

**FINDINGS OF CONFORMANCE
 MULTIPLE SPECIES CONSERVATION PROGRAM
 For McKany Tentative Parcel Map
 TPM 21044, ER 06-14-054
 APN 403-331-10**

March 17, 2009

I. Introduction

The project is a subdivision of a 1.53 acre parcel into 1 commercial parcel, 3 residential parcels and a remainder parcel. The project site is located along Alpine Boulevard in the Alpine Community Planning Area of unincorporated San Diego County.

Habitats onsite consist of southern mixed chaparral, southern cottonwood-willow riparian forest, isolated coast live oaks and urban/ developed land. No sensitive plant or wildlife species were observed onsite. The project site is within Metro-Lakeside-Jamul segment of the County Subarea Plan. The land is not a Pre-Approved Mitigation Area, nor is it considered a Biological Resource Core Area (BRCA). There are no known regional wildlife corridors or linkages through the site.

The subdivision would directly impact 1.53 acres of the project site through clearing, grading and construction for housing pads, fire-clearing, stormwater Best Management Practices (BMPs) and access roads/driveways. Impact acreages are listed in Table 1. Mitigation will consist of offsite habitat purchase, as detailed in the Mitigation Negative Declaration (MND).

Table 1. Impacts to Habitat and Required Mitigation

Habitat Type	Tier Level	Existing On-site (ac.)	Proposed Impacts (ac.)	Mitigation Ratio	Required Mitigation
Southern Cottonwood-Willow Riparian Forest	I	0.17	0.17	1:1	0.17
Southern Mixed Chaparral	III	1.28	1.28	0.5:1	0.64
Isolated Coast Live Oak		0.07	0.07	--	--
Urban/ Developed	IV	0.01	0.01	--	--
Total:	--	1.53	1.53	--	0.81

The findings contained within this document are based on County records, staff field site visits and the Biological Resources Letter Report dated September 2008 and prepared by Vince Scheidt. The information contained within these Findings is correct to the best of staff's knowledge at the time the findings were completed. Any subsequent environmental review completed due to changes in the proposed project or changes in circumstance shall need to have new findings completed based on the environmental conditions at that time.

The project has been found to conform to the County's Multiple Species Conservation Program (MSCP) Subarea Plan, the Biological Mitigation Ordinance (BMO) and the Implementation Agreement between the County of San Diego, the CA Department of Fish and Game and the US Fish and Wildlife Service. Third Party Beneficiary Status and the associated take authorization for incidental impacts to sensitive species (pursuant to the County's Section 10 Permit under the Endangered Species Act) shall be conveyed only after the project has been approved by the County, these MSCP Findings are adopted by the hearing body and all MSCP-related conditions placed on the project have been satisfied.

II. Biological Resource Core Area Determination

The impact area and the mitigation site shall be evaluated to determine if either or both sites qualify as a Biological Resource Core Area (BRCA) pursuant to the BMO, Section 86.506(a)(1).

A. Report the factual determination as to whether the proposed Impact Area qualifies as a BRCA. The Impact Area shall refer only to that area within which project-related disturbance is proposed, including any on and/or off-site impacts.

The Impact Area does not qualify as a BRCA since it does not meet any of the following BRCA criteria:

i. The land is shown as Pre-Approved Mitigation Area on the wildlife agencies' Pre-Approved Mitigation Area map.

The land is not shown as a Pre-Approved Mitigation Area.

ii. The land is located within an area of habitat that contains biological resources that support or contribute to the long-term survival of sensitive species and is adjacent or contiguous to preserved habitat that is within the Pre-Approved Mitigation Area on the wildlife agencies' Pre-Approved Mitigation Area map.

The land does not support any sensitive plant or wildlife species and is not adjacent or contiguous with preserved habitat within a Pre-Approved Mitigation Area.

iii. The land is part of a regional linkage/corridor. A regional linkage/corridor is either:

- a. Land that contains topography that serves to allow for the movement of all sizes of wildlife, including large animals on a regional scale; and contains adequate vegetation cover providing visual continuity so as to encourage the use of the corridor by wildlife; or**
- b. Land that has been identified as the primary linkage/corridor between the northern and southern regional populations of the California**

gnatcatcher in the population viability analysis for the California gnatcatcher, MSCP Resource Document Volume II, Appendix A-7 (Attachment I of the BMO.)

The site is not part of a regional linkage/corridor as identified on MSCP maps nor is it in an area considered regionally important for wildlife dispersal. Surrounding properties are small lots developed with residential uses.

- iv. The land is shown on the Habitat Evaluation Map (Attachment J to the BMO) as very high or high and links significant blocks of habitat, except that land which is isolated or links small, isolated patches of habitat and land that has been affected by existing development to create adverse edge effects shall not qualify as BRCA.**

The project site is shown as developed on the Habitat Evaluation Map. The site does not link significant blocks of habitat, as the site is completely surrounded by existing development.

- v. The land consists of or is within a block of habitat greater than 500 acres in area of diverse and undisturbed habitat that contributes to the conservation of sensitive species.**

The land is 1.53 acres, and is not within a block of habitat greater than 500 acres of diverse and undisturbed habitat.

- vi. The land contains a high number of sensitive species and is adjacent or contiguous to surrounding undisturbed habitats, or contains soil derived from the following geologic formations which are known to support sensitive species:**
- a. Gabbroic rock;**
 - b. Metavolcanic rock;**
 - c. Clay;**
 - d. Coastal sandstone**

The project site does not support any sensitive plant or wildlife species and is completely surrounded by existing development. The soils onsite are Fallbrook sandy loam, which are not known to support sensitive species.

- B. Report the factual determination as to whether the Mitigation Site qualifies as a BRCA.**

The Mitigation Site is considered a BRCA because offsite mitigation purchase will occur within a County-approved mitigation bank or at a site meeting one or more of the criteria presented above.

III. Biological Mitigation Ordinance Findings

A. Project Design Criteria (Section 86.505(a))

The following findings in support of Project Design Criteria, including Attachments G and H (if applicable), must be completed for all projects that propose impacts to Critical Populations of Sensitive Plant Species (Attachment C), Significant Populations of Narrow Endemic Animal Species (Attachment D), Narrow Endemic Plant Species (Attachment E) or Sensitive Plants (San Diego County Rare Plant List) or proposes impacts within a Biological Resource Core Area.

The project will not impact any of these types of resources. Project Design Criteria, including Attachments G and H, are not required.

IV. Subarea Plan Findings

Conformance with the objectives of the County Subarea Plan is demonstrated by the following findings:

1. The project will not conflict with the no-net-loss-of-wetlands standard in satisfying State and Federal wetland goals and policies.

There is a relic patch of Southern Cottonwood-Willow Riparian Forest along Alpine Boulevard at the northern end of the site. Nearly all of the vegetation in this area was removed several years ago when Alpine Boulevard was constructed. Because of the past legal disturbance caused by the construction of Alpine Boulevard, this area has negligible biological function or value as a wetland. This area does not qualify as a Federal, State or County Wetland. Therefore, there will be no net loss of wetlands due to this project.

2. The project includes measures to maximize the habitat structural diversity of conserved habitat areas including conservation of unique habitats and habitat features.

The project will impact southern mixed chaparral and southern cottonwood-willow riparian forest. Due to the small size of the site and adjacent residential development, this site is more suitable for development than on-site conservation. Off-site mitigation purchase will contribute toward maximizing diversity by preserving habitat in areas known to have unique habitats and habitat features.

3. The project provides for conservation of spatially representative examples of extensive patches of Coastal sage scrub and other habitat types that were ranked as having high and very high biological values by the MSCP habitat evaluation model.

The MSCP habitat evaluation model shows the entire project site as developed. There is no coastal sage scrub on or adjacent to the project site.

4. The project provides for the creation of significant blocks of habitat to reduce edge effects and maximize the ratio of surface area to the perimeter of conserved habitats.

Due to existing residential development surrounding the property, it is not possible or desirable to create a significant block of habitat through on-site preservation. Off-site mitigation as proposed by the project will contribute toward creating large blocks of high quality habitat where edge effects are minimal and land is protected in perpetuity.

5. The project provides for the development of the least sensitive habitat areas.

The habitats onsite have low to moderate value. Due to existing residential development surrounding the site, it has minimal value for long-term conservation of sensitive plants or wildlife. Development of the project site is not considered a significant impact to sensitive habitat as the site is better suited for development than conservation.

6. The project provides for the conservation of key regional populations of covered species, and representations of sensitive habitats and their geographic sub-associations in biologically functioning units.

No sensitive, threatened, endangered, or narrow endemic species were detected on the project site. The off-site mitigation proposed by the project will contribute to the preservation of large blocks of high quality habitats in a formal mitigation bank or BRCA containing these habitats as well as other sensitive habitats in a biologically functioning unit.

7. Conserves large interconnecting blocks of habitat that contribute to the preservation of wide-ranging species such as Mule deer, Golden eagle, and predators as appropriate. Special emphasis will be placed on conserving adequate foraging habitat near Golden eagle nest sites.

The site is not located adjacent to any known golden eagle nest sites or within known eagle foraging areas. Adjacent lands are developed with residential uses such as those proposed with the project. No wide-ranging species are expected to occur on site, due to adjacent development and surrounding land uses. Off-site purchase and preservation of high quality habitat to mitigate for impacts to non-native grassland and coastal sage scrub will occur in an approved mitigation bank or BRCA, which will contribute to the development of large interconnecting blocks of habitat that support wide-ranging species.

8. All projects within the San Diego County Subarea Plan shall conserve identified critical populations and narrow endemics to the levels specified in the Subarea Plan. These levels are generally no impact to the critical populations and no more than 20 percent loss of narrow endemics and specified rare and endangered plants.

No critical populations or narrow endemic species were detected or expected to occur on the site.

9. No project shall be approved which will jeopardize the possible or probable assembly of a preserve system within the Subarea Plan.

The project site is not considered a Biological Resources Core Area for the reasons stated in section II.A. The site has low biological diversity and is relatively small in size, limiting its potential to support significant habitat blocks or populations of any species. In addition, existing development adjacent to the site preclude it from being a biologically-viable preserve. Therefore, development of the site will not hinder possible preserve systems within the Subarea Plan. In addition, the off-site mitigation purchases required to mitigate on-site impacts will contribute to the development of a preserve system within the Subarea Plan.

10. All projects that propose to count on-site preservation toward their mitigation responsibility must include provisions to reduce edge effects.

The site does not propose on-site preservation of habitat. Proposed off-site mitigation will facilitate preservation of large blocks of high quality habitat where edge effects are minimal and land is protected in perpetuity.

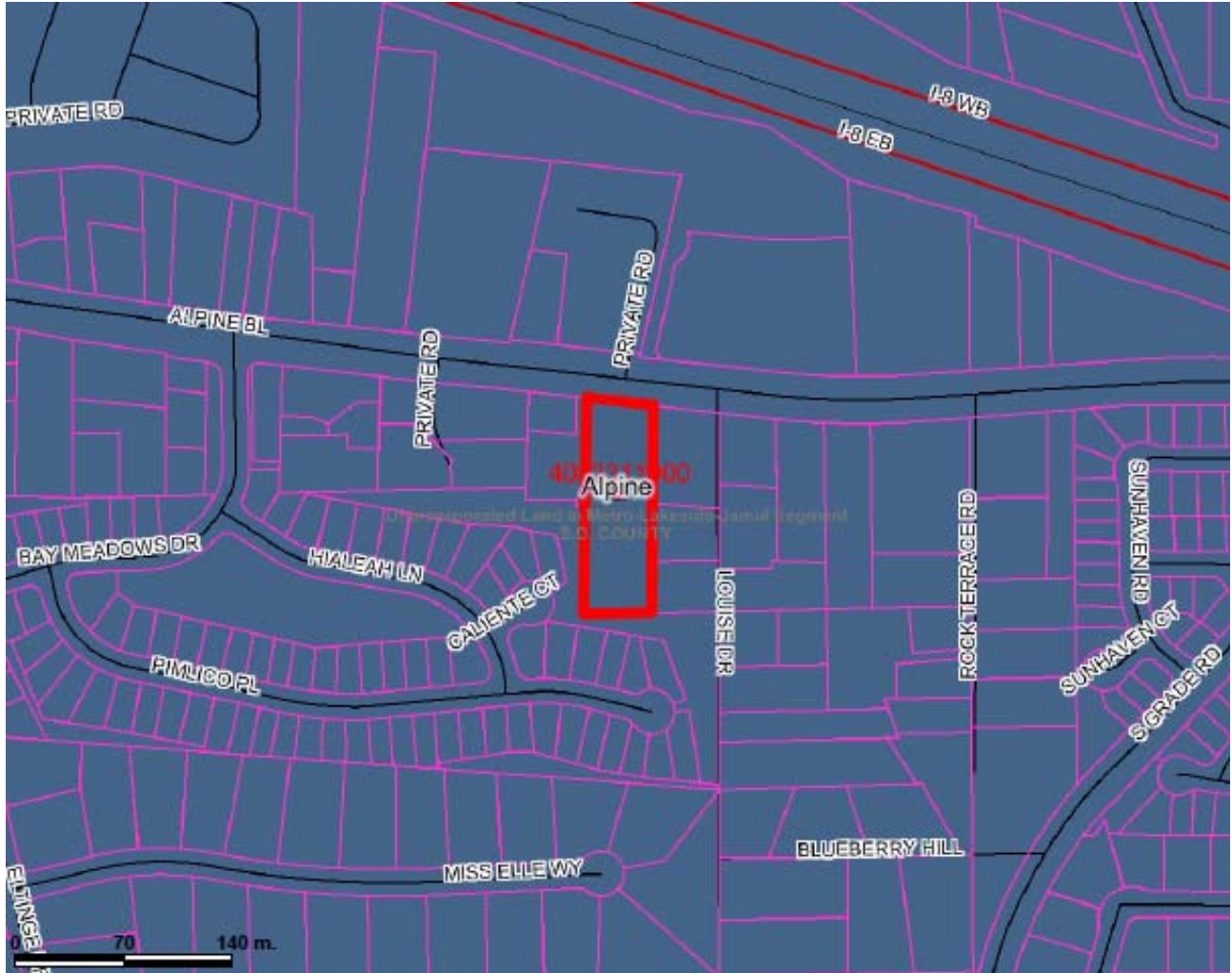
11. Every effort has been made to avoid impacts to BRCAs, to sensitive resources, and to specific sensitive species as defined in the BMO.

The project site is not within a Biological Resource Core Area. The site supports 1.28 acres of southern mixed chaparral, 0.17 acres of southern cottonwood-willow riparian forest, 0.07 acres of isolated coast live oaks and 0.01 acres of urban/developed land. Southern mixed chaparral is a Tier III habitat, and southern cottonwood-willow riparian forest is a Tier I habitat. Both habitats are considered sensitive within the MSCP. However, developing the entire site is not considered a significant impact to sensitive habitat due to the small size of the project site and the fact that it is surrounded by residential development in all directions. There were no threatened, endangered or narrow endemic species detected on-site. No significant populations of sensitive species are expected to reside on the property due to its low biological diversity and the surrounding land uses. The project site as a whole is not considered sensitive, nor are there any particularly sensitive resources present. Avoidance is therefore not necessary and project-related impacts are not considered significant once mitigation pursuant to BMO requirements is incorporated.

Ashley Gungle, Department of Planning and Land Use

March 17, 2009

MSCP Designation For McKany Tentative Parcel Map TPM 21044, ER 06-14-054



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| <ul style="list-style-type: none"> Parcels with out labels Highways Freeways Streets Water Bodies <p>MSCP_Designations - South</p> <ul style="list-style-type: none"> Hardline Preserve Pre-Approved Mitigation Area (PAMA) Major Amendment Area Minor Amendment Area Minor Amendment Area Subject to Special Considerations | <ul style="list-style-type: none"> Conserved Subject to Agreement with Wildlife Agencies Santa Fe Valley Open Space II Santa Fe Valley 'D' Designator Otay Ranch Areas Where No Take Permits will be Issued Take Authorized Area Uncorporated Land in Metro-Lakeside-Jamul Segment Other |
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