



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
South Coast Region  
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GAVIN NEWSOM, Governor  
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August 12, 2019

Governor's Office of Planning & Research

**AUG 12 2019**

**STATE CLEARINGHOUSE**

Ms. E. Shearer-Nguyen  
City of San Diego Development Services Department  
1222 First Avenue, MS 501  
San Diego, CA 92101  
DSDEAS@sandiego.gov

**Subject: Comments on the Availability of a Draft Environmental Impact Report for the 3 Roots Project, San Diego, Project Number 587128, CA (SCH# 2018041065)**

Dear Ms. Shearer-Nguyen:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Draft Environmental Impact Report (DEIR) for the 3 Roots Project, dated June 2019. A Boundary Line Adjustment for the project was approved May 17, 2019. The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (California Environmental Quality Act, [CEQA] Guidelines §15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (CESA; Fish and Game Code § 2050 et seq.) and Fish and Game Code section 1600 et seq. The Department also administers the Natural Community Conservation Planning (NCCP) program. The City of San Diego (City) participates in the NCCP program by implementing its approved Multiple Species Conservation Program (MSCP) Subarea Plan (SAP).

The project proposes to build approximately 1,800 residential units (185 single-family lots, 1,006 condominiums, and 609 multi-family lots); 160 square feet of commercial space; and a 1.35-acre transportation hub at the site of a reclaimed sand and gravel mine. Located in the City east of Camino Santa Fe between Flanders Drive and Trade Street, the approximately 413-acre site will also include 181 acres of biological open space, 25.8 acres of public parks, and San Diego Gas and Electric (SDG&E) utility easements. The project site is within the Urban Area of the City MSCP SAP and areas of the project site are designated as Multi-Habitat Planning Area (MHPA). The area is described in the Carol Canyon Master Plan within the Mira Mesa Community Plan.

Rattlesnake Creek runs through the north of the project area, and Carol Canyon Creek runs through the south; alterations to Carol Canyon Creek, including the installation of a soft-bottom culvert under Carol Canyon Road, installation of 12 gabion drop structures, creek widening, contouring, and slope reinforcement are described in the DEIR. Based on the adopted Conditional Use Permit and Reclamation Plan, it is estimated that approximately 21.04 acres of wetland habitats (mule fat scrub, southern riparian woodland, southern riparian willow scrub, CUP restoration/enhancement) and 156.26 acres of upland habitats (coast live oak woodland, CUP upland restoration, chamise chaparral, southern mixed chaparral, non-native grassland, eucalyptus woodland, disturbed habitat, non-native vegetation) will be present on site; 238.5 acres of the project area are graded, reclaimed area suited for development. Nuttall's scrub oak (*Quercus dumosa*; California Rare Plant Rank (CRPR) 1B.1), summer holly (*Comarostaphylis*

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except as authorized by state law (Fish and Game Code, §§ 2080, 2085). Consequently, if the project, project construction, or any project-related activity during the life of the project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, the Department recommends that the project proponent seek appropriate take authorization under CESA prior to implementing the project. Appropriate authorization from the Department may include an incidental take permit (ITP) or a consistency determination in certain circumstances, among other options (Fish and Game Code §§ 2080.1, 2081, subds. (b),(c)). Early consultation is encouraged, as significant modification to a project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, may require that the Department issue a separate CEQA document for the issuance of an ITP unless the project CEQA document addresses all project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of an ITP. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA ITP.

4. The Department has responsibility for the conservation of wetland and riparian habitats. It is the policy of the Department to strongly discourage development in wetlands or conversion of wetlands to uplands. We recommend the project proponent ensure that the project avoids impacts to wetland and riparian habitats to the maximum extent feasible. Additionally, mitigation as referenced may or may not be available for impacts to jurisdictional waters; the Department will evaluate the appropriateness of mitigation ratios and mitigation site locales at the time the project applicant formally submits a streambed notification package to the Lake and Streambed Alteration Program.

We appreciate the opportunity to comment on the DEIR for this project and to assist the City in further minimizing and mitigating project impacts to biological resources. We request that a written response our comments be provided in the EIR, as required per CEQA Guidelines section 15088(d). If you have any questions or comments regarding this letter, please contact Jennifer Turner of the Department at (858) 467-2717 or [jennifer.turner@wildlife.ca.gov](mailto:jennifer.turner@wildlife.ca.gov).

Sincerely,



Gail K. Sevens  
Environmental Program Manager  
South Coast Region

cc: Patrick Gower, U.S. Fish and Wildlife Service  
Scott Morgan, State Clearinghouse