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August 1, 2018 SDD-31.01

Mr. Casey Crown
City of San Diego – Public Works Department
9573 Chesapeake Dr.
San Diego, CA 92123

Subject: Biological Technical Report for the La Jolla Farms Outfall Repair Project

Dear Mr. Crown:

At the request of the City of San Diego (City), HELIX Environmental Planning, Inc. (HELIX) has completed this biological technical report for the La Jolla Farms Outfall Repair Project (project), which is proposed in the La Jolla neighborhood of the City of San Diego, San Diego County, California. The project proposes the removal and replacement of corrugated metal pipe (CMP) with reinforced concrete pipe (RCP) and extension of pipe to the most appropriate discharge point on property owned by the Regents of the University of California (UC). The existing pipe is located within a canyon area.

The purpose of this report is to document the existing biological conditions within the project and provide an analysis of potential impacts to sensitive biological resources with respect to local, state, and federal policies. This report provides the biological resources technical documentation necessary for review under the California Environmental Quality Act (CEQA) by the City and other responsible agencies for the project.

Figures and other supporting information are provided as enclosures attached to this letter report.

INTRODUCTION

Project Location

The approximately 0.3-acre project is located west of Interstate 5 in the La Jolla area of the City of San Diego (Figure 1), west of La Jolla Farms Road between Black Gold Road and Green Tree Lane (Figure 2). The project is situated within unsectioned lands of the Pueblo Lands of San Diego land grant on the U.S. Geological Survey 7.5-minute Del Mar topographic quadrangle,

and is entirely within the Coastal Zone Appealable Area (Figure 3). The project is located within the limits of the City's Multiple Species Conservation Program (MSCP) Plan, adjacent to but outside of the Multi-Habitat Planning Area (MHPA; [Figure 4]). The project is on land owned by the Regents of the UC; the City is pursuing an easement from UC to complete the outfall repair project.

Project Description

The project proposes to construct approximately 252 linear feet of 18-inch RCP storm drain, and associated curb inlet, cleanout, and concrete dissipater (Figure 4). The project also includes the abandonment of approximately 58 feet of existing CMP storm drain. A temporary trench measuring three to five feet wide and five to 10 feet deep will be excavated for installation of the new RCP storm drain. New storm drain cleanouts and headwalls would be installed at the same depth of the pipe, with installation widths between five to 10 feet, and lengths of six to 10 feet. The project impact area includes permanent impacts and a temporary construction corridor of approximately 40 feet wide for a total of 0.3 acre of project impact area. The impact area would be revegetated post-construction with appropriate native plants for erosion control purposes. Related work would also include potholing, traffic control, and best management practices, as well as geotechnical activities during design. Staging will occur within the project footprint and the paved right of way.

METHODS

Literature Review

Prior to conducting biological field surveys, HELIX conducted a search of aerial imagery, soil survey data (U.S. Department of Agriculture 2017), U.S. Geological Survey topographic maps, U.S. Fish and Wildlife Service (USFWS) critical habitat maps (USFWS 2017), City of San Diego MSCP Subarea Plan designations (City 1998), and sensitive species information from the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB; CDFW 2017a) and USFWS database records (USFWS 2017).

General Biological Survey

Prior to conducting the general biological survey, HELIX biologists Stacy Nigro and Shelby Howard conducted a site meeting with City staff (Roman Anissi and James Piel) on October 18, 2016 to review site conditions and potential biological constraints. HELIX biologists Ms. Nigro and Benjamin Rosenbaum conducted a general biological survey of the proposed repair site on March 30, 2017 to map existing vegetation communities, document the locations of sensitive biological resources, and evaluate the potential for other sensitive biological resources associated with the project and immediate vicinity, such as potential waterways and wetlands (Table 1). The general biological survey included a rare plant survey. The study area for the site includes the CMP to be replaced and an approximate 300-foot buffer (Figure 4). Vegetation was mapped on a 1"=50' scale aerial photograph. The site was surveyed on foot with the aid of binoculars. Animal

identifications were made in the field by direct, visual observation, or indirectly by detection of calls, burrows, tracks, or scat. Plant identifications were made in the field or in the lab through comparison with voucher specimens or photographs. Plant and animal species observed or otherwise detected during the survey were recorded (Attachments A and B).

Table 1
HELIX SURVEY INFORMATION

SURVEY DATE	PERSONNEL	PURPOSE	SURVEY TIMES	WEATHER CONDITIONS
10/18/2016	Roman Anissi and James Piel (City) & Shelby Howard and Stacy Nigro	Initial site visit and constraints evaluation	1300-1400	Sunny
3/30/2017	Stacy Nigro and Benjamin Rosenbaum	General biological survey, rare plant survey, and jurisdictional delineation	0915-1400	Sunny

Jurisdictional Wetland Delineation

A jurisdictional delineation of the study area and adjacent lands was conducted by HELIX biologists Stacy Nigro and Benjamin Rosenbaum on March 30, 2017. Prior to beginning fieldwork, aerial photographs (1"=50' scale), topographic maps (1"=50' scale), and National Wetland Inventory maps were reviewed to assist in determining the presence or absence of potential jurisdictional areas in the study area. A soil pit was not excavated in this habitat due to inaccessibility resulting from a combination of steep, eroding slopes and dense vegetation. Soils within the study area comprised mainly terrace escarpments, and Chesterton fine sandy loam within approximately 75 feet of the La Jolla Farms Road based on USGS Soil Mapping (SOURCE). Terrace escarpments and Chesterton soils are not considered hydric soils. This area was determined unlikely to support hydric soils based on the small size of the habitat, lack of presence of hydrophytic vegetation in other locations on site, small watershed, and information contained in the Natural Resources Conservation Service (NRCS) soil survey regarding the soil type mapped within this area (i.e., terrace escarpments). Based on the presumed lack of hydric soil, southern willow scrub within the study area was not considered to meet USACE wetland criteria. This habitat is, however, considered potential CDFW, California Coastal Commission (CCC), and City wetland.

The delineation was conducted to identify and map any water and wetland resources potentially subject to U.S. Army Corps of Engineers (USACE) jurisdiction pursuant to Section 404 of the Clean Water Act (CWA; 33 USC 1344), Regional Water Quality Control Board (RWQCB)

jurisdiction pursuant to Section 401 of the CWA and State Porter-Cologne Water Quality Control Act, streambed and riparian habitat potentially subject to CDFW jurisdiction pursuant to Sections 1600 *et seq.* of the California Fish and Game Code (CFG Code), and coastal wetlands potentially subject to CCC jurisdiction pursuant to the California Coastal Act. The delineation was also conducted to determine the presence or absence of City Environmentally Sensitive Lands (ESL), wetlands, or vernal pools. Areas generally characterized by depressions, drainage features, and riparian and wetland vegetation were evaluated.

Waters of the U.S.

Potential USACE wetland boundaries were determined using the three criteria (vegetation, hydrology, and soils) established for wetland delineations, as described within the Wetlands Delineation Manual (Environmental Laboratory 1987) and Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (USACE 2008).

Areas were determined to be non-wetland waters of the U.S. if there was evidence of regular surface flow (e.g., bed and bank) but either the vegetation or soils criterion was not met. Jurisdictional limits for these areas were defined by the ordinary high water mark, which is defined in 33 CFR Section 329.11 as "that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank; shelving; changes in the character of the soil; destruction of terrestrial vegetation; the presence of litter or debris; or other appropriate means that consider the characteristics of the surrounding areas."

California Department of Fish and Wildlife Streambed and Riparian Habitat

Potential CDFW jurisdictional boundaries were determined based on the presence of riparian vegetation or regular surface flow. Streambeds within CDFW jurisdiction were delineated based on the definition of streambed as "a body of water that flows at least periodically or intermittently through a bed or channel having banks and supporting fish or other aquatic life. This includes watercourses having a surface or subsurface flow that supports riparian vegetation" (Title 14, Section 1.72). Riparian habitat is not defined in Title 14, but the section refers to vegetation and habitat associated with a stream. The CDFW jurisdictional habitat includes all riparian shrub or tree canopy that may extend beyond the banks of a stream.

California Coastal Commission Wetlands

Potential CCC jurisdictional boundaries were determined based on the "one-parameter" definition, which only requires evidence of a single parameter to establish wetland conditions: "Wetland shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave

action, water flow, turbidity or high concentrations of salts or other substances in the substrate" (CCR Title 14, Section 13577).

City Wetlands

According to the City Municipal Code, Chapter 11, Section 113.0103:

"Wetlands are defined as areas which are characterized by any of the following conditions:

1. All areas persistently or periodically containing naturally occurring wetland vegetation communities characteristically dominated by hydrophytic vegetation, including but not limited to salt marsh, brackish marsh, freshwater marsh, riparian forest, oak riparian forest, riparian woodlands, riparian scrub, and vernal pools;

2. Areas that have hydric soils or wetland hydrology and lack naturally occurring wetland vegetation communities because human activities have removed the historic wetland vegetation or catastrophic or recurring natural events or processes have acted to preclude the establishment of wetland vegetation as in the case of salt pannes and mudflats;

3. Areas lacking wetland vegetation communities, hydric soils, and wetland hydrology due to non-permitted filling of previously existing wetlands;

4. Areas mapped as wetlands on Map C-713 as shown in Chapter 13, Article 2, Division 6 (Sensitive Coastal Overlay Zone).

It is intended for this definition to differentiate for the purposes of delineating wetlands, between naturally occurring wetlands and wetlands intentionally created by human actions, from areas with wetlands characteristics unintentionally resulting from human activities in historically non-wetland areas. With the exception of wetlands created for the purpose of providing wetland habitat or resulting from human actions to create open waters or from the alteration of natural stream courses, areas demonstrating wetland characteristics, which are artificially created, are not considered wetlands by this definition. Taking into account regional precipitation cycles, all adopted scientific, regulator, and technological information available from the State and Federal resource agencies shall be used for guidance on the identification of hydrophytic vegetation, hydric soils and wetland hydrology."

The City's Land Development Code Biology Guidelines (City 2012) describe wetlands as:

"Wetlands support many of the species included in the MSCP (i.e., Covered Species). The definition of wetlands in ESL is intended to differentiate uplands (terrestrial areas) from wetlands and, furthermore, to differentiate naturally occurring wetland areas from those created by human activities. Naturally occurring wetland vegetation communities are typically characteristic of wetland areas. Examples of wetland vegetation communities include saltmarsh, brackish marsh, freshwater marsh, riparian forest, oak riparian forest, riparian woodland, riparian

scrub, and vernal pools. Common to all wetland vegetation communities is the predominance of hydrophytic plant species (plants adapted for life in anaerobic soils).

Seasonal drainage patterns that are sufficient enough to etch the landscape (i.e., ephemeral/intermittent drainages) 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. Seasonal drainage patterns may constitute 'waters of the U.S.', which are regulated by the USACE and/or the CDFW."

Survey Limitations

Noted animal species were identified by direct observation, vocalizations, or the observance of scat, tracks, or other signs. However, the lists of species identified are not necessarily comprehensive accounts of all species that utilize the study area as species that are nocturnal, secretive, or seasonally restricted may not have been observed. Those species that are of special status and have potential to occur within the project are addressed in Attachments C and D to this report. An explanation of status codes for plant and animal species is included in Attachment E.

Nomenclature

Nomenclature follows Baldwin et al. (2012) for plants and Calflora (2017) was used to augment common names; American Ornithologists' Union (2016) for birds, Bradley et al. (2014) for mammals, and Oberbauer (2008) for vegetation communities. Plant species status is taken from the California Native Plant Society (CNPS; CDFW 2017b). Animal species status is from CDFW (2017a). Soils information was taken from the NRCS (U.S. Department of Agriculture [USDA] 2017a).

RESULTS

Regional Context

The project is within the boundary of the City's MSCP Subarea Plan, but is not within the MHPA. However, MHPA lands occur directly adjacent and to the south of the project; the project would be considered by the City to be adjacent to the MHPA (Figure 3). The project is located within the city coastal appealable zone. The project is outside lands identified as critical habitat by the USFWS.

General Land Uses

Surrounding land uses include high-density residential immediately to the north, east, and south. Undeveloped lands connect to the west of the project.

Disturbance

Much of the study area has been subject to minor disturbance due to public use of trails and adjacent housing development and public roads. The majority of the study area is dominated by non-native species, with pockets of native habitat remaining, which are upland habitat types. Portions of the study area have been disturbed by adjacent landowners and hikers who use the canyon trails for recreational use. These areas currently appear to be in active use.

Topography and Soils

Elevations within the study area range from approximately 282 feet above mean sea level (amsl) to 384 feet amsl. Two soil types are mapped within the study area: Chesterton fine sandy loam and terrace escarpments. Chesterton soil series are moderately well drained, very slowly permeable soil on uplifted marine sediments and old terraces, and this series is not considered a hydric soil. Terrace escarpments are defined as steep slopes or long cliffs formed by faulting or erosion that separates two level areas of differing elevations, and is not considered a hydric soil (USDA 2017b).

Vegetation Communities/Habitat Types

A total of five vegetation communities or land use types occur within the study area for the proposed project: southern willow scrub, Diegan coastal sage scrub (including sage scrub that is dominated by lemonadeberry, disturbed; Tier II), non-native vegetation (Tier IV), and developed lands (Table 2; Figure 4). Three of these are considered sensitive habitats (southern willow scrub, Diegan coastal sage scrub, and lemonadeberry-dominated sage scrub [disturbed]). The communities/land use types are presented in Table 2 in order by MSCP tier.

Table 2
EXISTING VEGETATION COMMUNITIES/LAND USE TYPES WITHIN THE PROJECT STUDY AREA

MSCP TIER[1]	VEGETATION COMMUNITY/ LAND USE TYPE	ACREAGE[2]
Wetlands		
--	Southern Willow Scrub	0.041
	Wetlands Subtotal	**0.041**
Uplands		
II	Diegan Coastal Sage Scrub (including sage scrub dominated by lemonadeberry, disturbed)	0.9
IV	Non-native Vegetation	0.5
	Developed Land	0.9
	Uplands Subtotal	**2.3**
	TOTAL	**2.3**

[1]Tiers refer to City MSCP Subarea Plan habitat classification system.
[2]Habitat rounded to the nearest 0.1 acre for uplands and 0.01 acre for wetlands; total reflects rounding.

Southern Willow Scrub

Southern willow scrub consists of dense, broadleaved, winter-deciduous stands of trees dominated by shrubby willows in association with mule fat (*Baccharis salicifolia*), and may contain scattered emergent cottonwood (*Populus fremontii*) and western sycamore (*Platanus racemosa*). This vegetation community occurs on loose, sandy or fine gravelly alluvium deposited near stream channels during flood flows (Oberbauer 2008). Approximately 0.041 acre of southern willow scrub occurs within the study area (Figure 4). Within the study area, this habitat is dominated by arroyo willow (*Salix lasiolepis*).

Diegan Coastal Sage Scrub (including sage scrub that is dominated by lemonadeberry, disturbed)

Diegan coastal sage scrub is the widespread coastal sage scrub in coastal southern California, typically occupying xeric sites characterized by shallow soils. Within the study area, Diegan coastal sage scrub is dominated by California sagebrush (*Artemisia californica*), bush sunflower (*Encelia californica*), and flat-top buckwheat (*Eriogonum fasciculatum*). Diegan coastal sage scrub that is dominated by lemonadeberry (disturbed) is dominated by lemonadeberry (*Rhus integrifolia*), wild cucumber (*Marah macrocarpus*), and mousehole tree (*Myoporum laetum*). Approximately 0.9 acre of Diegan coastal sage scrub (including disturbed and lemonadeberry dominated occurs within the study area (Figure 4).

Non-native Vegetation

Non-native vegetation is a category describing stands of naturalized trees and shrubs such as acacia (*Acacia* sp.) and peppertree (*Schinus* sp.), which are also used in landscaping. Approximately 0.5 acre of non-native vegetation occurs within the study area (Figure 4). Within the study area, this habitat is dominated by mousehole tree, Cape honeysuckle (*Ecomania capensis*), and ice plant (*Carpobrotus edulis*).

Developed Land

Developed land within the study area consists of residential housing, landscaped areas, and a portion of La Jolla Farms Road. Developed land totals 0.9 acre (Figure 4).

Flora

HELIX identified a total of 53 plant species in the study area, of which 27 (51 percent) are non-native species (Attachment A).

Fauna

A total of 16 animal species were observed or otherwise detected in the study area during the biological survey, including two invertebrate, 13 bird, and one mammal species (Attachment B).

Sensitive Vegetation Communities/Habitat Types

Sensitive vegetation communities/habitat types are defined as land that supports unique vegetation communities or the habitats of rare or endangered species or subspecies of animals or plants as defined by Section 15380 of the State CEQA Guidelines. The City's ESL and Biology Guidelines (City 2012) define sensitive biological resources as: lands included in the MHPA; wetlands; Tier IIIB and higher vegetation types; and habitat for rare, endangered, threatened, or narrow endemic species.

Special Status Species

Special Status Plant Species

Special status plant species have been afforded special status and/or recognition by the USFWS, CDFW, and/or the City (e.g., MSCP narrow endemic species) and may also be included in the CNPS Inventory of Rare and Endangered Plants. Their status is often based on one or more of three distributional attributes: geographic range, habitat specificity, and/or population size. A species that exhibits a small or restricted geographic range (such as those endemic to the region) is geographically rare. A species may be more or less abundant but occur only in very specific habitats. Lastly, a species may be widespread but exists naturally in small populations.

One special status plant species was observed off-site but adjacent to the study area: Nuttall's scrub oak (*Quercus dumosa*).

Nuttall's scrub oak (*Quercus dumosa*)
Listing: --/--; CRPR 1B.1
Distribution: San Diego, Orange, and Santa Barbara counties; Baja California, Mexico
Habitat: Chaparral with a relatively open canopy cover is the preferred habitat in flat terrain (also found in coastal scrub). On north-facing slopes, may grow in dense monotypic stands. Prefers sandy or clay loam soils.
Status on site: Present outside the study area.

A total of 21 special status plant species known from within two miles of the project or included on the City's MSCP Narrow Endemic list were analyzed for their potential to occur within the study area (Attachment C). Aside from the one species observed off site but adjacent to the study area, one other special status plant species has a moderate potential to occur: San Diego barrel cactus (*Ferocactus viridescens*).

San Diego barrel cactus (*Ferocactus viridescens*)
Listing: --/--; CRPR 2B.1; City MSCP
Distribution: San Diego County; Baja California, Mexico
Habitat: Occurs in chaparral, coastal scrub, valley, and foothill grassland, and vernal pools.
Status on site: This species was not observed within the study area.

Special Status Animal Species

Special status animal species include those that have been afforded special status and/or recognition by the USFWS, CDFW, and/or the City. In general, the principal reason an individual taxon (species or subspecies) is given such recognition is the documented or perceived decline or limitations of its population size or geographical extent and/or distribution, resulting in most cases from habitat loss.

No special status species were observed within the project impact area during the survey.
A total of 13 special status animal species known from within two miles of the project were analyzed for their potential to occur within the study area (Attachment D). Four other special status animal species have a moderate potential to occur: coastal California gnatcatcher (*Polioptila californica californica*), southern California rufous-crown sparrow (*Aimophila ruficeps canescens*), Bell's sage sparrow (*Amphispiza belli belli*), and Belding's orange-throated whiptail (*Aspidoscelis hyperythra beldingi*). No other special status animal species have moderate or high potential to occur due to lack of suitable habitat.

Coastal California gnatcatcher (*Polioptila californica californica*)
Status: FT/--; City MSCP
Distribution: Widespread resident species in San Diego County

Habitat(s): Diegan coastal sage scrub areas typically dominated by California sagebrush, California buckwheat, and prickly-pear cactus.
Status on site: This species was not observed, but the Diegan coastal sage scrub is considered suitable for the species.

Southern California rufous-crown sparrow (*Aimophila ruficeps canescens*)
Status: --/WL; City MSCP
Distribution: Widespread resident species in San Diego County
Habitat(s): Potentially occurs in sage scrub and grassland areas.
Status on site: This species was not observed, but the Diegan coastal sage scrub is considered suitable for the species.

Bell's sage sparrow (*Amphispiza belli belli*)
Status: BCC/WL; City MSCP
Distribution: Widespread resident species in San Diego County
Habitat(s): Potential to occur in native habitat areas. Prefers coastal sage scrub and chaparral, often in areas partially recovered following fires.
Status on site: This species was not observed, but the Diegan coastal sage scrub is considered suitable for the species.

Belding's orange-throated whiptail (*Aspidoscelis hyperythra beldingi*)
Status: --/SSC; City MSCP
Distribution: Widespread resident species in San Diego County
Habitat(s): Potentially present in coastal sage scrub and maritime chaparral. Also can be found in weedy, disturbed areas adjacent to these habitats.
Status on site: This species was not observed, but the Diegan coastal sage scrub is considered suitable for the species.

Nesting Birds

Trees and shrubs both within and adjacent to the study area could provide suitable nesting habitat for several bird species known to the region.
Raptor Foraging

One raptor species was observed or detected near the study area during the biological surveys (Red-tailed hawk; *Buteo jamaicensis*). Raptor species that have shown the ability to adapt to suburban environments may use the area for foraging and could use on-site trees for nesting. These include red-shouldered hawk (*Buteo lineatus*, not listed or MSCP-covered) and Cooper's hawk (*Accipiter cooperii*; State Watch List and MSCP-Covered). Suitable foraging habitat for these species are fallow fields or open lands greater than 5 acres that are characterized by fossorial activity and/or the presence of trees. Raptors typically utilize tall trees for nesting and perching. The habitat within the study area does not provide high-quality raptor habitat due to

lack of on-site trees for nesting, lack of potential foraging habitat, disturbance such as hiking trails and roads, and proximity to human activity.

Jurisdictional Waters and Wetlands

Jurisdictional areas within the study area consist of non-wetland waters of the U.S./unvegetated stream channel subject to the regulatory jurisdiction of the USACE, RWQCB, and CDFW, and southern willow scrub wetland habitat subject to the regulatory jurisdiction of the CDFW, CCC, and City (Figure 4). A summary of the potential jurisdictional areas is provided below.

Federal Jurisdiction

Waters of the U.S. subject to USACE jurisdiction within the study area included 0.012 acre (376 linear feet) of non-wetland waters of the U.S. (Table 3). Potential non-wetland waters of the U.S. within the survey area consist of storm water runoff conveyed by an existing CMP that has eroded a portion of the hillside just west of La Jolla Farms Road. These storm water flows are carried downslope between the existing residences within a steep, unnamed canyon leading to the Pacific Ocean.

Table 3
JURISDICTIONAL HABITATS WITHIN THE STUDY AREA AND PROJECT SITE

HABITAT	ACREAGE*					
	USACE/RWQCB		CDFW		CCC/City	
	Study Area	Project Site	Study Area	Project Site	Study Area	Project Site
Southern Willow Scrub	0	0	0.041	0	0.041	0
Non-wetland Waters/Streambed	0.012†	0.011‡	0.023	0.021	0	0
TOTAL	**0.012**	**0.011**	**0.064**	**0.021**	**0.041**	**0**

*Rounded to the nearest 0.001; thus, totals reflect rounding
† 376 linear feet
‡ 234 linear feet

State Jurisdiction

Potential streambed and riparian habitat subject to CDFW jurisdiction within the study area includes 0.023 acre of unvegetated streambed and 0.041 acre of southern willow scrub, for a total of 0.064 acre (Table 3; Figure 4). Areas determined to be potential non-wetland waters of the U.S. under the jurisdiction of the USACE and CDFW were also determined to be potential waters of the State under the jurisdiction of the RWQCB. No isolated waters of the State were found within the study area.

California Coastal Commission – Coastal Wetlands

Coastal wetlands, as defined by the CCC, within the study area include 0.041 acre of southern willow scrub (Table 3; Figure 4). Southern willow scrub does not occur within the project site (Figure 4; Table 3). The non-vegetated stream channel was not considered a coastal wetland because wetland vegetation is naturally lacking and the hydrologic regime is insufficient to promote the formation of hydric soils.

City Environmentally Sensitive Lands Wetlands

Wetlands, as defined by the City (2012), within the study area are coterminous with CDFW jurisdictional wetlands, and include 0.041 acre of wetland (Figure 4; Table 3). The unvegetated streambeds are not considered City wetlands because they naturally lack hydrophytic vegetation. The channel originates at the pipe outfall just west of La Jolla Farms Road. Review of historic aerial imagery dating back to 1966 indicates that the channel naturally occurs within an upland area at the upper reach of a small watershed. This is consistent with current observations of the non-vegetated streambed, which shows no evidence of clearing due to previous human activities, or of catastrophic natural events that would preclude the establishment of wetland vegetation. Portions of the channel could be scoured during recurring heavy rain events; however, this has not precluded upland vegetation from establishing within portions of the channel. For the reasons stated above, it was determined that the channel naturally lacks wetland vegetation and that this feature does not meet the definition of a City wetland. No vernal pools, road pools, or seasonal ponding was observed or detected within the study area.

Habitat Connectivity and Wildlife Corridors

Wildlife corridors connect otherwise isolated pieces of habitat and allow movement or dispersal of plants and animals. Local wildlife corridors allow access to resources such as food, water, and shelter within the framework of their daily routine. Regional corridors provide these functions over a larger scale and link two or more large habitat areas, allowing the dispersal of organisms and the consequent mixing of genes between populations. A corridor is a specific route that is used for the movement and migration of species, and may be different from a linkage in that it represents a smaller or narrower avenue for movement. A linkage is an area of land that supports or contributes to the long-term movement of animals and genetic exchange by providing live-in

habitat that connects to other habitat areas. Many linkages occur as stepping-stone linkages that are made up of a fragmented archipelago arrangement of habitat over a linear distance.

The study area does not occur within any known corridors or linkages. The project is located with a canyon and areas adjacent to the project are designated as MHPA. North-south wildlife movement would likely follow the strip of MHPA designated to the west (Figure 3). The project is surrounded by homes on the north, east, and south sides. Therefore, no corridor or linkages occur within the project.

APPLICABLE REGULATIONS

This section provides a summary of applicable regulations to the proposed project.

Federal Government

Federal Endangered Species Act

Administered by the USFWS, the Federal Endangered Species Act (FESA) 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 a "take" under the FESA. Section 9(a) of the FESA 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.

The USFWS designates critical habitat for endangered and threatened species. Critical habitat is defined as areas of land that are considered necessary for endangered or threatened species to recover. The ultimate goal is to restore healthy populations of listed species within their native habitats so they can be removed from the list of threatened or endangered species. Once an area is designated as critical habitat pursuant to the FESA, federal agencies must consult with the USFWS to ensure that any action they authorize, fund, or carry out is not likely to result in destruction or adverse modification of the critical habitat. Critical habitat is not present within the project site.

Sections 7 and 10(a) of the FESA regulate actions that could jeopardize endangered or threatened species. Section 7 generally describes a process of federal interagency consultation and issuance of a biological opinion and incidental take statement when federal actions may adversely affect listed species. Section 10(a) generally describes a process for preparation of a Habitat Conservation Plan and issuance of an incidental take permit. Pursuant to Section 10(a), the City was issued a take permit for their adopted MSCP Subarea Plan.

Migratory Bird Treaty Act

All migratory bird species that are native to the United States or its territories are protected under the federal MBTA, as amended under the Migratory Bird Treaty Reform Act of 2004 (FR Doc. 05-5127). The MBTA is generally protective of migratory birds but does not actually stipulate the type of protection required. In common practice, the MBTA is now used to place 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.

State of California

California Environmental Quality Act

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

California Endangered Species Act

The California Endangered Species Act (CESA) established that it is State policy to conserve, protect, restore, and enhance State endangered species and their habitats. Under State law, plant and animal species may be formally designated rare, threatened, or endangered by official listing by the California Fish and Game Commission. The CESA authorizes that private entities may "take" plant or wildlife species listed as endangered or threatened under the FESA and CESA, pursuant to a federal Incidental Take Permit if the CDFW certifies that the incidental take is consistent with CESA (CFG Code Section 2080.1[a]). For State-only listed species, Section 2081 of CFG Code authorizes the CDFW to issue an Incidental Take Permit for State listed threatened and endangered species if specific criteria are met. The City was issued a take permit for their adopted MSCP Subarea Plan pursuant to Section 2081.

California Fish and Game Code

The CFG Code provides specific protection and listing for several types of biological resources. Pursuant to CFG 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 CFG 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.

California Coastal Commission

The project site is within the Coastal Zone Appealable Area (Figure 3). Appealable area means the area, as defined by California Public Resources Code Section 30603, within the coastal zone that constitutes the appeal jurisdiction of the CCC. This area includes lands between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance; or within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff. Development within this zone is regulated under the City's approved Local Coastal Program (LCP), although the CCC retains appeal authority.

Potential wetland boundaries, as defined by the CCC for areas occurring within the Coastal Zone, including the Coastal Zone Appealable Area, were determined based on the "one-parameter" definition, which only requires evidence of a single parameter to establish wetland conditions: "Wetland shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity, or high concentrations of salts or other substances in the substrate" (CCR Title 14, Section 13577).City of San Diego

Environmentally Sensitive Lands

Impacts to biological resources in the City must comply with the City's ESL Regulations. The purpose of the regulations is to "protect, preserve, and, where damaged restore, the environmentally sensitive lands of San Diego and the viability of the species supported by those lands." Environmentally sensitive lands are defined to include sensitive biological resources, steep hillsides, coastal beaches, sensitive coastal bluffs, and 100-year floodplains.

The ESL regulations require impacts to wetlands be avoided unless the activities meet specific exemption criteria established in the ordinance. Impacts to City-defined wetlands require approval of deviation findings as required by ESL regulations. Impacts to wetlands must be mitigated in accordance with Section III(B)(1)(a) of the Biology Guidelines (City 2012). The ESL regulations also require that buffers be maintained around all wetlands (as appropriate) to protect their functions and values. Buffer widths may either be increased or decreased as determined on a case-by-case basis, taking into consideration the size and type of project proposed, sensitivity of the wetland resource to detrimental edge effects, topography, specific functions and values of the wetland, as well as the need for transitional upland habitat (City 2012).

In addition to restricting impacts to wetland habitats, the ESL regulations also restrict development within the MHPA, including impact avoidance areas around raptor nesting

locations (specifically, Cooper's hawk, northern harrier [*Circus cyaneus*], golden eagle [*Aquila chrysaetos*], and burrowing owl [*Athene cunicularia*]) and known locations of southern pond turtle (*Clemmys marmorata pallida*), and also requires seasonal restrictions on grading where development may impact the following bird species: western snowy plover (*Charadrius alexandrinus nivosus*), southwestern willow flycatcher (*Empidonax traillii extimus*), least tern (*Sternula antillarum browni*), San Diego cactus wren (*Campylorhynchus brunneicapillus sandiegensis*), least Bell's vireo, tricolored blackbird (*Agelaius tricolor*), and coastal California gnatcatcher.

Multiple Species Conservation Program

In July 1997, the USFWS, CDFW, and City adopted the Implementing Agreement for the MSCP. This program allows the incidental take of threatened and endangered species as well as regionally-sensitive species that are conserved by it (covered species). The MSCP designates regional preserves that are intended to be mostly void of development activities, while allowing development of other areas subject to the requirements of the program. Impacts to biological resources are regulated by the City's ESL regulations.

The City's MSCP Subarea Plan has been prepared to meet the requirements of the California Natural Communities Conservation Planning Act of 1992. This Subarea Plan describes how the City's portion of the MSCP Preserve, the MHPA, will be implemented.

ANALYSIS OF PROJECT EFFECTS

An analysis of project effects is presented below in accordance with the City's CEQA Significance Determination Thresholds (City 2012).

ISSUE 1 – Would the project have a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in the MSCP or other local or regional plans, policies, or regulations, or by CDFW or USFWS?

Issue 1 Impact Analysis

No federally or state listed endangered or threatened plant or animal species are known to breed within the study area, and none are expected to be directly impacted by the project. The Diegan coastal sage scrub habitat within the study area has moderate potential to support the endangered coastal California gnatcatcher. The potential for breeding within the study area is moderate due to suitable habitat occurring adjacent to the study area. Habitat within the study area is likely too patchy and disturbed for this species.

The project would not potentially impact listed plant species. No special status plant species have a moderate to high potential to occur within the project site due to lack of suitable habitat; none are expected to be impacted by the project.

The project could result in significant direct impacts to bird species if clearing of vegetation occurs during the bird breeding season and if active nests are present. Direct impacts to active bird nests would be considered significant. Mitigation Measure **BIO-1** would ensure that no direct impacts occur to nesting birds.

Potential noise-related indirect impacts during construction would be considered significant if sensitive species become displaced from their nests and fail to breed. If construction would take place during the migratory bird breeding season (February 15 to September 15), then avoidance buffers and/or noise mitigation would be required. Implementation of Mitigation Measure **BIO-2** would ensure that no indirect impacts occur to sensitive birds, including the coastal California gnatcatcher, during project construction.

Conclusions

Project implementation could result in potentially significant direct impacts to nesting birds and potentially significant impacts to coastal California gnatcatcher. Implementation of Mitigation Measures **BIO-1** and **BIO-2** would reduce impacts to less than significant.

ISSUE 2 – Would the project have a substantial adverse impact on any Tier I Habitats, Tier II Habitats, Tier IIIA Habitats, or Tier IIIB Habitats as identified in the Biology Guidelines of the Land Development manual or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?

Issue 2 Impact Analysis

The project would result in impacts to less than 0.1 acre of sensitive habitat, all of which occur outside of the MHPA (Figure 5; Table 4). The impacts to sensitive uplands total approximately 653 sq. ft. of impacts to Diegan coastal sage scrub (including sage scrub dominated by lemonadeberry, disturbed). Impacts to less than 0.1 acre of sensitive uplands are not considered significant per the City of San Diego Biology Guidelines (City 2012).

Table 4
UPLAND HABITAT IMPACTS (ac)

VEGETATION COMMUNITY	TIER	ACREAGE
Diegan Coastal Sage Scrub (including sage scrub dominated by lemonadeberry)	II	<0.1
Developed Land	IV	<0.1
Non-native vegetation		0.2
TOTAL		**0.3**

Although impacts to upland habitats are not significant, implementation of monitoring through Mitigation Measure **BIO-1** would help ensure that inadvertent impacts to sensitive Tier I, II, and Tier III habitat located immediately adjacent to construction work areas are avoided.

Conclusion

The project would not result in significant impacts to Tier II habitat and no mitigation is required.

ISSUE 3 – Would the project have a substantial adverse impact on wetlands (including, but not limited to, marsh, vernal pool, riparian, etc.) through direct removal, filling, hydrological interruption, or other means?

Issue 3 Impact Analysis

The project would impact 234 linear feet of USACE non-wetland waters of the U.S. and CDFW streambed. Because the width of CDFW jurisdiction is wider than USACE jurisdiction, the project would impact 0.011 acre of non-wetland waters of the U.S. and 0.021 acre of CDFW unvegetated streambed (Table 5, Figure 5). A Streambed Alteration Agreement would be required for impacts to 0.05 acre of CDFW jurisdictional waters pursuant to Section 1600 *et seq.* of the CFG Code. The project will not impact southern willow scrub habitat, which is considered CDFW-jurisdictional, a City wetland, and CCC wetlands. The project would require a Section 404 permit from the USACE and a Section 401 Certification from the RWQCB for impacts to 0.01 acre of non-wetland waters of the U.S.

Table 5
IMPACTS TO JURISDICTIONAL WATERS (PERMANENT)

TYPE	Acres	Linear Feet
USACE/RWQCB		
Non-wetland Waters of the U.S.	0.011	234
CDFW		
Unvegetated Streambed	0.021	--
Southern Willow Scrub	0	--
TOTAL	**0.021**	--
CITY/CCC WETLANDS		
Southern Willow Scrub	0	--

Conclusion

The project will not impact southern willow scrub (CDFW-jurisdictional, City wetlands, and CCC wetlands); therefore, mitigation is not required. The project will permanently impact 0.011 acre of USACE non-wetland waters of the U.S., which is considered significant. With the implementation of Mitigation Measure **BIO-3**, impacts to non-wetland waters of the U.S. would be reduced to less than significant.

ISSUE 4 – ***Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, including linkages identified in the MSCP Plan, or impede the use of native wildlife nursery sites?***

Issue 4 Impact Analysis

The project would not substantially impede the movement of any native, resident, or migratory fish or wildlife species or interfere with established native, resident, or migratory wildlife corridors. In addition, the project would not interfere with linkages identified in the MSCP Plan or use of native wildlife nursery sites. The project is surrounded by residential development to the north, east, and south. Impacts are considered less than significant and no mitigation is required.

ISSUE 5 – Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan, either within the MSCP plan area or in the surrounding region?

Issue 5 Impact Analysis

The project would not conflict with local, regional, or state habitat conservation plans. As stated above, the project would avoid wetland impacts and would not result in potential significant impacts to special status species or significant impacts to Tier I, II, or III upland habitats. The project involves replacement of existing storm drain infrastructure and is consistent with the City's MSCP.

Conclusion

The project would not result in a significant impact to local, regional, or state habitat conservation plans and no mitigation is required.

ISSUE 6 – Would the project introduce land use within an area adjacent to the MHPA that would result in adverse edge effects?

Issue 6 Impact Analysis

The western end of the project is located adjacent to the MHPA, and, therefore, the project is subject to MHPA Land Use Adjacency Guidelines designed to minimize indirect impacts to sensitive resources contained in the MHPA and thus maintain the value of the preserve. By conforming to the Land Use Adjacency Guidelines, the project addresses edge effects. The adjacency guidelines related to potential indirect impacts are listed below, along with a response as to how the proposed project conforms to each guideline:

Drainage

All new and proposed development adjacent to the MHPA must not drain directly into the preserve, and must prevent the release of toxins, chemicals, petroleum products, exotic plant materials, and other elements that might degrade or harm the natural environment or ecosystem processes within the MHPA.

The purpose of this project is to replace a deteriorated storm drain that currently directs flows away from La Jolla Farms Road and into a canyon. The existing storm drain is present adjacent to the MHPA and the repair will stabilize the structure and help prevent additional erosion. Installation of Best Management Practices during construction would prevent toxins and other materials from entering the MHPA. The project will also comply with the City's landscape regulations to prevent exotic plant materials from entering the MHPA. The project would not result in a significant drainage impact.

Toxins

Land uses such as recreation and agriculture that use chemicals or generate byproducts that are potentially toxic or harmful to wildlife, habitat, or water quality must incorporate measures to reduce the impact of application or drainage of such materials into the MHPA.

The proposed project would not involve recreation or agriculture, and the project would not use chemicals or generate toxic or harmful byproducts. The proposed project involves replacement of the storm drain and repair of the outfall. There would not be a change to the baseline conditions and the project would not result in a significant impact due to toxins.

Lighting

Lighting must be directed away from the MHPA and, if necessary, adequately shielded to protect the MHPA and sensitive species from night lighting.

Construction activities will be limited to daylight time period and the project is not expected to produce excessive light spill. Therefore, the project would not introduce night lighting to the MHPA and there would not be a significant impact.

Noise

Uses adjacent to the MHPA must be designed to minimize noise that might impact or interfere with wildlife utilization of the MHPA.

Habitat within 300 feet of the project has the potential to support breeding coastal California gnatcatcher, and construction noise could result in a significant impact to coastal California gnatcatcher. Habitat within 500 feet of the project has the potential to support breeding raptors and other nesting birds, and construction could result in a significant impact to raptors and other nesting birds during the breeding season. Potential impacts of construction noise on gnatcatchers, raptors, and other nesting birds would be reduced to a level below significant by implementation of Mitigation Measures **BIO-1** and **BIO-2**. With incorporation of Mitigation Measures **BIO-1** and **BIO-2**, the impact due to construction noise would be reduced to a level below significance.

Barriers to Incursion

New development adjacent to the preserve may be required to provide barriers along MHPA boundaries to redirect public access to appropriate locations and reduce domestic animal predation in the preserve.

The storm drain repair involves replacement of a deteriorated pipe. New development would include new storm drain curb inlets, cut-off walls, headwalls, and energy dissipaters (rip rap or concrete dissipater structures), but these components would be installed where the current infrastructure is located. Public access is currently occurring and the project will not result in new access to the MHPA. Therefore, there is no effect due to barriers to incursion.

Invasive Species

No invasive plant species shall be introduced into areas adjacent to the MHPA.

The proposed project includes temporary impacts associated with the construction. A revegetation plan is being prepared to address the temporary impact areas and will only include native species. A 25-month maintenance and monitoring period will be implemented to ensure native species establish and to eliminate any invasive species that may germinate. Therefore, the project would not result in a significant impact due to invasive species.

Brush Management

New residential development located adjacent to and topographically above the MHPA must be set back from slope edges to incorporate Zone 1 brush management areas on the development pad and outside of the MHPA. Zone 2 may be located in the MHPA upon granting of an easement to the City (or other acceptable agency) except where narrow wildlife corridors require it to be located outside of the MHPA.

New residential development is not proposed with this project, and the storm drain repairs do not include brush management.

Grading/Land Development

Manufactured slopes associated with project development must be included in the project footprint.

No manufactured slopes are associated with the proposed project.

Conclusion

Potential impacts of construction noise on gnatcatchers, raptors, and other nesting birds within the adjacent MHPA would be reduced to a level below significant by implementation of Mitigation Measures **BIO-1** and **BIO-2.** The project is consistent with the MHPA Land Use Adjacency Guidelines and would not result in significant impacts related to MHPA adjacency.

ISSUE 7 – Would the project conflict with any local policies or ordinances protecting biological resources?

Issue 7 Impact Analysis

As described above, the project has been specifically designed to minimize impacts to biological resources addressed in the City's MSCP Subarea Plan and Land Development Code. The project would not conflict with any local policies or ordinances protecting biological resources; therefore, no significant impact would occur and no mitigation is required. Mitigation Measures **BIO-1**, **BIO-2**, and **BIO-3** would ensure that the project is consistent with the MSCP and that impacts to species and habitats are mitigated in accordance with Land Development Code and City Biology Guidelines requirements. Implementation of Mitigation Measures **BIO-1**, **BIO-2**, and **BIO-3** would ensure project consistency with the MSCP and Land Development Code pertaining to biological resources.

Conclusion

The project would not conflict with local policies or ordinances. Impacts to habitats addressed in the City's MSCP Subarea Plan and Land Development Code would be reduced to a level below significance with implementation of Mitigation Measures **BIO-1**, **BIO-2**, and **BIO-3**.

ISSUE 8 – Would the project result in an introduction of invasive species of plants into a natural open space area?

Issue 8 Impact Analysis

As noted above under Issue 6, the project would not result in the introduction of invasive species of plants into a natural open space area. Revegetation work following completion of the project would consist of native species (no invasive species would be included). The project would not result in the introduction of invasive species of plants into a natural open space area; thus, no significant impact would occur.

MITIGATION AND MONITORING REQUIREMENTS

The following mitigation measures shall be implemented to reduce potential impacts from the La Jolla Farms Road Outfall Repair project to below the level of significance.

Biological Resource Protection During Construction

Implementation of Mitigation Measures **BIO-1, BIO-2**, and **BIO-3** would reduce potential impacts from construction to below the level of significance.

BIO-1 Prior to the issuance of any grading permit, the City Manager (or appointed designee) shall verify that the following project requirements are shown on the construction plans:

I. Prior to Construction

A. **Biologist Verification** – The owner/permittee shall provide a letter to the City's Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist), as defined in the City of San Diego's Biological Guidelines (2012), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.

B. **Pre-construction Meeting** – The Qualified Biologist shall attend the pre-construction meeting, discuss the project's biological monitoring program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.

C. **Biological Documents** – The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, MSCP, ESL Ordinance, project permit conditions, CEQA, endangered species acts (ESAs), and/or other local, state, or federal requirements.

D. **Biological Construction Mitigation/Monitoring Exhibit** – The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME), which includes the biological documents in C above. In addition, it includes: restoration/revegetation plans, plant salvage/relocation requirements (e.g., coastal cactus wren plant salvage, burrowing owl exclusions, etc.), avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/ barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City ADD/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.

E. **Resource Delineation** – Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora and fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.

F. **Education** – Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

G. **Avian Protection Requirements** – To avoid direct impacts to avian species identified as a listed, candidate, sensitive, or special status species in the MSCP, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a pre-construction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to City Development Services Department for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable state and federal law (i.e., appropriate follow up

surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section and Qualified Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction.

II. During Construction

A. **Monitoring** – All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on "Exhibit A" and/or the BCME. The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR shall be e-mailed to MMC on the first day of monitoring, the first week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery.

B. **Subsequent Resource Identification** – The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna on site (e.g., flag plant specimens for avoidance during access, etc.). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species specific local, state, or federal regulations have been determined and applied by the Qualified Biologist.

III. Post Construction Measures

A. In the event that impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL and MSCP, State CEQA, and other applicable local, state, and federal law. The Qualified Biologist shall submit a final BCME/report to the satisfaction of the City ADD/MMC within 30 days of construction completion.

BIO-2: Implementation of Mitigation Measure BIO-2 would reduce potential noise impacts from construction to below the level of significance.

Noise levels for site grading and for construction would generate potentially significant noise levels if these activities occur during the coastal California gnatcatcher breeding season, if the habitat is occupied and within the MHPA. As will be seen in the following information, if construction were to occur during the breeding season adjacent to occupied

habitat within the MHPA, it would require much more substantial mitigation for areas occupied by coastal California gnatcatcher than if activities were to occur outside of this time frame.

No grubbing or clearing of vegetation shall occur of occupied Diegan coastal sage scrub during the breeding season of the coastal California gnatcatcher (February 15 to August 31). All grading permits, improvement plans, and the final map shall state the same. If clearing or grading would occur during the breeding season for the gnatcatcher, a pre-construction survey shall be conducted to determine whether gnatcatchers occur within the impact area(s). The pre-construction survey shall consist of three site visits with each site visit occurring seven days apart. If there are no gnatcatchers nesting (includes nest building or other breeding/nesting behavior) within that area, grading and clearing shall be allowed to proceed. If, however, any gnatcatchers are observed, but no nesting or breeding behaviors are noted, additional surveys for breeding/nesting behaviors shall be conducted weekly. If any gnatcatchers are observed nesting or displaying breeding/nesting behavior during the pre-construction survey or additional weekly surveys within the area, construction within 300 feet of any location at which birds have been observed shall be postponed until all nesting (or breeding/nesting behavior) has ceased or until after August 31. The following describes one potential method to achieve compliance if construction occurs during the breeding season and adjacent habitat is determined to be occupied. This method would eliminate the need for future bird surveys and noise analysis to identify required temporary attenuation requirements. If project-related construction is conducted outside of the breeding season, no associated significant noise impacts would occur within the adjacent MHPA habitat (or to related sensitive species), and no mitigation would be required.

To attenuate equipment noise levels during the coastal California gnatcatcher breeding season (if proposed), a barrier shall be erected at the edge of occupied habitat to reduce noise impacts to less than 60 dBA L_{EQ} or the ambient noise level.
A noise barrier would need to be installed at any location where noise generating activities would be more than 60 dBA L_{EQ} in adjacent habitat and would need to provide complete control of construction noise. The barrier would be designed by a qualified acoustician.
In addition, the following parameters should be incorporated into barrier design:

- Sound attenuation barriers should be a single, solid sound wall.

- The sound attenuation barriers should be constructed of masonry, wood, plastic, fiberglass, steel, or a combination of those materials, with no cracks or gaps through or below the wall. Any seams or cracks should be filled or caulked.

- If wood is used, it can be tongue-and-groove design and should be at least one inch thick or have a surface density of at least 3.5 pounds per square foot. Sheet metal of minimum 18-gauge may also be used, if it meets the other noted criteria and is

properly supported and stiffened so that it does not rattle or create noise from vibration or wind.

Mitigation for Impacts to Wetland Habitats

Implementation of Mitigation Measure **BIO-3** would reduce the impacts to wetland habitats and other jurisdictional habitat to below the level of significance.

BIO-3: Prior to issuance of a Grading Permit, the project shall obtain all necessary state and federal permits for impacts to non-vegetated waters of the U.S./streambed. Mitigation for permanent impacts to 0.011 acre of non-wetland WUS and 0.021 acre of CDFW streambed is not proposed because the very small impact to WUS (234 linear feet)/streambed would not result in a substantial adverse effect on WUS/streambed. The impacted area is a result of the failed storm drain system draining into natural uplands comprised entirely of ephemeral waters from street runoff. This drainage provides minimal functions and services as the area does not support wetland vegetation, conveys only minimal flows following sufficient rainfall events and urban runoff, and provides extremely limited water quality functions due to its small size and unvegetated nature. The project implementation would result in an overall increase in water quality benefits as compared to the pre-project condition in which road runoff created the erosion and sediment in the jurisdictional resources downstream. The installation of the storm drain would be equipped with an energy dissipater and rip rap pad at the outfall that will reduce water velocity, eliminate erosion, and reduce overall sedimentation into jurisdictional resources downstream.

Please do not hesitate to contact me or Shelby Howard at (619) 462-1515 if you have any questions or require further assistance.

Sincerely,

Benjamin Rosenbaum
Biologist

Enclosures:

Figure 1	Regional Location
Figure 2	Project Vicinity (USGS Topography)
Figure 3	Project Vicinity (Aerial Photograph)
Figure 4	Vegetation and Jurisdictional Features
Figure 5	Vegetation and Jurisdictional Features/Impacts
Attachment A	Plant Species Observed
Attachment B	Animal Species Observed or Detected
Attachment C	Sensitive Plant Species with Potential to Occur
Attachment D	Sensitive Animal Species with Potential to Occur
Attachment E	Explanation of Status Codes for Plant and Animal Species

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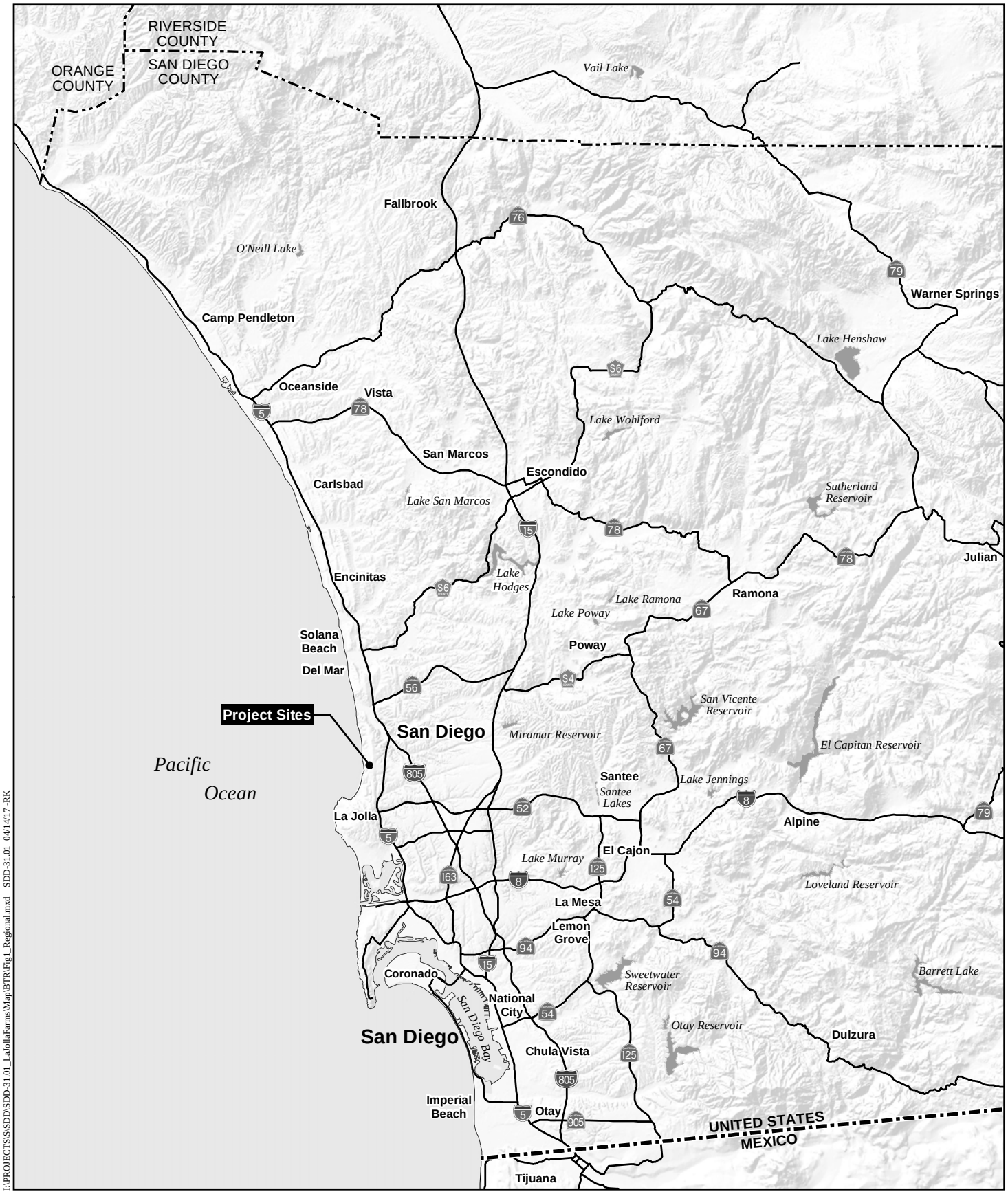

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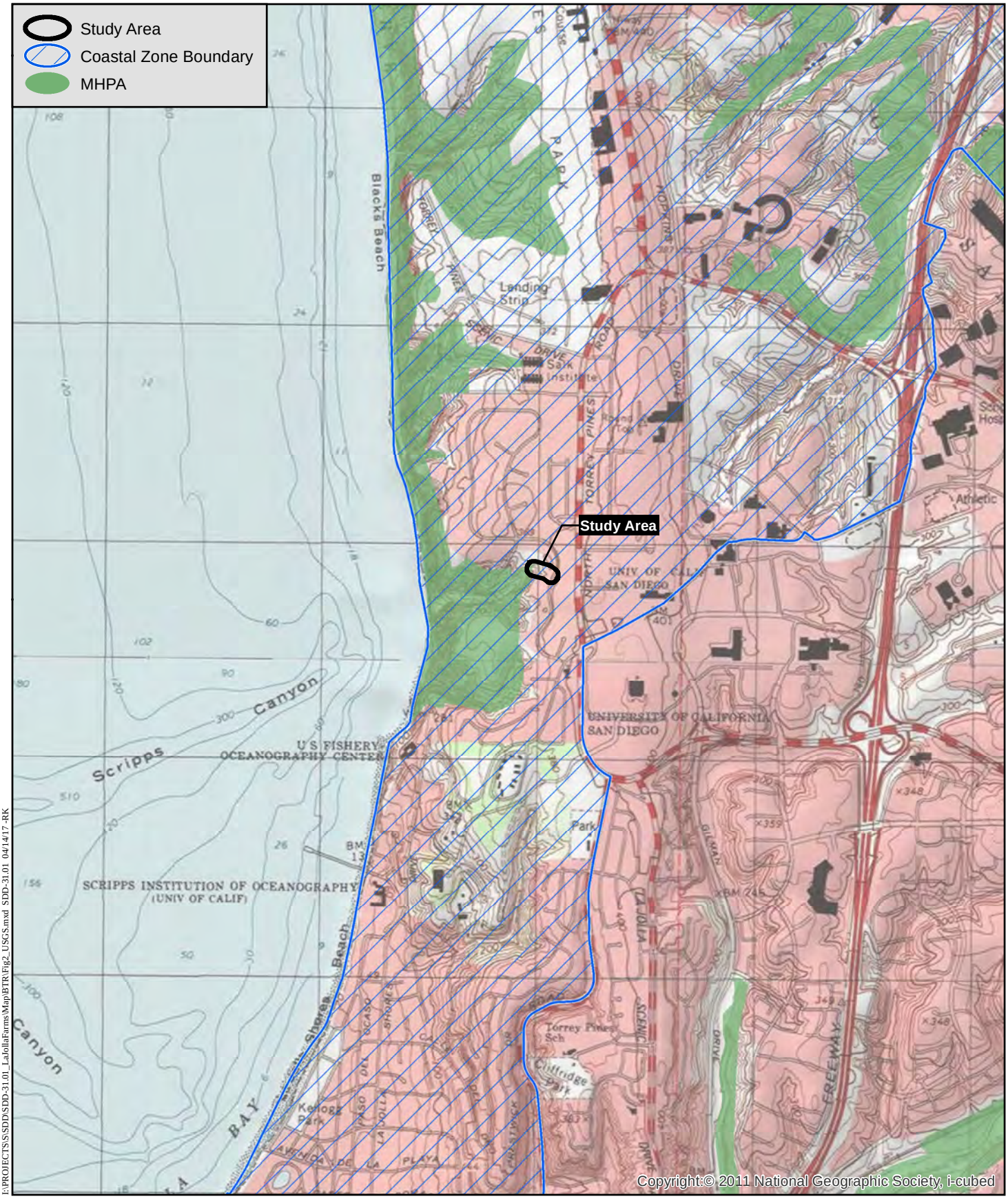
Regional Location

LA JOLLA FARMS OUTFALL REPAIR

HELIX Environmental Planning

N 0 8 Miles

Figure 1



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Project Vicinity (USGS Topography)

LA JOLLA FARMS OUTFALL REPAIR

HELIX Environmental Planning

N 0 2,000 Feet

Figure 2

I:\PROJECTS\SDDS\SDD-31.01_LaJollaFarms\Map\BTR\Fig3_Aerial.mxd SDD-31.01 04/14/17 -RK

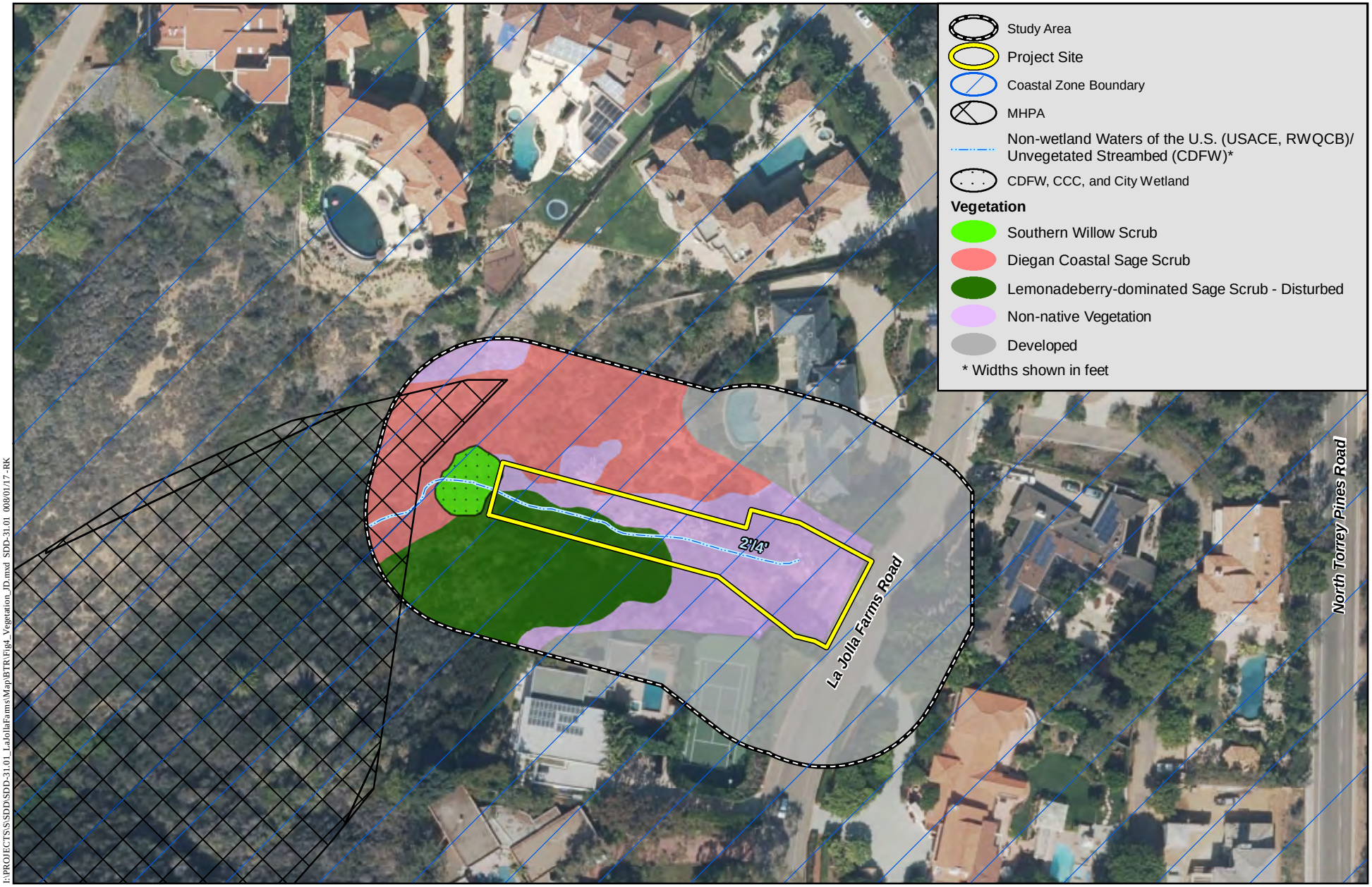
Project Vicinity (Aerial Photograph)

LA JOLLA FARMS OUTFALL REPAIR

HELIX Environmental Planning

N 0 2,000 Feet

Figure 3



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Vegetation and Jurisdictional Features

LA JOLLA FARMS OUTFALL REPAIR

HELIX Environmental Planning

N 0 100 Feet

Figure 4

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Vegetation and Jurisdictional Features/Impacts

LA JOLLA FARMS OUTFALL REPAIR

HELIX Environmental Planning

N 0 100 Feet

Figure 5

Attachment A
PLANT SPECIES OBSERVED

Family	Species Name	Common Name	Habitat[1]
		Native Species	
Anacardiaceae	*Malosma laurina*	laurel sumac	NNV
	Rhus integrifolia	lemonadeberry	NNV, DCSS, LB-DCSS
Themidaceae	*Dichelostemma capitatum*	blue dicks	DCSS
Asteraceae	*Artemisia californica*	California sagebrush	DCSS
	Encelia californica	California brittle brush	DCSS
	Erigeron canadensis	Canada horseweed	NNV
	Eriophyllum confertiflorum	golden yarrow	DCSS
	Pseudognaphalium biolettii	two-color rabbit tobacco	DCSS
	Pseudognaphalium stramineum	cottonbatting plant	DCSS
Cactaceae	*Cylindropuntia prolifera*	coastal cholla	DCSS
Crassulaceae	*Crassula connata*	sand pygmy weed	DCSS
	Dudleya edulis	fingertips	DCSS
	Dudleya lanceolata	lanceleaf liveforever	DCSS
	Dudleya pulverulenta	chalk dudleya	DCSS
Cucurbitaceae	*Marah macrocarpa*	wild cucumber	NNV, DCSS, LB-DCSS
Fabaceae	*Acmispon glaber*	deerweed	DCSS
Fagaceae	*Quercus* sp.	oak	NNV, LB-DCSS
	Quercus dumosa†	Nuttall's scrub oak†	LB-DCSS
Montiaceae	*Claytonia perfoliata*	miner's lettuce	LB-DCSS
Plantaginaceae	*Antirrhinum nuttallianum*	Nuttall's snapdragon	DCSS
Poaceae	*Elymus condensatus*	giant wild rye	LB-DCSS
	Stipa sp.	needle grass	DCSS
Polygonaceae	*Eriogonum fasciculatum*	flat-top buckwheat	DCSS
Rosaceae	*Adenostoma fasciculatum*	chamise	DCSS
	Heteromeles arbutifolia	toyon	DCSS
Rutaceae	*Cneoridium dumosum*	bush rue	DCSS
Salicaceae	*Salix lasiolepis*	arroyo willow	SWS
		Non-native Species	
Aizoaceae	*Carpobrotus edulis*	hottentot-fig	NNV, DCSS
Anacardiaceae	*Schinus terebinthifolius*	Brazilian peppertree	NNV
Apiaceae	*Foeniculum vulgare*	fennel	NNV
Araliaceae	*Hedera helix*	English ivy	NNV
Arecaceae	*Phoenix canariensis*	Canary island date palm	NNV
Asparagaceae	*Asparagus densiflorus*	asparagus fern	NNV

Attachment A (cont.)
PLANT SPECIES OBSERVED

Family	Species Name	Common Name	Habitat[1]
	Non-native Species (cont.)		
Asteraceae	*Sonchus asper*	prickly sow thistle	NNV
	Sonchus oleraceus	common sow-thistle	NNV
Bignoniaceae	*Tecoma capensis*	cape honeysuckle	NNV
Brassicaceae	*Raphanus sativus*	wild radish	DCSS
	Sisymbrium sp.	mustard	NNV
Cactaceae	*Opuntia ficus-indica*	Indian fig opuntia	MSS, NNV
Dryopteridaceae	*Cyrtomium falcatum*	holly fern	NNV
Euphorbiaceae	*Euphorbia peplus*	petty spurge	NNV
Fabaceae	*Acacia longifolia*	Sydney golden wattle	NNV
	Melilotus indicus	sweet clover	NNV
Lauraceae	*Persea americana*	avocado	
Malvaceae	*Malva parviflora*	cheeseweed	NNV
Myrsinaceae	*Anagallis arvensis*	scarlet pimpernel	NNV
Myrtaceae	*Eucalyptus sp.*	eucalyptus	NNV
Pittosporaceae	*Pittosporum tobira*	cheesewood	NNV
Poaceae	*Bromus diandrus*	ripgut brome	NNV, DCSS
	Bromus madritensis	foxtail chess	DCSS
	Cortaderia sp.	pampas grass	NNV
	Stipa miliacea	smilo grass	NNV
Scrophulariaceae	*Myoporum laetum*	mousehole tree	NNV, LB-DCSS
Urticaceae	*Urtica urens*	dwarf nettle	NNV

[1]DCSS=Diegan coastal sage scrub; DH=disturbed habitat; NNV=non-native vegetation; SWS= southern willow scrub

†Sensitive Species

Attachment B
ANIMAL SPECIES OBSERVED OR DETECTED

ORDER/FAMILY	SCIENTIFIC NAME	COMMON NAME
INVERTEBRATES		
Order Hymenoptera		
Apidae	*Apis* sp.	honey bee
Order Lepidoptera		
Nymphalidae	*Vanessa atalanta*	red admiral
VERTEBRATES		
Birds		
Order Accipitriformes		
Accipitridae	*Buteo jamaicensis*	red-tailed hawk
Order Apodiformes		
Trochilidae	*Calypte anna*	Anna's hummingbird
Order Columbiformes		
Columbidae	*Zenaida macroura*	mourning dove
Order Passeriformes		
Aegithalidae	*Psaltriparus minimus*	bushtit
Corvidae	*Corvus corax*	common raven
Emberizidae	*Melospiza melodia*	song sparrow
	Melozone crissalis	California towhee
	Pipilo maculatus	spotted towhee
	Zonotrichia leucophrys	white-crowned sparrow
Fringillidae	*Spinus psaltria*	lesser goldfinch
Mimidae	*Mimus polyglottos*	northern mockingbird
Parulidae	*Oreothlypis celata*	orange-crowned warbler
	Setophaga coronata	yellow-rumped warbler
Mammals		
Order Rodentia		
Sciruidae	*Spermophilus beecheyi*	California ground squirrel

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Attachment C SENSITIVE PLANT SPECIES WITH POTENTIAL TO OCCUR				
Common Name	**Species Name**	**Status***	**Habit, Ecology and Life History**	**Potential to Occur On Site**
California adolphia	*Adolphia californica*	--/-- CRPR List 2B.1	Shrub. Occurs in sage scrub but occasionally occurs in peripheral chaparral habitats, particularly hillsides near creeks. Usually associated with xeric locales where shrub canopy reaches 4–5 feet. Elevation range 45–740 meters. Flowering period Dec.–Apr.	**Very low.** Occurs on clay substrate in chaparral, coastal scrub, and grasslands. Clay soils do not occur. Likely would have been observed if present.
Aphanisma	*Aphanisma blitoides*	--/-- CRPR 1B.2 City NE City MSCP	Annual herb. Occurs in sandy or gravelly habitat including coastal bluff scrub, coastal dunes, and coastal scrub. Elevation range 1–305 meters. Flowering period Feb.–Jun.	**Low.** Suitable sandy/gravelly sage scrub habitat occurs in the study area. However, species was not observed during biological surveys. This species may germinate/bloom later than when the biological survey occurred.
Del mar manzanita	*Arctostaphylos glandulosa* ssp. *crassifolia*	FE/-- CRPR List 1B.1 City MSCP	Shrub. Occurs in maritime chaparral. Preferred soil type is sand or sandy loam. Elevation range 0–365 meters. Flowering period Dec.–Jun.	**Low.** Suitable chaparral habitat does not occur within the study area. Also, this species was not observed during biological surveys and would likely have been observed if present.

Attachment C (cont.) **SENSITIVE PLANT SPECIES WITH POTENTIAL TO OCCUR**				
Common Name	**Species Name**	**Status***	**Habit, Ecology and Life History**	**Potential to Occur On Site**
coastal dunes milk vetch	*Astragalus tener* var. *titi*	FE/SE CRPR List 1B.1 City NE City MSCP	Annual herb. Occurs in coastal bluff scrub, coastal dunes, and coastal prairie. Elevation 1–50 meters. Flowering period Mar.–May.	**Low**. Habitat is marginal however, known from fewer than 10 occurrences. This species was not observed during biological surveys and is rare.
Golden spined cereus	*Bergerocactus emoryi*	--/-- CRPR 2B.2	Shrub (stem succulent). Occurs in closed-cone coniferous forest, chaparral, and coastal scrub. Elevation 3–395 meters. Flowering period May–Jun.	**Low.** Suitable coastal scrub habitat occurs in the study area. However, species was not observed during biological surveys and would likely have been observed if present.
Lakeside ceanothus	*Ceanothus cyaneus*	--/-- CRPR List 1B.2 City MSCP	Perennial evergreen shrub. Typically occurs within closed-cone coniferous forest and chaparral. Elevation 235–755 meters. Flowering period Apr.–Jul.	**Low.** Suitable habitat is not present on site. This conspicuous species would have been observed if present.
Wart-stemmed ceanothus	*Ceanothus verrucosus*	--/-- CRPR List 2B.2 City MSCP	Perennial shrub. Occurs in chaparral. Elevation 1–380 meters. Flowering period Jan.–Apr.	**Low.** Suitable habitat is not present on site. This conspicuous species would have been observed if present.

Attachment C (cont.) **SENSITIVE PLANT SPECIES WITH POTENTIAL TO OCCUR**				
Common Name	**Species Name**	**Status***	**Habit, Ecology and Life History**	**Potential to Occur On Site**
San Diego sand aster	*Corethrogyne filaginifolia* var. *incana*	--/-- CRPR 1B.1 City MSCP	Perennial herb. Occurs in coastal bluff scrub, chaparral, and coastal scrub. Elevation range 3–115 meters. Flowering period Jun.–Sep.	**Low.** Soils and habitat in the study area are suitable; however, this species would have been observed if present. Known in CA from fewer than 10 occurrences.
Snake cholla	*Cylindropuntia californica* var. *californica*	--/-- CRPR 1B.1	Perennial herb (stem succulent). Occurs in chaparral and coastal scrub. Elevation range 30–150 meters. Flowering period Apr.–Jul.	**Low.** Soils and habitat in the study area are suitable; however, this species would have been observed if present.
Short leaved dudleya	*Dudleya brevifolia*	--/SE CRPR 1B.1	Perennial herb. Occurs in Torrey sandstone, maritime chaparral, and coastal scrub. Elevation range 30–250 meters. Flowering period Apr.–May.	**Low.** Soils and habitat in the study area are suitable; however, this species would have been observed if present.
Variegated dudleya	*Dudleya variegata*	--/-- CRPR 1B.2 City NE City MSCP	Perennial herb. Occurs in chaparral, cismontane woodland, coastal scrub, valley and foothill grassland, and vernal pools. Elevation 3–580 meters. Flowering period Apr.–Jun.	**Low.** Soils and habitat in the study area are suitable; however, this species would have been observed if present.

Attachment C (cont.) **SENSITIVE PLANT SPECIES WITH POTENTIAL TO OCCUR**				
Common Name	**Species Name**	**Status***	**Habit, Ecology and Life History**	**Potential to Occur On Site**
San Diego button celery	*Eryngium aristulatum* var. *parishii*	FE/SE CRPR 1B.1 City NE City MSCP	Perennial herb. Occurs in coastal scrub, valley and foothill grassland, and vernal pools. Elevation range 20–620 meters. Flowering period Apr.–Jun.	**Low.** Suitable coastal scrub habitat is within the site; however, this species would have been observed if present.
Cliff spurge	*Euphorbia misera*	--/-- CRPR 2B.2	Shrub. Occurs in coastal bluff scrub, coastal scrub, and mojavean desert scrub. Elevation 10–500 meters. Flowering period Dec.–Aug.	**Low.** Soils and habitat in the study area are suitable; however, this species would have been observed if present.
San Diego barrel cactus	*Ferocactus viridescens*	--/-- CRPR 2B.1 City MSCP	Shrub (stem succulent). Occurs in chaparral, coastal scrub, valley and foothill grassland, and vernal pools. Elevation range 3–450 meters. Flowering period May–Jun.	**Moderate.** Soils and coastal scrub habitat in the study area are suitable; however, this species would have been observed if present.
Sessileflower false goldenaster	*Heterotheca sessiliflora* ssp. *sessiliflora*	--/-- CRPR List 1B.1	Perennial herb. Occurs in chaparral, coastal dunes, and coastal scrub. Elevation range 0–1225 meters. Flowering period Mar.–Dec.	**Low.** Soils and habitat in the study area are suitable; however, this species would have been observed if present. Known from fewer than 20 extant occurrences.

Attachment C (cont.) **SENSITIVE PLANT SPECIES WITH POTENTIAL TO OCCUR**				
Common Name	**Species Name**	**Status***	**Habit, Ecology and Life History**	**Potential to Occur On Site**
Decumbent goldenbush	*Isocoma menziesii* var. *decumbens*	--/-- CRPR 1B.2	Perennial shrub. Occurs in chaparral and coastal scrub. Elevation range 10–135 meters. Flowering period Apr.–Nov.	**Low.** Soils and habitat in the study area are suitable; however, this species would have been observed if present.
Robinson's pepper grass	*Lepidium virginicum* var. *robinsonii*	--/-- CRPR List 4.3	Annual herb. Occurs in chaparral and coastal scrub habitats. Elevation range 1–885 meters. Flowering period Jan.–Jul.	**Low.** Soils and habitat in the study area are suitable; however, this species would have been observed if present.
Sea dahlia	*Leptosyne maritima*	--/-- CRPR 2B.2	Perennial herb. Occurs in coastal bluff scrub and coastal scrub. Elevation Range 5–150 meters. Flowering period Mar.–May.	**Low.** Soils and habitat in the study area are suitable; however, this species may germinate/bloom later than when the biological survey occurred.
Brand's phacelia	*Phacelia stellaris*	--/-- CRPR List 1B.1	Annual herb. Occurs on coastal dunes and coastal scrub habitats. Elevation range 1–400 meters. Flowering period Mar.–Jun.	**Low.** Known from approximately ten occurrences. Historical occurrences extirpated by development. This species may germinate/bloom later than when the biological survey occurred.

Appendix C (cont.)
SENSITIVE PLANT SPECIES WITH POTENTIAL TO OCCUR

Common Name	Species Name	Status*	Habit, Ecology and Life History	Potential to Occur On Site
Nuttall's scrub oak	*Quercus dumosa*	--/-- CRPR List 1B.1	Perennial shrub. Occurs in closed-cone coniferous forest, chaparral, and coastal scrub. Elevation 15–400 meters. Flowering period Feb.–Mar.	**Present off-site.** A few individuals were observed outside the study area within lemonadeberry-dominated sage scrub.
Woven-spored lichen	*Texosporium sancti-jacobi*	--/-- CRPR List 3	Lichen. Occurs on soil, small mammal pellets, dead twigs, on *sellaginella* spp., and in chaparral habitat. Elevation 60-660 meters.	**Low.** Potentially suitable habitat occurs on site, but this species was not observed during the survey.

*Status codes are as follows: F = Federal; S = State of California; E = Endangered; T = Threatened; R = Rare
CRPR = California Native Plant Society Lists: 1A–presumed extinct; 1B–rare, threatened, or endangered in California and elsewhere; 2–rare, threatened, or endangered in California but more common elsewhere; 3–more information needed; 4–watch list for species of limited distribution. Extension codes: .1-seriously endangered; .2–moderately endangered; .3–not very endangered.

Attachment D SENSITIVE ANIMAL SPECIES WITH POTENTIAL TO OCCUR				
COMMON NAME	**SPECIES NAME**	**STATUS***	**HABITAT ASSOCIATIONS**	**POTENTIAL TO OCCUR**
Insects				
Globose dune beetle	*Coelus globosus*	--/-- IUCN: VU	Fore dunes, sand hummocks, sometimes back dunes along immediate coast. Larvae and pupae spend most of the time in the sand. The larvae can also be found under vegetation or accumulated debris. Adults spend the hotter summer months aggregating under vegetation or debris. Adults come to the surface at night and on cool, foggy days.	**Low.** Fore dunes, sand hummocks, and similar habitat do not occur within the study site. This species was not observed during the field survey.
Monarch	*Danaus plexippus*	--/-- USFWS: S	Breeding areas are virtually all patches of milkweed in North America and some other regions.	**Low.** Patches of milkweed were not observed within the study site. This species was not observed during the field survey.
California brackish water snail	*Tryonia imitator*	--/-- IUCN: DD	Found in brackish salt marshes.	**Low.** Brackish salt marshes do not occur within the study site. This species was not observed during the field survey.

Attachment D (cont.) **SENSITIVE ANIMAL SPECIES WITH POTENTIAL TO OCCUR**				
COMMON NAME	**SPECIES NAME**	**STATUS***	**HABITAT ASSOCIATIONS**	**POTENTIAL TO OCCUR**
Reptiles				
Belding's orange-throated whiptail	*Aspidoscelis hyperythra beldingi*	--/SSC City MSCP	Potentially present in coastal sage scrub and maritime chaparral. Also can be found in weedy, disturbed areas adjacent to these habitats. Important habitat requirements include open, sunny areas, shaded areas, and abundant invertebrate prey base, particularly termites (*Reticulitermes* sp.).	**Moderate to High**. Suitable habitat occurs within the study area; however, this species was not observed during the field survey.
Birds				
Southern California rufous-crowned sparrow	*Aimophila ruficeps canescens*	--/WL City MSCP	Potentially occurs in sage scrub and grassland areas.	**Moderate.** Suitable habitat on site; however, there are no historical accounts within one mile of the project.
Bell's sage sparrow	*Amphispiza belli belli*	BCC/WL	Potential to occur in native habitat areas. Prefers coastal sage scrub and chaparral, often in areas partially recovered following fires.	**Moderate**. Suitable habitat present within the study area; however, this species was not observed during the field survey.

Attachment D (cont.) **SENSITIVE ANIMAL SPECIES WITH POTENTIAL TO OCCUR**				
COMMON NAME	**SPECIES NAME**	**STATUS***	**HABITAT ASSOCIATIONS**	**POTENTIAL TO OCCUR**
Birds (cont.)				
western snowy plover	*Charadrius alexandrinus nivosus*	FT/-- USFWS: BCC CDFW: SSC City MSCP	Nest beside or near tidal waters along peninsulas, offshore islands, bays, and estuaries from southern Washing to southern Baja California, Mexico.	**Low.** Suitable nesting habitat does not occur within the study area. Suitable habitat (along tidal waters) occurs approximately 0.5 mile to the west. This species was not observed during the field survey.
California black rail	*Laterallus jamaicensis coturniculus*	--/ST USFWS: BCC	Habitat generally includes salt marshes, freshwater marshes, and wet meadows. Most California populations, especially in the southern part of the state, are nonmigratory, and these habitat types serve for breeding, foraging, and overwintering.	**Low.** Suitable nesting habitat (salt marsh, freshwater marsh) does not occur at the study site. This species was not observed during the field survey.
Belding's savannah sparrow	*Passerculus sandwichensis beldingi*	--/SE City MSCP	Reside year-round in the coastal salt marshes of southern California. Ecologically associated with dense pickleweed, particularly *Salicornia virginica*, within which most nests are found.	**Low.** Suitable habitat (salt marsh) does not occur at the study site. Pickleweed was not observed within the study site. This species was not observed during the field survey.

Attachment D (cont.) **SENSITIVE ANIMAL SPECIES WITH POTENTIAL TO OCCUR**				
COMMON NAME	**SPECIES NAME**	**STATUS***	**HABITAT ASSOCIATIONS**	**POTENTIAL TO OCCUR**
Birds (cont.)				
Coastal California gnatcatcher	*Polioptila californica californica*	FT/-- CDFW: SSC City MSCP	Live and breed in coastal sage scrub habitat. Prefer low shrubby scrub comprising California sagebrush, California buckwheat, and bush sunflower.	**Moderate.** Suitable breeding habitat (Diegan coastal sage scrub) occurs in disturbed patches within the study site. Higher quality breeding habitat occurs within the adjacent MHPA. This species was not observed during the field survey.
Light-footed clapper rail	*Rallus longirostris levipes*	FE/SE City MSCP	Habitat includes coastal marshes. Feeds mainly on a variety of invertebrates such as crabs, snails, insects, worms, and mussels.	**Low.** Suitable habitat (coastal marsh) does not occur at the study site. Food sources are generally not nearby since the project site is upland and approximately 1,800 feet from the coast. This species was not observed during the field survey.

Attachment D (cont.) **SENSITIVE ANIMAL SPECIES WITH POTENTIAL TO OCCUR**				
COMMON NAME	**SPECIES NAME**	**STATUS***	**HABITAT ASSOCIATIONS**	**POTENTIAL TO OCCUR**
Birds (cont.)				
California least tern	*Sternula antillarum browni*	FE/SE City MSCP	Found along the Pacific Coast of California, from San Francisco southward to Baja California. Nest in colonies on relatively open beaches kept free of vegetation by natural scouring from tidal action.	**Low.** Suitable nesting habitat (open beach) does not occur at the study site. Nesting locations are not nearby since the project site is upland and approximately 1,800 feet from the coast. This species was not observed during the field survey.
Least Bell's vireo	*Vireo bellii pusillus*	FE/SE City MSCP	Riparian woodland, typically with a dense understory. Suitable breeding habitat often includes mature willow trees (*Salix* sp.).	**Low.** Marginally suitable disturbed riparian habitat occurs in small scattered locations within the study area, but is not connected to larger riparian corridors. This species was not observed during the field survey.

Attachment D (cont.) **SENSITIVE ANIMAL SPECIES WITH POTENTIAL TO OCCUR**				
COMMON NAME	**SPECIES NAME**	**STATUS***	**HABITAT ASSOCIATIONS**	**POTENTIAL TO OCCUR**
Mammals				
Spotted bat	*Euderma maculatum*	--/-- CDFW: SSC	Roosting locations include pine forest, open scrub in deserts, cliffs, and cave walls. Foraging habitat including marshes, meadows, riparian zones, shrub-steppe, and open ponderosa pine forest.	**Low.** Rarely observed or captured, potential roosting sites were not observed within the study area. Suitable foraging habitat is not within the study area. This species was not observed during the field survey.
American badger	*Taxidea taxus*	--/-- CDFW: SSC City MSCP	Widely distributed in North America, but generally inhabit grasslands, parklands, farms, and other treeless areas with friable soil and a supply of rodent prey.	**Low.** Suitable habitat was not within the study area, which included trees and dense shrub communities. This species was not observed during the field survey.

*Listing codes are as follows: FE = Federally Endangered; FT = Federally Threatened; BCC = Birds of Conservation Concern; SE = State of California Endangered; FP = State of California Fully Protected; WL = State of California Watch List; SSC = State of California Species of Special Concern.

Attachment E
EXPLANATION OF STATUS CODES FOR PLANT AND ANIMAL SPECIES

FEDERAL, STATE, AND LOCAL CODES

U.S. Fish and Wildlife Service (USFWS)

FE Federally listed endangered
FT Federally listed threatened
BCC Bird of Conservation Concern (see more information below)

USFWS Birds of Conservation Concern (BCC)

The primary legal authority for Birds of Conservation Concern (2002) is the Fish and Wildlife Conservation Act of 1980 (FWCA), as amended. Other authorities include the Endangered Species Act, Fish and Wildlife Act (1956) and 16 USC §701. A FWCA 1988 amendment (Public Law 100-653, Title VIII) requires the Secretary of the Interior through the USFWS to "identify species, subspecies, and populations of all migratory non-game birds that, without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act of 1973." The BCC report is the most recent effort by the USFWS to carry out this proactive conservation mandate.

The BCC report aims to identify accurately the migratory and non-migratory bird species (beyond those already designated as federally threatened or endangered) that represent the USFWS' highest conservation priorities and draw attention to species in need of conservation action. The USFWS hopes that by focusing attention on these highest priority species, the report will promote greater study and protection of the habitats and ecological communities upon which these species depend, thereby ensuring the future of healthy avian populations and communities. The report is available online at http://www.fws.gov/migratorybirds/reports/BCC2002.pdf.

California Department of Fish and Wildlife (CDFW)

SE State listed endangered
ST State listed threatened
SSC State species of special concern
WL Watch List
FP 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.

Attachment E (cont.)

EXPLANATION OF STATUS CODES FOR PLANT AND ANIMAL SPECIES

OTHER CODES AND ABBREVIATIONS

California Rare Plant Rank (CRPR) 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 setting the Threat Code.