 1 through September 15). Therefore, mitigation measures are provided in Section 8.0 Mitigation and Monitoring Requirements.

The proposed project will not result in potential significant indirect impacts such as noise, dust, interruption of wildlife movement, or sedimentation of downstream wetland environments.

### 7.4 Cumulative Impacts

CEQA guidelines §15355 define cumulative impacts as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." The MSCP was designed to compensate for the loss of biological resources throughout the program's region; therefore, projects that conform to the MSCP would not result in a cumulatively considerable impact for those biological resources adequately covered by the program. There are no direct or indirect impacts anticipated as a result of implementation of the proposed project.

## 8.0 MITIGATION AND MONITORING REQUIREMENTS

No impacts to sensitive vegetation communities will occur due to project implementation. According to the City of San Diego's Significance Determination Guidelines under the California Environmental Quality Act, direct impacts to disturbed and developed lands do not require mitigation. Therefore, impacts to disturbed and developed lands within the development area are considered less-than-significant (City of San Diego 2016).

Suitable Cooper's hawk habitat is present adjacent to the development area. Noise from construction activities have the potential to result in impacts to Cooper's hawk during the breeding season (February 1 through September 15). Therefore, the following mitigation measures are provided to reduce impacts to a less-than-significant level.

Due to the project's adjacency to suitable Cooper's hawk habitat, construction activities will occur outside of the breeding season (February 1 through September 15). If construction activities occur during the breeding season, a Qualified Biologist will conduct a pre-construction survey to determine the presence/absence of Cooper's hawk. The pre-construction survey will be conducted within 10 days prior to the commencement of construction activities. The applicant will submit the results of the preconstruction survey to the City Development Services Department for review and approval prior to initiating any construction activities.

If Cooper's hawk is detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable State and Federal regulations will be prepared and include proposed measures to implemented to ensure that take" of birds or eggs or disturbance of breeding activities is avoided. If Cooper's hawk is present, a 300-foot avoidance buffer will be established around an

active nest consistent with the City MSCP Subarea Plan and the Biology Guidelines (2012). The report or mitigation plan will be submitted to the City Development Services Department for review and approval and implemented to the satisfaction of the City. The City's MMC Section and Qualified Biologist will verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction. If this evidence concludes that no impacts on this species are anticipated, no mitigation measures will be necessary.

# 9.0 BRUSH MANAGEMENT PLAN

A brush management plan will be implemented pursuant to San Diego Municipal Code Section 142.0412. The proposed project borders the COE which contains highly flammable, rare vegetation communities. Brush management is needed to reduce fire hazards around structures and to help firefighters protect life and property if fire does occur. A Final Brush Management Plan is provided with the site plans.

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# APPENDIX A
# FLORA COMPENDIUM

| FLORA SPECIES OBSERVED ON-SITE | | | |
|---|---|---|---|
| **FAMILY** | **SCIENTIFIC NAME** | **COMMON NAME** | **HABITAT** |
| Euphorbiaceae | Acacia cyclops | Cyclops acacia | DEV |
| Amaryllidaceae | *Agapanthus africanus | Agapanthus | DEV |
| Betulaceae | *Alnus glutinosa | Common alder | DEV |
| Plantaginaceae | Antirrhinum kelloggii | Twining snapdragon | SMC, DL |
| Araucariaceae | *Araucaria heterophylla | Norfolk Island pine | DEV |
| Poaceae | * Bromus spp. | *Brome* spp. | DL |
| Theaceae | *Camellia spp. | Camellia | DEV |
| Onagraceae | Camissoniopsis bistora | California sun cup | DL, SMC |
| Apocynaceae | *Carissa macrocarpa | Natal plum | DEV |
| Aizoaceae | *Carpobrotus edulis | Hottentot fig | SMC, DEV, DL |
| Poaceae | *Cortaderia jubata | Pampas grass | DEV |
| Crassulaceae | * Crassula ovata | Jade plant | DEV |
| Crocoideae | *Crocus spp. | Crocus | DEV |
| Iridaceae | *Crocosmia spp. | Crocosmia | DEV |
| Boraginaceae | Cryptantha spp. | Forget-me-not | DL |
| Sapindaceae | *Cupaniopsis anacardioides | Carrotwood tree | DEV |
| Poaceae | * Cynodon dactylon | Bermuda grass | DL |
| Poaceae | *Digitaria sanguinalis | Crab grass | DL |
| Boraginaceae | *Echium candicans | Pride of Madeira | DEV |
| Asteraceae | Encelia californica | Bush sunflower | SMC |
| Asteraceae | Erigeron canadensis | Horseweed | DL |
| Geraniaceae | *Erodium cicutarium | Red-stem filaree | DL |
| Fabaceae | *Erythrina spp. | Coral tree | DEV |
| Myrtaceae | * *Eucalyptus* spp. | *Eucalyptus* spp. | UDL, SMC |
| Euphorbiaceae | * Euphorbia maculata | Spotted spurge | DL, DEV |
| Moraceae | *Ficus spp. | Ficus tree | DEV |
| Asteraceae | *Gazania linearis | Gazania | DEV |
| Araliaceae | *Hedera helix | English ivy | DEV |
| Iridaceae | * Iris spp. | Iris | DEV |
| Bignoniaceae | *Jacaranda mimosifolia | Jacaranda tree | DEV |
| Cupressaceae | *Juniperus spp. | Juniper | DEV |
| Asteraceae | Lactuca serriola | Prickly lettuce | DL |
| Verbenaceae | * Lantana spp. | Lantana | DEV |
| Fabaceae | *Medicago polymorpha | Bur clover | DL |

| FLORA SPECIES OBSERVED ON-SITE | | | |
|---|---|---|---|
| **FAMILY** | **SCIENTIFIC NAME** | **COMMON NAME** | **HABITAT** |
| Lamiaceae | *Rosmarinus officinalis | Rosemary | DEV |
| Plumbaginaceae | * Limonium perezii | Canary Island sea lavender | DEV |
| Brassicaceae | *Lobularia maritima | Sweet alyssum | DL |
| Magnoliaceae | *Magnolia virginiana | Magnolia | DEV |
| Oxalidaceae | *Oxalis pes-caprae | Wood sorrel | DL |
| Rosaceae | *Photinia spp. | Photinia | SMC, DEV |
| Pinaceae | *Pinus halepensis | Aleppo pine | DEV |
| Pinaceae | Pinus torreyana | Torrey pine | SMC |
| Anacardiaceae | *Pistacia chinensis | Chinese pistache | DEV |
| Pittosporaceae | *Pittosporum spp. | Pittosporum | SMC, DEV |
| Platanaceae | *Platanus acerifolia | London plane | DEV |
| Plumbaginaceae | * Plumbego auriculata | Blue plumbego | DEV |
| Poaceae | *Poa spp. | Kentucky bluegrass/rye grass/fescue blend | DEV |
| Salicaceae | *Populus spp. | Poplar | DEV |
| Rosaceae | *Pyracantha spp. | Pyracantha | DEV |
| Rosaceae | *Pyrus calleryana | Ornamental pear tree | DEV |
| Anacardiaceae | Rhus integrifolia | Lemonade berry | SMC |
| Anacardiaceae | *Schinus molle | Peruvian pepper | DEV |
| Strelitziaceae | *Strelitzia spp. | Bird-of-paradise | DEV |
| Asteraceae | *Taraxacum officinale | Common dandelion | DL |
| Bignoniaceae | *Tecoma capensis | Cape honeysuckle | DEV |
| Commelinaceae | *Tradescantia fluminensis | Wandering jew | DEV |
| Tropaeolaceae | * Tropaeolum spp. | Nasturtium | DEV |
| Pinaceae | *Tsuga spp. | Hemlock | DEV |
| Urticaceae | * Urtica urens | Dwarf nettle | DL |
| Adoxaceae | *Viburnum spp. | Viburnum | SMC, DEV |
| Arecaceae | * Washingtonia robusta | Mexican fan palm | DEV |
| SMC = southern maritime chaparral, DL = disturbed land, DEV = developed land<br>* Non-Native vegetation | | | |

# APPENDIX B
# WILDLIFE COMPENDIUM

| WILDLIFE COMPENDIUM | |
|---|---|
| **COMMON NAME** | **SCIENTIFIC NAME** |
| **Butterflies** | **Nymphalidae** |
| Monarch | *Danaus plexippus* |
| **Butterflies** | **Pieridae** |
| Cabbage white | *Pieris rapae* |
| Alfalfa | *Colias eurytheme* |
| **Reptile** | **Phrynosomatidae** |
| Western fence lizard | *Sceloporus Occidentalis* |
| Side-blotched lizard | *Uta stansburiana* |
| **Hawks, Kites, Eagles and Allies** | **Accipitridae** |
| ***Cooper's hawk** | ***Accipiter cooperii*** |
| Red-shouldered hawk | *Buteo lineatus* |
| Red-tailed hawk | *Buteo jamaicensis* |
| **Pigeons and Doves** | **Columbidae** |
| Mourning dove | *Zenaida macroura* |
| **Hummingbirds** | **Trochilidae** |
| Anna's hummingbird | *Calypte anna* |
| Allen's hummingbird | *Selasphorus sasin* |
| **Woodpeckers and Allies** | **Picidae** |
| Nuttall's woodpecker | *Picoides nuttallii* |
| Northern flicker | *Colaptes auratus* |
| **Tyrant Flycatchers** | **Tyrannidae** |
| Black phoebe | *Sayornis nigricans* |
| Cassin's kingbird | *Tyrannus vociferans* |
| **Vireos** | **Vireonidae** |
| Hutton's vireo | *Vireo huttoni* |
| **Jays and Crows** | **Corvidae** |
| California scrub-jay | *Aphelocoma californica* |
| American crow | *Corvus brachyrhynchos* |
| Common raven | *Corvus corax* |
| **Bushtits** | **Remizidae** |
| Bushtit | *Psaltriparus minimus* |
| **Nuthatches** | **Sittidae** |
| Red-breasted nuthatch | *Sitta canadensis* |
| **Wrens** | **Troglodytidae** |
| Bewick's wren | *Thryomanes bewickii* |
| House wren | *Troglodytes aedon* |
| **Kinglets** | **Regulidae** |
| Ruby-crowned kinglet | *Regulus calendula* |
| **Sylviid Warblers** | **Syviidae** |
| Wrentit | *Chamaea fasciata* |

| WILDLIFE COMPENDIUM | |
|---|---|
| **COMMON NAME** | **SCIENTIFIC NAME** |
| **Thrushes** | **Turdidae** |
| Hermit thrush | *Catharus guttatus* |
| American robin | *Turdus migratorius* |
| **Mockingbirds and Thrashers** | **Mimidae** |
| California thrasher | *Toxostoma redivivum* |
| Northern mockingbird | *Mimus polyglottos* |
| **Waxwings** | **Bombycillidae** |
| Cedar waxwing | Bombycilla cedrorum |
| **Wood-Warblers** | **Parulidae** |
| Orange-crowned warbler | *Oreothlypis celata* |
| Yellow-rumped warbler | *Setophaga coronata* |
| Townsend's warbler | *Setophaga townsendi* |
| **Emberizids** | **Emberizidae** |
| Spotted towhee | *Pipilo maculatus* |
| California towhee | *Melozone crissalis* |
| Song sparrow | *Melospiza melodia* |
| White-crowned sparrow | *Zonotrichia leucophrys* |
| Dark-eyed junco | *Junco hyemalis* |
| **Finches and Allies** | **Fringillidae** |
| House finch | *Haemorhous mexicanus* |
| Lesser goldfinch | *Spinus psaltria* |

***Indicates special-status species***

# APPENDIX C
# REGIONAL SENSITIVE PLANT SPECIES

| Appendix C<br>Regional Sensitive Plant Species | | | |
|---|---|---|---|
| **SPECIES** | **LISTING OR SENSITIVITY*** | **BLOOMING PERIOD** | **POTENTIAL TO OCCUR** |
| San Diego sand aster (*Corethrogyne filaginifolia var. incana*) | --/--<br>CRPR List 1B.1 | June - Sept | Low. Most often found in coastal sage scrub, coastal bluff scrub, and chaparral. Most sites are disturbed. Hard to tell possibly in disturbed sites and ecotones. Suitable habitat is present adjacent to but not within the BSA. |
| Sea dahlia (*Leptosyne maritima*) | --/--<br>CRPR List 2B.2 | March – May | Low. Occurs in coastal sage scrub, coastal bluff scrub, and a variety of soil types including sandstone. Suitable habitat occurs adjacent to but not within the BSA. |
| Sessileflower false goldenaster (*Heterotheca sessiliflora ssp. sessiliflora*) | --/--<br>CRPR List 1B.1 | March – Dec | Low. Species is associated with coastal scrub, coastal dunes, and chaparral. Suitable habitat occurs adjacent to but not within the BSA. |
| San Diego ambrosia (*Ambrosia pumila*) | FE/--<br>CRPR List 1B.1<br>MSCP Covered Species<br>City Narrow Endemic | Apr – Oct | Low. Found in chaparral, coastal sage scrub, grasslands and valley bottoms, often in disturbed areas. No suitable habitat occurs in the BSA. |

| Appendix C<br>Regional Sensitive Plant Species | | | |
|---|---|---|---|
| **SPECIES** | **LISTING OR SENSITIVITY*** | **BLOOMING PERIOD** | **POTENTIAL TO OCCUR** |
| California adolphia (*Adolphia californica*) | --/--<br>CRPR List 2B.1 | Dec – May | Low. Most often found in sage scrub but occasionally occurs in peripheral chaparral habitats, particularly hillsides near creeks. Usually associated with xeric locales where shrub canopy reaches 4 or 5 feet. Suitable habitat adjacent to but not within the BSA. |
| Wart-stemmed ceanothus (*Ceanothus verrucosus*) | --/--<br>CRPR List 2B.2<br>MSCP Covered Species | Dec – Apr | Low. Coastal chaparral intermixed with chamise and mission manzanita is the preferred habitat for this species. Species documented in COE but no suitable habitat present within the BSA. |
| Nuttall's scrub oak (*Quercus dumosa*) | --/--<br>CRPR List 1B.1 | Feb - Mar | Low. Closed-cone coniferous forest, chaparral, coastal scrub. Generally on sandy soils near the coast; sometimes on clay loam. Documented within COE; however, no suitable habitat present within BSA. |
| Western dichondra (*Dichondra occidentalis)* | --/--<br>CRPR List4.2 | Mar - July | Low. Occurs in valley grassland, chaparral, coastal scrub. Documented within COE; however, no suitable habitat present within BSA. |
| Short leaved dudleya (*Dudleya brevifolia*) | --/SE<br>CRPR List 1B.1<br>MSCP Covered Species<br>City Narrow Endemic | Apr – May | Low. Occurs in coastal scrub, chaparral sandstone soils and in pebbly openings. Suitable habitat occurs adjacent to but not within the BSA. |

| Apprendix C<br>Regional Sensitive Plant Species | | | |
|---|---|---|---|
| **SPECIES** | **LISTING OR SENSITIVITY*** | **BLOOMING PERIOD** | **POTENTIAL TO OCCUR** |
| Variegated dudleya (*Dudleya variegata*) | --/--<br>CRPR List 1B.2<br>MSCP Covered Species<br>City Narrow Endemic | Apr – June | Low. Occurs in coastal mesas, chaparral, coastal sage scrub, valley and foothill grasslands on foothill slopes among rocks, cismontane woodland. Occasionally found in freshwater wetlands and vernal pools. Suitable habitat occurs adjacent to but not within the BSA. |
| Sticky dudleya (*Dudleya viscida*) | --/--<br>CRPR List 1B.2<br>MSCP Covered Species | May - June | Low. Occurs in coastal scrub, coastal bluff scrub, chaparral and cismontane woodland. Found on north and south facing cliffs and banks. Suitable habitat adjacent to but not within BSA. |
| San Diego barrel cactus (*Ferocactus viridescens*) | --/--<br>CRPR List 2B.1<br>MSCP Covered Species | Apr - July | Low. Species occurs in adjacent COE; however, species has low potential to occur within the BSA. |
| Decumbent goldenbush (*Isocoma menziesii* var. *decumbens*) | --/--<br>CRPR List 1B.2 | Apr – Nov | Low. Occurs in coastal scrub, chaparral in sandy soils; often in disturbed sites. Species occurs in adjacent COE but no suitable habitat in BSA. |
| Torrey pine (*Pinus torreyana*) | SE/FE<br>CRPR List 1B.2<br>MSCP Covered Species (native populations)<br>City Narrow Endemic | | Low. Occurs in sandstone, closed-cone coniferous forest and chaparral. Two Torrey pines in southern maritime chaparral located west survey area, approximately 65 feet NW of proposed Foxhill driveway. Located outside the development area. |

# APPENDIX D
# REGIONAL SENSITIVE WILDLIFE SPECIES

| Appendix D<br>Regional Sensitive Wildlife Species | | |
|---|---|---|
| **VERTEBRATES** | | |
| **Reptiles and Amphibians** | | |
| **SPECIES** | **LISTING OR SENSITIVITY*** | **POTENTIAL/HABITAT** |
| San Diego horned lizard (*Phrynosoma coronatum blainvillei* | --/SSC<br>MSCP Covered Species | Low. Frequents a wide variety of habitats including coastal sage scrub and open areas in chaparral, lowlands with sufficient basking sites, adequate scrub cover, and areas of loose soil; require native ants, especially harvester ants (*Pogonomyrmex* spp.), and are generally excluded from areas invaded by Argentine ants (*Linepithema humile*). Suitable habitat occurs adjacent to but not within the BSA. The adjacent COE is isolated. |
| Belding's orange-throated whiptail (*Aspidoscelis hyperythras*sp. *beldingi*) | --/WL<br>MSCP Covered Species | Low. Inhabits low elevation coastal sage scrub, chaparral, and valley foothill hardwood habitats. Prefers washes and other sandy areas with patches of brush and rocks. Perennial plants necessary for its major food, termites. Species observed on surveys in adjacent COE; however, species has low potential to occur within the BSA. |
| Western spadefoot (*Spea hammondii*) | --/SSC | Low. Generally, occurs in grassland habitats, but can be found in valley-foothill hardwood woodlands. Vernal pools are essential for breeding. No suitable habitat occurs adjacent to or within the BSA. |
| Two-striped gartersnake (*Thamnophis hammondii*) | --/SSC | Low. Occurs in coastal California from Salinas to northwest Baja California. Highly aquatic, found in or near permanent freshwater. Often along streams with rocky beds and riparian growth. No suitable habitat occurs adjacent to or within BSA. |

| Appendix D<br>Regional Sensitive Wildlife Species | | |
|---|---|---|
| **SPECIES** | **LISTING OR SENSITIVITY*** | **POTENTIAL/HABITAT** |
| **VERTEBRATES** | | |
| **Birds** | | |
| Coastal California gnatcatcher (*Polioptila californica californica*) | FT/SSC<br>MSCP Covered Species (protected within MHPA) | Low. Occurs in coastal sage scrub in the coastal lowlands. During a previous survey, an adult pair and fledgling were observed and documented in the COE, approximately 100 feet south of the BSA. However, the species is unlikely to occur within the BSA due to lack of sufficient suitable habitat. |
| Cooper's hawk (*Accipiter cooperii*) | --/WL<br>MSCP Covered Species | High. Occurs in woodlands, interrupted or marginal type. Also found in urban areas. Observed within BSA. Suitable habitat present; however, tree removal is scheduled during the non-breeding period. Mitigation measures provided to address potential indirect impacts. |
| **Mammals** | | |
| San Diego desert woodrat (*Neotoma lepida intermedia)* | --/SSC | Low. Occupies disturbed dense coastal sage scrub with a dense understory of exotic landscaping. Moderate to dense canopies preferred. Prefer rock outcrops and rocky cliffs and slopes. Species observed in adjacent COE; however, no suitable habitat exists within BSA. |

*Refer to Appendix E for an explanation of listing and sensitivity codes.

# APPENDIX E
# STATUS CODES FOR PLANT AND WILDLIFE SPECIES

**Attachment E**
**EXPLANATION OF STATUS CODES FOR PLANT AND WILDLIFE SPECIES**

## FEDERAL, STATE, AND LOCAL CODES

### U.S. Fish and Wildlife Service (USFWS)

| | |
|---|---|
| FE | Federally listed endangered |
| FT | Federally listed threatened |

### California Department of Fish and Wildlife (CDFW)

| | |
|---|---|
| SE | State listed endangered |
| SR | State listed rare |
| ST | State listed threatened |
| SSC | State species of special concern |
| WL | Watch List |
| Fully Protected | Fully Protected species refers to all vertebrate and invertebrate taxa of concern to the 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. |

## OTHER CODES AND ABBREVIATIONS

### Multiple Species Conservation Program (MSCP) Covered

Multiple Species Conservation Program covered species for which the City has taken authorization within the MSCP area.

### City Narrow Endemic (NE) Species

Some native species (primarily plants with restricted geographic distributions, soil affinities, and/or habitats) are referred to as a narrow endemic species. For vernal pools and identified narrow endemic species, the jurisdictions will specify measures in their respective subarea plans to ensure that impacts to these resources are avoided to the maximum extent practicable.

**Attachment E**
**EXPLANATION OF STATUS CODES FOR PLANT AND WILDLIFE SPECIES**

**OTHER CODES AND ABBREVIATIONS**

California Native Plant Society (CNPS) Codes

**Lists**

1A = Presumed extinct.

1B = Rare, threatened, or endangered in California and elsewhere. Eligible for state listing.

2 = Rare, threatened, or endangered in California but more common elsewhere. Eligible for state listing.

3 = Distribution, endangerment, ecology, and/or taxonomic information needed. Some eligible for state listing.

4 = A watch list for species of limited distribution. Needs monitoring for changes in population status. Few (if any) eligible for state listing.

**List/Threat Code Extensions**

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

.2 = Fairly endangered in California (20 to 80 percent occurrences threatened)

.3 = Not very endangered in California (less than 20 percent of occurrences threatened, or no current threats known)

A "CA Endemic" entry corresponds to those taxa that only occur in California.

All List 1A (presumed extinct in California) and some List 3 (need more information; a review list) plants lacking threat information receive no extension. Threat Code guidelines represent only a starting point in threat level assessment. Other factors, such as habitat vulnerability and specificity, distribution, and condition of occurrences, are considered in

# APPENDIX F
# PHOTOGRAPHS


Southern maritime chaparral


Southern maritime chaparral

Appendix F-1
Photographs

Disturbed land.

North BSA

Appendix F-2
Photographs


Developed land


East BSA

Appendix F-3
Photographs


South BSA


Southern maritime chaparral adjacent to the BSA

Appendix F-4
Photographs


West BSA


Non-native grassland adjacent to the BSA

Appendix F-5
Photographs


West BSA -Torrey pine


West BSA - Torrey pine

Appendix F-6
Photographs