



U.S. FISH AND WILDLIFE SERVICE  
Carlsbad Fish and Wildlife Office  
2177 Salk Avenue, Suite 250  
Carlsbad, California 92008



CALIFORNIA DEPARTMENT OF  
FISH AND WILDLIFE  
South Coast Region  
3883 Ruffin Road  
San Diego, California 92123

In Reply Refer to:  
FWS/CDFW-23-0103808-CEQA\_MND\_SD

July 14, 2023  
*Sent Electronically*

Marlene Watanabe  
Associate Planner  
City of San Diego Development Services Center  
1222 First Avenue, MS 501  
San Diego, California 92101

Governor's Office of Planning & Research

**Jul 17 2023**

**STATE CLEARINGHOUSE**

Subject: Joint Response to the Draft Mitigated Negative Declaration and Biology Survey  
Letter Report for the Beeler Canyon Residences/No. 649699

Dear Marlene Watanabe:

The U.S. Fish and Wildlife Service (Service) and the California Department of Fish and Wildlife (CDFW), jointly the Wildlife Agencies, have reviewed the draft Mitigated Negative Declaration (DMND) and Biology Survey Letter Report (report) for the Beeler Canyon Residences/No. 649699. The comments provided in this letter are based on information provided in those documents; our knowledge of sensitive and declining species and their habitats in the region; and our participation in regional conservation planning efforts, including the City of San Diego's (City) Multiple Species Conservation Program (MSCP) Subarea Plan (SAP). We appreciate the City's flexibility in accommodating our request for an extension until July 14, 2023.

The mission of the Service is working with others to conserve, protect, and enhance fish, wildlife, plants and their habitats for the continuing benefit of the American people. The Service also has the legal responsibility for the welfare of migratory birds, anadromous fish, and threatened and endangered animals and plants occurring in the United States. The Service also is responsible for administering the Federal Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), including habitat conservation plans (HCP) developed under section 10(a)(2)(A) of the Act. CDFW is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA; §§ 15386 and 15381, respectively) and is responsible for ensuring appropriate conservation of the State's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (Fish and Game Code § 2050 et seq.) and other sections of the Fish and Game Code. CDFW also administers the Natural Community Conservation Planning (NCCP) program. The City of San Diego participates in the HCP and NCCP programs by implementing its approved SAP.

The Wildlife Agencies have the following comments on the DMND and report:

Marlene Watanabe (FWS/CDFW-23-0103808-CEQA\_MND\_SD)

2

1. The MND and report must be revised to address the Management Element (Section III. B. 3.) of the City's Biology Guidelines.

*Mitigation Program must provide assurances that the mitigation or remainder areas in the OR-1-2 Zone will be adequately managed and monitored in a manner consistent with Section 1.5, Preserve Management of the City's MSCP Subarea Plan and/or Section 5.3.2 and Chapter 7 of the VPHCP, as appropriate. The Mitigation Program should identify how the objectives of the City's MSCP and VPHCP Preserve Management recommendations will be met for the area, as well as provide any additional management recommendations resulting from site specific information (area specific management directives). The plan must also identify the responsible entity and funding source for the long-term maintenance and management.*

*b. Private Party Management*

*If the City does not hold fee title, or a covenant of easement is not granted, then the project applicant must provide for the management of the mitigation area. For properties that remain in private ownership or that would be managed by a third party, Development Services Department shall approve the managing entity and the PAR or equivalent to ensure adequate funding for the long-term management and monitoring of the site. The Mitigation Program must include documentation on how the project would implement the objectives of the MSCP Preserve Management and the area specific management directives. The Mitigation Program must identify the responsible entity for long-term maintenance and management, the requirements for future management and monitoring reports, and a secure funding source to pay for the management in perpetuity.*

2. While the DMND and report concludes that the federally-endangered Quino checkerspot butterfly (*Euphydryas editha quino*, "Quino") has a low potential to occur on the project site, no Quino surveys have been done per the Service's Quino Checkerspot Butterfly Survey Guidelines (guidelines). In addition, the project site is within the Recommended Quino Survey Area in the guidelines and appears to support potential Quino habitat. Therefore, we recommend a site assessment be done to determine if there are any "excluded" areas as defined in the guidelines, and that surveys be done on all non-excluded areas, regardless of the presence or absence of Quino host plants or nectar sources. If found on the project site, any potential impact to Quino may be addressed through section 7 or 10 of the Act.

Thank you for the opportunity to comment on the DMND. We are available to meet with you if you have any questions regarding this letter, and also request a site visit at your earliest convenience. To coordinate with the Wildlife Agencies on this project, please contact [Alison Kalinowski](mailto:Alison.Kalinowski@wildlife.ca.gov)<sup>1</sup> of CDFW or [Anita Eng](mailto:Anita_Eng@fws.gov)<sup>2</sup> of the Service.

---

<sup>1</sup> [Alison.Kalinowski@wildlife.ca.gov](mailto:Alison.Kalinowski@wildlife.ca.gov)

<sup>2</sup> [Anita\\_Eng@fws.gov](mailto:Anita_Eng@fws.gov)

Marlene Watanabe (FWS/CDFW-23-0103808-CEQA\_MND\_SD)

3

DAVID  
ZOUTENDYK

Digitally signed by  
DAVID ZOUTENDYK  
Date: 2023.07.14  
14:15:16 -07'00'

For Jonathan D. Snyder  
Assistant Field Supervisor  
U.S. Fish and Wildlife Service

Sincerely,

DocuSigned by:  
*David Mayer*  
D700B4520375406...

David A. Mayer  
Environmental Program Manager  
California Department of Fish and Wildlife

cc:

State Clearinghouse, Sacramento, [State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)  
David Zoutendyk, USFWS, [mailto:David\\_Zoutendyk@fws.gov](mailto:David_Zoutendyk@fws.gov)  
Jennifer Turner, CDFW, [Jennifer.Turner@wildlife.ca.gov](mailto:Jennifer.Turner@wildlife.ca.gov)  
Karen Drewe, CDFW, [Karen.Drewe@wildlife.ca.gov](mailto:Karen.Drewe@wildlife.ca.gov)  
Marlene Watanabe, [MWatanabe@sandiego.gov](mailto:MWatanabe@sandiego.gov)