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Governor's Office of Planning & Research

April 3, 2020

APR 06 2020

Sara Osborn
 City of San Diego
 1222 First Avenue, MS 501
 San Diego, CA 92101

STATE CLEARINGHOUSE

Subject: The Junipers (PTS NO. 586670) (PROJECT) Draft Environmental Impact Report (DEIR) SCH# 2018041032

Dear Ms. Osborn:

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a DEIR from City of San Diego for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹ CDFW previously submitted comments in response to the Notice of Preparation of the DEIR.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources, and holds those resources in trust by statute for all the people of the state. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

PROJECT DESCRIPTION SUMMARY

Proponent: City of San Diego (City)

Objective: The objective of the Project is to develop 536 residential units on a former golf course. The residential subdivision would include 455 multi-family attached and detached residences, and 81 multi-family apartments, a public park, public access trail, open space, a 2.87-acre public park, a recreation amenity for residential use, and internal streets. A General Plan Amendment is needed to change the designated land use from Open Space to Residential to be consistent with the underlying residential zoning (RS-1-14) on the site, and the existing, underlying zoning would be changed to RM-1-1. An approximate 2.5-mile pedestrian "social loop" trail would be developed

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

and maintained within the project and would include a site development permit, community plan amendment, rezone, and vesting tentative map.

Location: The proposed project is on a 112.3-acre property adjacent to Rancho Peñasquitos Boulevard. The project site is in an existing residential neighborhood located west of Interstate 14, north of Carmel Mountain Road, and east of Peñasquitos Drive in the community of Rancho Peñasquitos.

Timeframe: Construction is anticipated to take approximately 40 months, beginning with demolition in 2020 and finishing in mid- to late 2023.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist City of San Diego in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

I. Environmental Setting and Related Impact Shortcoming

Would the Project conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

COMMENT #1:

Issue: The western Project site border is within 1,000 feet of the Multi-Habitat Planning Area (MHPA), which has Land Use Adjacency Guidelines regarding non-native plants.

Specific impact: As specified in Section 1.4.3 Land Use Adjacency Guidelines in the SAP, "no invasive non-native plant species shall be introduced into areas adjacent to the MHPA." While the Project is not directly adjacent to the MHPA, its western boundary at its closest point is within 1000 feet of the MHPA. Measures should be taken within the proposed Project's public park and various open space areas to avoid introduction of non-native species.

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Environmental Setting and Related Impact Shortcoming)

Mitigation Measure #1:

To minimize significant impacts: To minimize potential for non-native plants to reach the MHPA, CDFW recommends incorporating native plant species into all open space areas and any proposed landscapes throughout the Project. Although these on-site areas are small, landscaping with native plant species may create pockets of habitat that provide connectivity (i.e., stepping-stone habitat) for bird and pollinator species in the open space areas east and west of the Project site.

II. Cumulative Impacts to Black Mountain Open Space Park

COMMENT #2:

Issue: Biological resources in Black Mountain Open Space Park will likely be put under pressure as a result of increased use.

Specific impact: As indicated in our comment letter on the Notice of Preparation for the Project, dated May 8, 2018, the Rancho Peñasquitos Community Plan includes several open space and resource management goals that, “require that long- and short-term maintenance responsibilities on open space areas be clearly defined as part of the development approvals,” (Black Mountain Open Space Park Natural Resource Management Plan, p. 15). The proposed Project would introduce 536 new residential units within the Peñasquitos planning area. Previously, the planning area identified the approximately 112.3-acre proposed project site as a golf course. Neither the community plan nor the Black Mountain Open Space Natural Resource Management Plan anticipated, nor provided funding to address, the increased level of use that the proposed project would introduce to the Black Mountain Open Space Park.

Why impact would occur: Construction of new housing developments in the Peñasquitos planning area will increase the level of use in Black Mountain Open Space Park and put pressure on associated biological resources.

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure #2:

To minimize significant impacts: As indicated in our 2018 comment letter, given the increased use of the area and commensurate pressure on wildlife associated with the proposed project, we recommend that no additional trails be established, and illegal trails be decommissioned. The proposed Project should contribute its proportional share of funding, commensurate with proposed development density (e.g., per unit), toward achieving all of the Park Maintenance Projects (p. 56) of the Black Mountain Open Space Natural Resources Management Plan.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a data base which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp.

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FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the DEIR to assist the City of San Diego in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Jessie Lane, environmental scientist at (858) 636-3159 or Jessie.Lane@wildlife.ca.gov, or Melissa Stepek at (858) 637-5510 or Melissa.Stepek@wildlife.ca.gov.

Sincerely,



David Mayer
Environmental Program Manager

Attachments

- A. Draft MMRP (CDFW 2020)

ec: Office of Planning and Research, State Clearinghouse, Sacramento

REFERENCES

California Department of Fish and Wildlife. 2018. Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Junipers Project, Project Number 586670; SCH# 2018041032

City of San Diego. March 1997. Multiple Species Conservation Program, City of San Diego Subarea Plan. City of San Diego Community and Economic Development Department.

City of San Diego. April 29, 2014. Black Mountain Open Space Park Natural Resource Management Plan. Prepared by City of San Diego Park and Recreation Department Open Space Division in conjunction with City Planning and Community Investment Department Multiple Species Conservation Program.

Attachment A:

CDFW Draft Mitigation, Monitoring, and Reporting Plan and Associated Recommendations

| Biological Resources | | | |
|-----------------------------|--|-----------------------|--------------------------|
| | Mitigation Measures | Timing | Responsible Party |
| MM-BIO-1 | In order to minimize potential for non-native plants to reach the MHPA, the City shall incorporate native plant species into all open space areas and landscapes throughout the Project. | During construction | City of San Diego |
| MM-BIO-2 | <p>In response to increased pressure on wildlife in Black Mountain Open Space Preserve due to construction of new housing developments in the Peñasquitos planning, the City Shall:</p> <ul style="list-style-type: none"> a. Avoid establishing any new trails b. Decommission any existing illegal trails c. Provide funding commensurate with proposed development density (e.g., per unit), toward achieving all of the Black Mountain Open Space Park Maintenance Projects | Prior to Construction | City of San Diego |