

# Appendix C

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## Biological Resources Report





**Biological Resources Report for  
The Farm in Poway Project  
Poway, California**

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A handwritten signature in cursive script, reading "Gerry Scheid".

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## Acronyms

ADA	Americans with Disabilities Act
ACOE	U.S. Army Corps of Engineers
CDFW	California Department of Fish and Wildlife
CNPS	California Native Plant Society
HCP	Habitat Conservation Plan
MBTA	Migratory Bird Treaty Act
project	The Farm in Poway Project
RWQCB	Regional Water Quality Control Board
USDA	U.S. Department of Agriculture
USGS	U.S. Geological Survey

## 1.0 Summary

The Farm in Poway Project is located in the city of Poway, California and is not within City of Poway Subarea Habitat Conservation Plan (HCP) dedicated Mitigation Areas (City of Poway 1996). The approximately 117.2-acre project site was evaluated to determine the current condition of the biological resources present on-site.

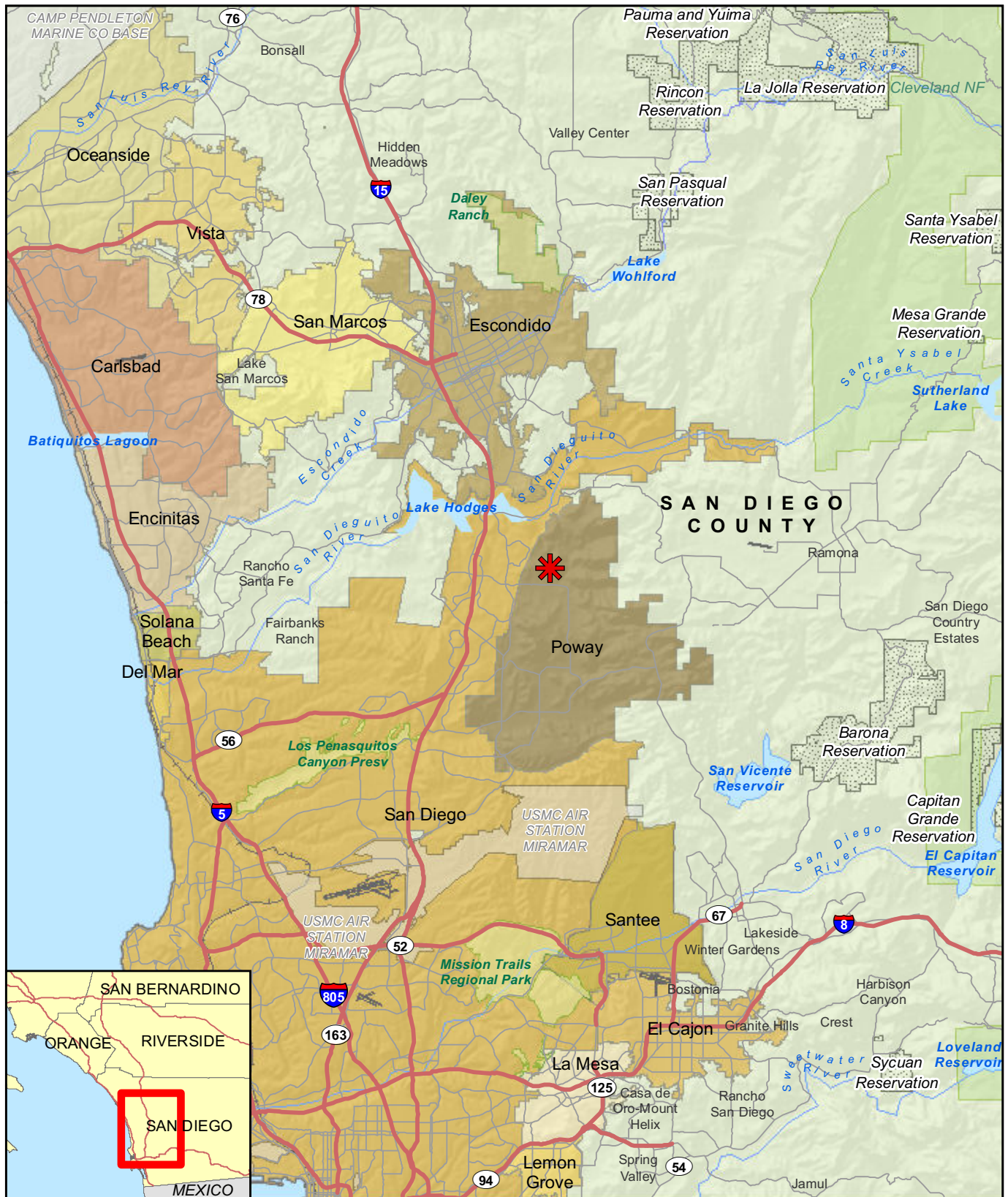
Two sensitive vegetation communities, freshwater marsh and open water, were identified within the survey area and impacts will occur to these vegetation communities. In addition, the freshwater marsh and open water areas, along with an associated concrete-lined channel, are jurisdictional waters of the U.S. and waters of the State. Mitigation for impacts to these jurisdictional waters can be achieved through one or a combination of mitigation options (e.g., creation/establishment of wetlands on-site or off-site; purchase of credits from an authorized mitigation bank).

No sensitive plant or wildlife species were identified within the project area. However, the project has the potential to directly impact nesting birds, including raptors, on-site if construction occurs during the typical bird breeding season (i.e., February 1–September 15). To avoid potential direct impacts to nesting and migratory birds, a pre-construction survey would be required within the development footprint during the typical bird breeding season listed above to determine the presence or absence of breeding birds prior to construction activities, and thus ensure that no impacts occur to any nesting birds or their eggs, chicks, or nests. If construction activities, including clearing of vegetation, are to occur during the breeding season when an active nest is present, implementation of mitigation measures outlined in Section 7.2 of this report shall be implemented to avoid direct impacts to the nesting bird species.

## 2.0 Introduction

The project area is located east of Interstate 15, east of Pomerado Road, and north of Espola Road (Figure 1). The property occurs on the U.S. Geological Survey 7.5-minute topographical map series, Escondido quadrangles 1996 within Township 13 South and Range 1 West (Figure 2). The project site is located on an abandoned golf course and is surrounded by residential development in all directions (Figure 3). The survey area does not occur within or adjacent to the City of Poway's Mitigation Areas (Figure 4).

The proposed project allows for the development of up to 160 single-family homes similar to the existing single-family homes that currently surround the property. Residential uses have been clustered to conserve approximately 55.7 acres of the site as permanent Conservation Open Space. Conservation Open Space areas will consist of professionally managed farmland or naturalized open space. Tot lots, gardens, water quality basins, and multi-use trails would be permitted and proposed within these Conservation Open Space areas.



✱ Project Location

FIGURE 1  
Regional Location



FIGURE 2  
Project Location on USGS Map



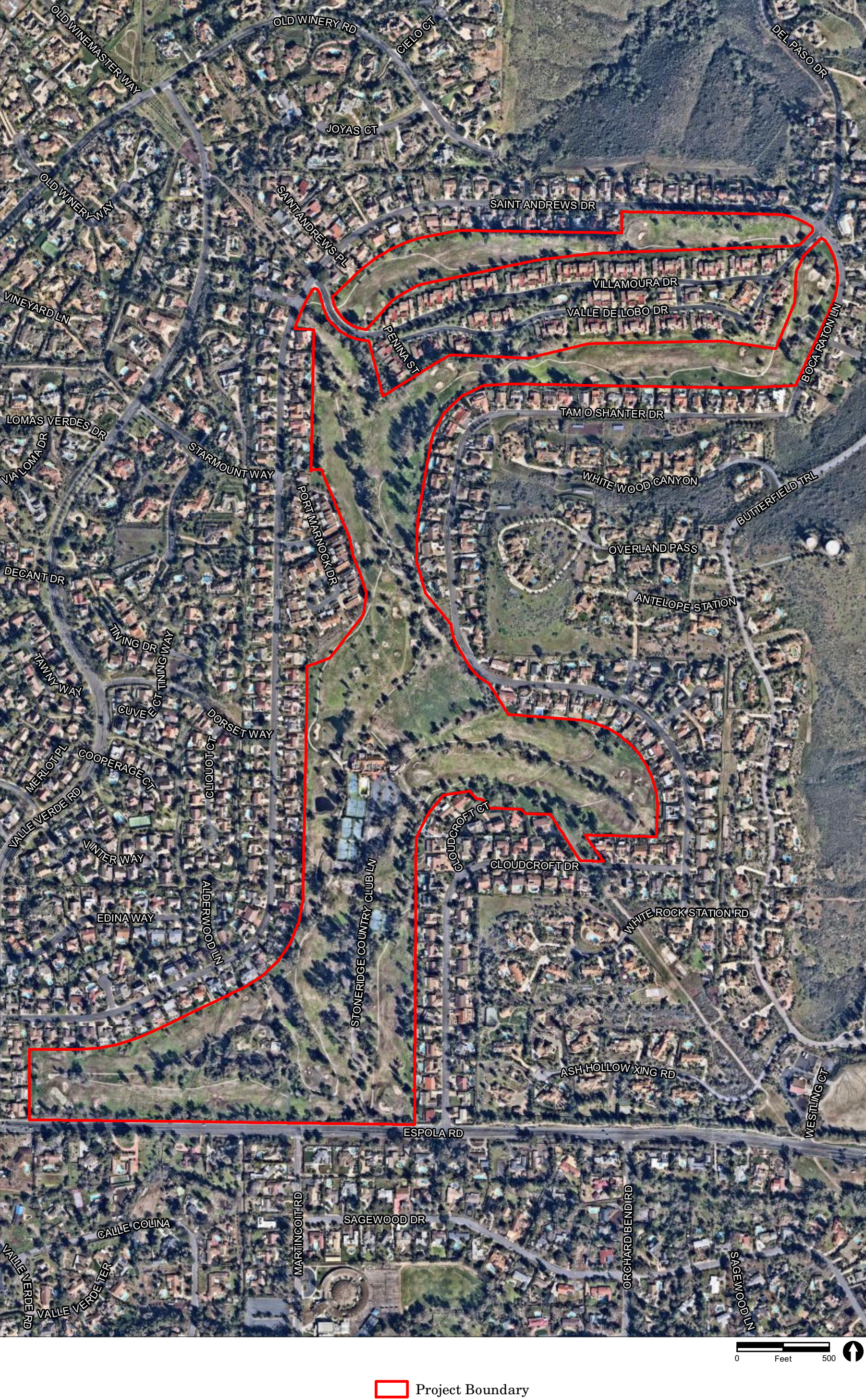
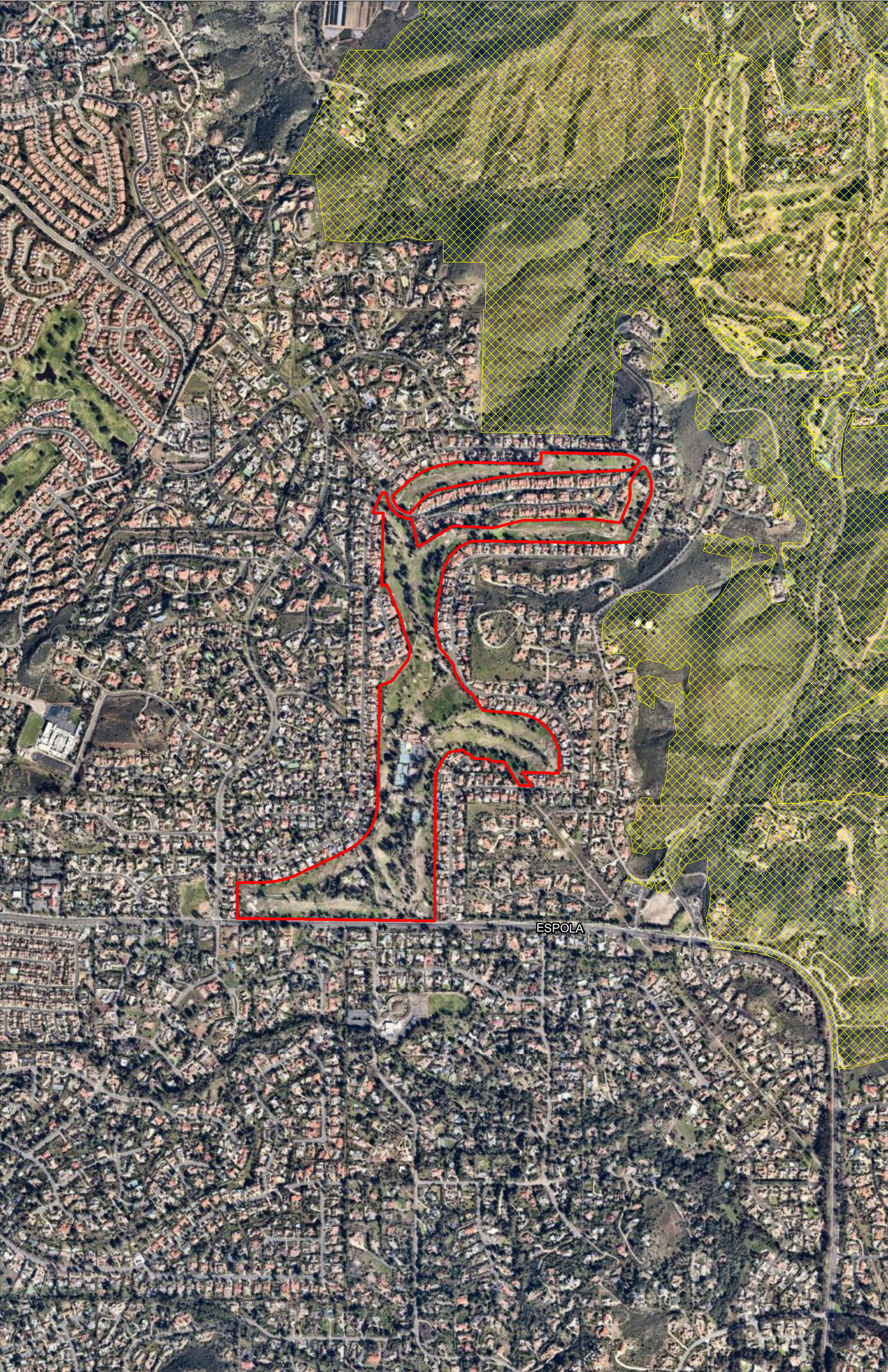




FIGURE 3  
Project Location on Aerial Photograph





-  Project Boundary
-  City of Poway Mitigation Areas

**FIGURE 4**  
Project Location in Relation to  
City of Poway HCP Mitigation Areas



The remaining land within the property would be developed as private streets, or Recreational Open Space. Recreational uses proposed by the Tentative Map and Development Plan include a fitness club; social club with food and beverage service, including alcohol; a multi-purpose event barn with outdoor event space for parties, weddings, and similar events; a tranquility garden; and a butterfly education center. A 50-foot setback to adjacent single-family homes and a 50-foot scenic roadway easement along Espola Road prohibits structures and limits certain activities to preserve the privacy of existing neighbors.

An extensive trail multi-use system through the various open space areas on the property would provide avenues for walking, off-road bicycling, and equestrian activities. The majority of the trail system would consist of 14-foot wide trails surfaced with compacted decomposed granite. A 100-foot existing San Diego County Water Authority (SDCWA) easement that runs generally through the middle of the property would be part of this trail system. The 16-foot access roads would be surfaced with decomposed granite and are expanded in some locations to include an additional 5-foot decomposed granite trail.

This report provides all the necessary biological data and background information required for environmental analysis according to guidelines set forth in the City of Poway Subarea HCP.

### **3.0 Methods and Survey Limitations**

A biological survey was conducted by RECON biologists on February 7, 2019. The survey was conducted under clear skies between 9:30 a.m. and 11:45 a.m., with the air temperature ranging from 52 to 59 degrees Fahrenheit, and wind speed ranging from 0 to 2 miles per hour. Vegetation communities and land cover types were mapped on a 1-inch-equals-150-feet aerial photograph of the survey area. Wildlife species were observed directly or detected from calls, tracks, scat, nests, or other signs. Plant species observed within the survey area were also noted.

Floral nomenclature for common plants follows the Jepson Online Herbarium (Jepson Flora Project 2019), for ornamental plants Brenzel (2001), and for sensitive plants California Native Plant Society (CNPS; 2019). Vegetation community classifications follow Oberbauer et al. (2008), which is based on Holland's 1986 Preliminary Descriptions of the Terrestrial Natural Communities of California. Zoological nomenclature for birds is in accordance with the American Ornithological Society Checklist (Chesser et al. 2018) and Unitt (2004); for mammals with Baker et al. (2003); and for reptiles with Crother (2008). Determination of the potential occurrence for listed, sensitive, or noteworthy species is based upon known ranges and habitat preferences for the species (Jennings and Hayes 1994; Unitt 2004; CNPS 2019; Reiser 2001) and species occurrence records from the California Natural Diversity Database (State of California 2018a).



## 4.0 Existing Conditions

The project area consists of an abandoned golf course with tennis courts, a club house complex, and maintenance areas. The project area is vegetated with turf grass, trees, and shrubs associated with the former golf course. Non-native weed species dominate much of the former turf grass areas after the golf course operations ceased.

Four soil types, Fallbrook sandy loam, Placentia sandy loam, Vista rocky coarse sandy loam, Cieneba coarse sandy loam, as mapped by the U.S. Department of Agriculture (USDA; 1973), occur within the survey area. The Fallbrook series consists of well-drained, moderately deep to deep sandy loams that formed in material that was weathered in place from granodiorite (USDA 1973). These soils found in upland areas. The Placentia series consists of moderately well-drained sandy loams have a sandy clay subsoil (USDA 1973). These soils are formed in granitic alluvium. Vista series consists of well-drained, moderately deep and deep coarse sandy loams derived from granodiorite or quartz diorite. The Cieneba series consist of excessively drained, very shallow to shallow coarse sandy loams that formed in material weathered in place from granitic rock.

### 4.1 Botany

Three vegetation/land cover types were documented on the property; freshwater marsh, open water, and developed/disturbed land (Table 1; Figure 5). Plant species observed during the general survey are presented in Attachment 1. According to the City of Poway Subarea HCP freshwater marsh and open water are considered sensitive habitat types, and disturbed lands and developed lands are not considered sensitive habitat/land cover types (City of Poway 1996).

<b>Table 1</b>		
<b>Existing Vegetation Communities and Land Cover Types</b>		
<b>Vegetation Communities/ Land Cover Types*</b>	<b>Sensitivity Type**</b>	<b>Acreage</b>
Freshwater Marsh	Sensitive	0.02
Open Water	Sensitive	0.14
Developed/Disturbed Land	Not Sensitive	117.04
<b>TOTAL</b>	-	<b>117.2</b>
*Per Table 5-2 of the City of Poway Subarea HCP.		
**Per the City of Poway Subarea HCP.		

#### 4.1.1 Freshwater Marsh

Freshwater marsh communities comprise perennial emergent monocots typically forming a closed canopy. This habitat occurs in open bodies of fresh water with little current flow, such as ponds, and to a lesser extent around seeps and springs. Freshwater marshes occur in areas of permanent inundation by freshwater without active stream flow (Oberbauer et al. 2008). Freshwater marsh is sensitive per the City of Poway Subarea HCP and by the U.S. Army Corps of Engineers (ACOE), California Department of Fish and Wildlife (CDFW), and Regional Water Quality Control Board (RWQCB).





FIGURE 5  
Existing Biological Resources



A small patch of freshwater marsh vegetation occurs within and around the banks of the pond located in the southwest portion of the property (Photograph 1). Broad-leaved cattail (*Typha latifolia*) is the most common plant species along with a couple of mule fat shrubs (*Baccharis salicifolia*) and individuals of Mexican fan palm (*Washingtonia robusta*) and eucalyptus trees (*Eucalyptus* spp.). There are three other former ponds on the property, but these no longer hold water and do not support vegetation.

#### **4.1.2 Open Water**

One freshwater pond is located in the southwest portion of the project site downstream of the freshwater marsh area (Photograph 2). This pond continues to hold water seasonally, but does not support a predominance of wetland vegetation, and is therefore categorized as open water.

#### **4.1.3 Developed/Disturbed Land**

Developed/disturbed land consists of all the buildings, parking lots, access roads, and former golf course fairways and greens. The majority of the vegetation on the site is comprised of non-native ornamental plantings that line the former golf course fairways and access roads. While the grasses that make up the golf course fairways and greens were the most common vegetation while the course was active, the majority of the vegetation is now comprised of non-native weed species (Photographs 3 and 4). Various trees remain on the property and these trees include species of eucalyptus and pine (*Pinus* spp.) along with specimens of Mexican fan palm, date palm (*Phoenix dactylifera*), Peruvian pepper tree (*Schinus molle*), and Brazilian pepper tree (*Schinus terebinthifolius*).

### **4.2 Zoology**

The wildlife species observed on-site are typical for occurrence in urban/disturbed areas in San Diego County. Common wildlife species detected during the survey include mule deer (*Odocoileus hemionus*), Anna's hummingbird (*Calypte anna*), song sparrow (*Melospiza melodia*), and black phoebe (*Sayornis nigricans semiatra*). Attachment 2 provides a complete list of wildlife species observed within the survey area.

## **5.0 Sensitive Biological Resources**

The applicable federal, state, and local regulations for protecting sensitive biological resources are summarized below, followed by a detailed discussion of the specific sensitive resources with potential to occur on-site. The assessments of potential species occurrence are based upon on-site conditions, known species ranges and habitat preferences, recorded species occurrences from the California Natural Diversity Database, and species occurrence records from other sites in the vicinity of the survey area.



PHOTOGRAPH 1  
Freshwater Marsh Occurring in the Southwest Portion of the Property



PHOTOGRAPH 2  
Open Water Occurring in the Southwest Portion of the Property





PHOTOGRAPH 3  
Disturbed Land on the Property



PHOTOGRAPH 4  
Disturbed Land on the Property

## 5.1 Sensitivity Criteria/Regulatory Setting

For purposes of this report, species will be considered sensitive if they are: (1) covered species under the HCP; (2) listed by state or federal agencies as threatened or endangered or are proposed for listing (State of California 2018b–e); (3) on California Rare Plant Rank 1B (considered endangered throughout its range) or California Rare Plant Rank 2 (considered endangered in California but more common elsewhere) of the CNPS Inventory of Rare and Endangered Vascular Plants of California (2019); or (4) designated in the City of Poway Subarea HCP as a sensitive species (City of Poway 1996). Noteworthy plant species are considered to be those that are on California Rare Plant Rank 3 (more information about the plant's distribution and rarity needed) and California Rare Plant Rank 4 (plants of limited distribution) of the CNPS Inventory (2019). Sensitive vegetation communities are those identified in the City of Poway Subarea HCP (City of Poway 1996). The project is expected to comply with all the following state, federal, and local regulations.

**Federal Regulations:** The Migratory Bird Treaty Act (MBTA) was established to provide protection to the breeding activities of migratory birds throughout the U.S. The MBTA protects migratory birds and their breeding activities from take and harassment. Pursuant to U.S. Department of the Interior Memorandum M-37050, the federal MBTA is no longer interpreted to cover incidental take of migratory birds (U.S. Department of the Interior 2017). Therefore, impacts that are incidental to implementation of an otherwise lawful project would not be considered significant.

**State Regulations:** Under Section 3503 of the California Fish and Game Code, 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. Section 3503.3 of the California Fish and Game Code prohibits take, possession, or destruction of any birds in the orders Falconiformes (raptors) or Strigiformes (owls), or of their nests and eggs (State of California 1991).

**City of Poway Regulations:** The project area is located in the City of Poway Subarea HCP area. The City of Poway Subarea HCP was adopted in 1996 and is one of the first subarea plans to be implemented. The City of Poway Subarea lies in an area of overlap between two sub-regional Na plan areas: the San Diego County Multi-Species Conservation Plan and the San Diego County Multi-Habitat Conservation Plan. The City of Poway Subarea HCP is recognized as a subarea by both these plans. The City of Poway Subarea HCP serves as the project document for the protection and management of biologically effective, interconnected spaces in the City of Poway. The City of Poway Subarea HCP is a framework for complying with state and federal endangered species regulations while accommodating future urban growth and infrastructure development. A preserve system within the City of Poway has been designated as the Poway Mitigation Area as part of the City of Poway Subarea HCP.

The project site is not located within the Poway Mitigation Areas. This is due to the highly developed setting of the property and its isolation from adjacent undeveloped habitat areas

by residential development. Both of these factors contribute to the project site not being an important wildlife linkage or to contain critical habitat for regional species.

## 5.2 Sensitive Vegetation Communities

Two sensitive vegetation communities, freshwater marsh and open water, occur within the survey area. These habitats are sensitive habitats under the City of Poway Subarea HCP and are federal and state jurisdictional waters under the jurisdiction of the ACOE, CDFW, and RWQCB. The location of these sensitive vegetation communities on the site are on Figure 5.

## 5.3 Sensitive Plants

No sensitive plant species were detected on-site during the general survey and none are expected to occur on the property due to past land uses that have eliminated native vegetation from the site. An evaluation of sensitive plant species known to occur within one mile of the project area based on a CNDDDB review and their potential for their occurrence on the site is in Attachment 3.

## 5.4 Sensitive Wildlife Species

No sensitive wildlife species were detected during the general survey. Although not observed, Cooper's hawk (*Accipiter cooperii*) has moderate potential to nest within the mature trees on-site. An evaluation of sensitive wildlife species known to occur in the project vicinity (within one mile of the survey area) that are federally listed threatened or endangered, or that have potential to occur based on species range is in Attachment 4.

Coastal California gnatcatcher (*Poliophtila californica californica*) is known to occur in open space areas to the east and north of the project site. These open space areas are separated from the project site by development and the project site is not directly adjacent to habitat for this species. No coastal sage scrub habitat occurs on the project site and no coastal California gnatcatchers were observed on the site.

## 5.5 Wildlife Movement Corridor

Wildlife movement corridors are defined as areas that connect suitable wildlife habitat areas in a region otherwise fragmented by rugged terrain, changes in vegetation, or human disturbance. Natural features such as canyon drainages, ridgelines, or areas with vegetation cover provide corridors for wildlife travel. Wildlife movement corridors are important, because they provide access to mates, food, and water; allow the dispersal of individuals away from high population density areas; and facilitate the exchange of genetic traits between populations (Beier and Loe 1992). Wildlife movement corridors are considered sensitive by resource and conservation agencies.

The survey area does not currently function as a significant wildlife movement corridor. It is surrounded by residential development and is fenced around the perimeter, which

ultimately restricts its use by wildlife. While there may be some wildlife movement within the open areas and trees within the site, the property, as a whole, does not provide a major movement corridor for wildlife species to other adjacent native habitat areas.

## 5.6 Jurisdictional Waters

A formal jurisdictional waters delineation was not conducted as part of this study. The jurisdictional status of features on the property were preliminarily assessed based on connectivity to a natural watercourse and presence of hydrophytic vegetation.

The concrete lined drainage located in the southwest corner of the property conveys storm water runoff from the golf course and adjacent development through the freshwater marsh and associated pond, and then to a large culvert under Espola Road (Photographs 5 and 6; see Figure 5). Historically, this vicinity of the property supported a “blue-line” stream course as shown on the USGS map of the area (see Figure 2). The development and subsequent contouring of the property into the golf course re-directed this “blue-line” stream course into the alignment of the concrete lined drainage. The flows from this drainage are conveyed off-site to the south where they connect to a natural watercourse. This lined drainage and associated ponds would likely be considered a water of the U.S. and water of the State due to the presence of hydrophytic vegetation and connectivity to a natural watercourse located off-site. The total jurisdictional area equals 0.23 acre (0.02 acre freshwater marsh, 0.14 acre open water, and 0.07 acre of concrete-lined channel).

There are a number of other concrete lined drainage features spread out over the former golf course, usually in low-lying areas where localized storm water runoff collect. All but one of these lined drainages appear to convey water to areas on-site (e.g., to brow ditches, and/or to storm drain connections to the adjacent developed areas). These lined drainages are not likely considered waters of the U.S. or waters of the State as they are not natural, do not support hydrophytic vegetation, and do not connect to a natural drainage system off-site.

Three abandoned un-vegetated golf course ponds occur to the west of the clubhouse complex in the center of the property. These ponds are isolated features that were used to store irrigation water for the golf course. The smaller pond is concrete lined. These three ponds are not likely jurisdictional waters of the U.S. or waters of the State as they were excavated in an upland area, do not support hydrophytic vegetation, and do not connect to any natural drainage course.

## 6.0 Project Impacts

Impacts to biological resources due to the proposed project are discussed below. The biological impacts were assessed according to the City of Poway Subarea HCP (City of Poway 1996). Mitigation would be required for impacts to sensitive biological resources under these guidelines.





PHOTOGRAPH 5  
Concrete-lined Drainage Channel Occurring  
in the Southwest Portion of the Property



PHOTOGRAPH 6  
View of Concrete-lined Channel and Culvert Under Espola Road

## 6.1 Vegetation Communities

The impacts to vegetation communities/land cover types on-site from the project will be to the entire site (Table 2; Figure 6). Impacts to sensitive biological resources (i.e., open water and freshwater marsh) require mitigation. Impacts to developed/disturbed land do not require mitigation.

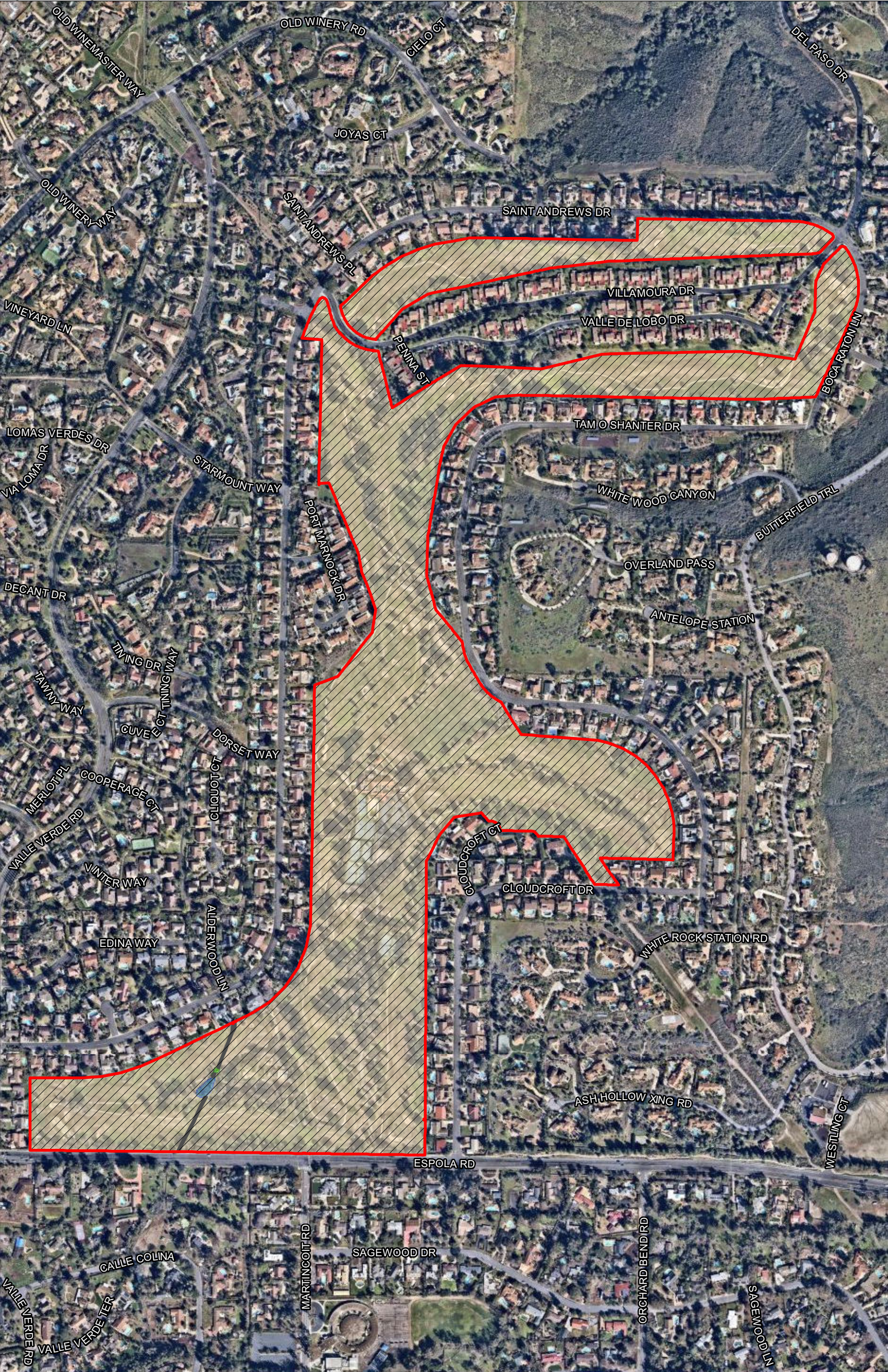
Table 2 Impacts to Vegetation Communities/Land Cover Types			
Vegetation Communities/ Land Cover Types	Existing On-site Survey Area	Total On-site Survey Area Impacts	Off-site Survey Area Impacts
Developed Land	117.04	117.04	0.50
Open Water	0.14	0.14	---
Freshwater Marsh	0.02	0.02	---
<b>TOTAL</b>	<b>117.2</b>	<b>117.2</b>	<b>0.50</b>

In addition to the on-site project area, several off-site improvements were reviewed and considered in this analysis. Off-site utility improvements include the option for a gravity sewer line connection that starts in Boca Raton Lane, then heads south within the paved 60-foot public right-of-way, then turns east within the paved 60-foot public right-of-way of Indian Canyon Lane, and then turns north within the 42-foot paved private Butterfield Trail to the public sewer connection.

Off-site roadway improvements include the expansion of Espola Road/Martincoit Road to a signalized four-way intersection, the provision of a pedestrian crossing on the west leg of the intersection with an enhanced crosswalk for high visibility, pedestrian signals with countdown timers, leading pedestrian interval timing, Americans with Disabilities Act (ADA) compliant curb ramps, bicycle signal detection, and smart adaptive signals that can adjust signal phasing and extent pedestrian walk times based upon time of day. These same mobility features are also recommended at the Valle Verde Road/Espola Road intersection. Similarly, high visibility crosswalk and ADA complaint ramps would be installed at the intersection of Valle Verde Road/St. Andrews Drive. In addition, the missing connection of the 5 feet of contiguous sidewalk along the east side of Valle Verde Road, approximately 350 feet north of Edina Way to Solera Way, would be constructed to provide continuous sidewalk.

Additional off-site roadway improvements would include improvements to the existing San Diego Metropolitan Transit System bus stop at this intersection; various improvements to Espola Road including the widening of the right-of-way by three feet on the north side to accommodate a standard Class II bike lane; and the development of two secondary access points with stop-sign-controlled intersections located along Boca Raton Lane, one near the middle of the project site and one near the northeast corner of the project site. The proposed project would also include two emergency vehicle access points, with one located along Cloudcroft Drive and the other along Cloudcroft Court at the SDCWA easement.





- Limit of Impacts
- Concrete Channel
- Project Boundary

- Vegetation Community / Land Cover Type**
- Freshwater Marsh
  - Open Water (Pond)
  - Developed Land



## 6.2 Sensitive Plant Species

No sensitive plant species occur on the site, therefore, no impacts to sensitive plant species would occur from the project.

## 6.3 Sensitive Wildlife Species

**General Wildlife.** The project may result in direct impacts to small mammals and reptiles with low mobility. Large mammal species and most birds will be able to move out of the way during grading. These impacts to general wildlife are considered less than significant and, therefore, would not require mitigation.

**CDFW Watch Species and MSCP-Covered Species and Other Nesting Birds.** The project has potential to result in direct impacts to migratory or nesting birds, including Cooper's hawk, and other raptors within the survey area if vegetation removal occurs during the typical bird breeding season (February 1 to September 15). Direct impacts to nesting and migratory birds would be considered significant and require mitigation. Mitigation measures to avoid direct impacts to migratory or nesting birds and raptors are identified in Section 7.2, below.

## 6.4 Jurisdictional Waters

The freshwater marsh, open water, and concrete-lined drainage in the southwest portion of the site being impacted total of 0.23 acre of jurisdictional waters of the U.S. and waters of the State. These impacts to sensitive biological resources require mitigation.

## 6.5 Indirect Impacts

The project site is not directly adjacent to natural open space areas that support sensitive wildlife species. Therefore, potential significant indirect impacts to sensitive wildlife species from lighting, noise, and human activity is not anticipated, both during and after project construction.

## 7.0 Mitigation

Mitigation is required for impacts to sensitive biological resources. For this project, the sensitive biological resources impacted include wetland habitats and a drainage channel. Mitigation for wetlands and other jurisdictional waters require creation/establishment of wetland habitat either on-site or off-site, or purchase of approved mitigation bank credits. Adequate mitigation would reduce the impacts to below a level of significance.

## 7.1 Sensitive Vegetation Communities

Mitigation is required for impacts to freshwater marsh and open water. The City of Poway Subarea HCP states that mitigation ratios of 2:1 would be required for impacts to these wetland habitat types (Table 3).

<b>Table 3</b> <b>Mitigation Requirements for Impacts to Sensitive Vegetation Communities</b> <b>(acres)</b>			
Vegetation Community	Impact	Mitigation Ratio	Total Mitigation Required
Freshwater Marsh	0.02	2:1	0.04
Open Water	0.14	2:1	0.28
<b>TOTAL</b>	<b>0.16</b>	--	<b>0.32</b>

## 7.2 Nesting Birds and Raptors

To avoid any significant direct impacts to any nesting birds or their eggs, chicks, or nests during the breeding season, the following measures are recommended:

- Removal of habitat that supports active nests in the proposed area of disturbance should occur outside 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, a 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 the City of Poway for review and approval prior to initiating any construction activities.
- If nesting birds are not detected during the pre-construction survey, no further mitigation is required.
- If nesting birds are detected and construction activities are to occur during the breeding season the following mitigation measures shall be implemented:
  - 1) No vegetation clearing shall occur within 300 feet of an active raptor nest and 100 feet of an active nest of a non-listed bird species until a biologist has determined that the young have fledged from the nest or that the nest is inactive (i.e., abandoned).
  - 2) A mitigation plan outlining active nest avoidance measures in conformance with applicable state and federal law shall be prepared and submitted to the City of Poway for review and approval.
  - 3) During construction, active nests shall be monitored on a daily basis to determine the effectiveness of the avoidance measures being implemented.

The biologist shall monitor all active nests until all young have fledged or until the nest is determined inactive.

- 4) A minimum 300-foot buffer between the location of an active raptor nest and the nearest construction activity shall be maintained until the young have fledged from the nest or until the nest is determined inactive. For nests of non-raptor birds, a buffer of 100 feet shall be maintained.
- 5) While no specific noise level thresholds have been established for raptors or other non-listed bird species, construction activities that are expected to generate noise levels above the ambient noise level shall be measured by an acoustician technician. The active nest shall also be monitored by a biologist to determine if there is any effect on the breeding behavior of the particular species from the elevated noise levels. If it is determined that the elevated noise level is having an effect on the breeding behavior of the nesting bird species, then the noise generating construction activity shall be suspended in the vicinity of the active nest until such time as all of the young birds have fledged or until the nest is determined inactive.

## 7.3 Jurisdictional Waters

Impacts to jurisdictional waters require a 404 permit from the ACOE, a 401 state water quality certification from the RWQCB, and a 1602 streambed alteration agreement from the CDFW. These permits, certifications, and agreements all require mitigation for any impacts to jurisdictional waters, including wetlands. The City of Poway Subarea HCP also requires mitigation for impacts to wetlands. Mitigation ratios contained in Section 7.4.3 of the City of Poway Subarea HCP require a 2:1 ratio for the type of wetland being affected on this property. The ACOE, RWQCB, and CDFW will also require mitigation for impacts to wetlands and streambed, typically at the same ratio.

In addition to the 0.32 acre of mitigation noted above for wetlands (e.g., freshwater marsh and open water) under Section 7.1, Sensitive Vegetation Communities, an additional 0.07 acre of mitigation to compensate for the loss of concrete-lined channel (i.e., streambed) would also be required. Total mitigation for jurisdictional waters impacts is estimated to total 0.39 acre, but requires approval by the above mentioned resource agencies through their respective permit processes. Options for mitigation of jurisdictional waters include avoidance of the impact, creation/establishment of jurisdictional waters either on-site or off-site, or the purchase of mitigation credits from an approved mitigation bank.

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## **ATTACHMENTS**

# **ATTACHMENT 1**

## **Plant Species Observed**

**Attachment 1**  
**Plant Species Observed**

Scientific Name	Common Name	Habitat	Origin
<b>GYMNOSPERMS</b>			
<b>CUPRESSACEAE</b>	<b>CYPRESS FAMILY</b>		
<i>Juniperus</i> sp.	juniper	DEV	I
<b>PINACEAE</b>	<b>PINE FAMILY</b>		
<i>Pinus canariensis</i> C. Sm.	Canary Island pine	DEV	I
<i>Pinus halepensis</i> Mill.	Aleppo pine	DEV	I
<b>ANGIOSPERMS: MONOCOTS</b>			
<b>AGAVACEAE</b>	<b>AGAVE FAMILY</b>		
<i>Agave americana</i> L.	American century plant	DEV	I
<b>ARECACEAE</b>	<b>PALM FAMILY</b>		
<i>Phoenix dactylifera</i> L.	date palm	DEV	I
<i>Washingtonia robusta</i> H. Wendl.	Mexican fan palm	DEV	I
<b>CYPERACEAE</b>	<b>SEDGE FAMILY</b>		
<i>Cyperus involucratus</i> [= <i>Cyperus alternifolius</i> ] Rottb.	African umbrella plant	DEV	I
<i>Schoenoplectus</i> [= <i>Scirpus</i> ] <i>acutus</i> (Muhl. ex Bigelow) Á. Löve & D. Löve var. <i>occidentalis</i> (S. Watson) S.G. Sm.	common tule	FWM	N
<b>POACEAE (GRAMINEAE)</b>	<b>GRASS FAMILY</b>		
<i>Avena barbata</i> Pott ex Link	slender wild oat	DEV	I
<i>Cynodon dactylon</i> (L.) Pers.	Bermuda grass	DEV	I
<i>Echinochloa crus-galli</i> (L.) P. Beauv.	common barnyard grass	DEV	I
<i>Festuca</i> [= <i>Vulpia</i> ] <i>myuros</i> L.	rattail sixweeks grass	DEV	I
<i>Paspalum dilatatum</i> Poir.	dallis grass	DEV	I
<i>Pennisetum villosum</i> R. Br. ex Fresen.	feathertop	DEV	I
<i>Poa annua</i> L.	annual blue grass	DEV	I
<i>Poa pratensis</i> L. ssp. <i>pratensis</i>	Kentucky blue grass	DEV	I
<b>TYPHACEAE</b>	<b>CATTAIL FAMILY</b>		
<i>Typha latifolia</i> L.	broad-leaved cattail	FWM	N
<b>ANGIOSPERMS: DICOTS</b>			
<b>AIZOACEAE</b>	<b>FIG-MARIGOLD FAMILY</b>		
<i>Carpobrotus chilensis</i> (Molina) N.E. Br.	sea fig	DEV	I
<i>Carpobrotus edulis</i> (L.) N.E. Br.	freeway iceplant	DEV	I

**Attachment 1**  
**Plant Species Observed**

Scientific Name	Common Name	Habitat	Origin
<i>Mesembryanthemum nodiflorum</i> L.	slender-leaved iceplant	DEV	I
<b>AMARANTHACEAE</b>	<b>AMARANTH FAMILY</b>		
<i>Amaranthus albus</i> L.	tumbleweed	DEV	I
<b>ANACARDIACEAE</b>	<b>SUMAC OR CASHEW FAMILY</b>		
<i>Schinus molle</i> L.	Peruvian pepper tree	DEV	I
<i>Schinus terebinthifolius</i> Raddi	Brazilian pepper tree	DEV	I
<i>Searsia [=Rhus] lancea</i> (L. f.) F.A. Barkley	African sumac	DEV	I
<b>APIACEAE (UMBELLIFERAE)</b>	<b>CARROT FAMILY</b>		
<i>Foeniculum vulgare</i> Mill.	fennel	DEV	I
<b>APOCYNACEAE</b>	<b>DOGBANE FAMILY</b>		
<i>Nerium oleander</i> L.	common oleander	DEV	I
<b>ARALIACEAE</b>	<b>GINSENG FAMILY</b>		
<i>Hedera canariensis</i> Willd.	Canary Islands ivy	DEV	I
<i>Hedera helix</i> L.	English ivy	DEV	I
<b>ASTERACEAE</b>	<b>SUNFLOWER FAMILY</b>		
<i>Baccharis pilularis</i> DC.	chaparral broom, coyote brush	DEV	N
<i>Baccharis salicifolia</i> (Ruiz & Pav.) Pers. ssp. <i>salicifolia</i>	mule fat, seep-willow	FWM	N
<i>Dimorphotheca fruticosa</i> [=Osteospermum fruticosum] (L.) DC.	trailing African daisy	DEV	I
<i>Gazania linearis</i> (Thunb.) Druce	treasure flower	DEV	I
<i>Helminthotheca</i> [=Picris] <i>echioides</i> (L.) Holub	bristly ox-tongue	DEV	I
<i>Hypochaeris glabra</i> L.	smooth cat's-ear	DEV	I
<i>Lactuca serriola</i> L.	prickly lettuce	DEV	I
<i>Senecio vulgaris</i> L.	common groundsel	DEV	I
<i>Sonchus asper</i> (L.) Hill ssp. <i>asper</i>	prickly sow thistle	DEV	I
<i>Sonchus oleraceus</i> L.	common sow thistle	DEV	I
<i>Taraxacum officinale</i> F.H. Wigg.	common dandelion	DEV	I
<b>BIGNONIACEAE</b>	<b>BIGNONIA FAMILY</b>		
<i>Tecoma capensis</i> (Thunb.) Lindl.	cape honeysuckle	DEV	I
<b>BRASSICACEAE (CRUCIFERAE)</b>	<b>MUSTARD FAMILY</b>		
<i>Brassica nigra</i> (L.) W.D.J. Koch	black mustard	DEV	I
<i>Raphanus sativus</i> L.	radish	DEV	I
<i>Sisymbrium officinale</i> (L.) Scop.	hedge mustard	DEV	I

**Attachment 1**  
**Plant Species Observed**

Scientific Name	Common Name	Habitat	Origin
<b>CHENOPODIACEAE</b>	<b>GOOSEFOOT FAMILY</b>		
<i>Chenopodium album</i> L.	lamb's quarters, pigweed	DEV	I
<i>Chenopodium murale</i> L.	nettle-leaf goosefoot	DEV	I
<i>Salsola tragus</i> L.	Russian thistle, tumbleweed	DEV	I
<b>EUPHORBIACEAE</b>	<b>SPURGE FAMILY</b>		
<i>Euphorbia</i> [=Chamaesyce] <i>maculata</i> L.	spotted spurge	DEV	I
<b>FABACEAE (LEGUMINOSAE)</b>	<b>LEGUME FAMILY</b>		
<i>Acacia redolens</i> Maslin	vanilla-scented wattle	DEV	I
<i>Medicago polymorpha</i> L.	California burclover	DEV	I
<i>Melilotus albus</i> Medik.	white sweetclover	DEV	I
<i>Melilotus indicus</i> (L.) All.	sourclover	DEV	I
<b>FAGACEAE</b>	<b>OAK FAMILY</b>		
<i>Quercus agrifolia</i> Née	coast live oak, encina	DEV	N
<b>MALVACEAE</b>	<b>MALLOW FAMILY</b>		
<i>Malva parviflora</i> L.	cheeseweed, little mallow	DEV	I
<b>MORACEAE</b>	<b>MULBERRY FAMILY</b>		
<i>Ficus</i> sp.	fig	DEV	I
<b>MYRTACEAE</b>	<b>MYRTLE FAMILY</b>		
<i>Eucalyptus</i> sp.	gum tree	DEV	I
<i>Melaleuca viminalis</i> (Sol. ex Gaertn.) Bymes	weeping bottlebrush	DEV	I
<b>NYCTAGINACEAE</b>	<b>FOUR O'CLOCK FAMILY</b>		
<i>Bougainvillea</i> sp. Comm. ex Juss.	bougainvillea	DEV	I
<b>OLEACEAE</b>	<b>OLIVE FAMILY</b>		
<i>Fraxinus uhdei</i> (Wenz.) Lingelsh.	shamel ash	DEV	I
<i>Olea europaea</i> L.	olive	DEV	I
<b>OXALIDACEAE</b>	<b>OXALIS FAMILY</b>		
<i>Oxalis pes-caprae</i> L.	Bermuda buttercup	DEV	I
<b>POLYGONACEAE</b>	<b>BUCKWHEAT FAMILY</b>		
<i>Polygonum aviculare</i> L. ssp. <i>depressum</i> [= <i>Polygonum arenastrum</i> ] (Meisn.) Arcang.	common knotweed, doorweed	DEV	I

**Attachment 1  
Plant Species Observed**

Scientific Name	Common Name	Habitat	Origin
<b>ROSACEAE</b>	<b>ROSE FAMILY</b>		
<i>Pyracantha coccinea</i> M. Roem.	firethorn, scarlet firethorn	DEV	I
<b>SCROPHULARIACEAE</b>	<b>FIGWORT FAMILY</b>		
<i>Myoporum laetum</i> G. Forst.	ngaio tree	DEV	I
<b>SOLANACEAE</b>	<b>NIGHTSHADE FAMILY</b>		
<i>Nicotiana glauca</i> Graham	tree tobacco	DEV	I
<b>VERBENACEAE</b>	<b>VERVAIN FAMILY</b>		
<i>Lantana montevidensis</i> (Spreng.) Briq.	trailing lantana	DEV	I
<b>VITACEAE</b>	<b>GRAPE FAMILY</b>		
<i>Vitis girdiana</i> Munson	desert wild grape	DEV	N
<b>ZYGOPHYLLACEAE</b>	<b>CALTROP FAMILY</b>		
<i>Tribulus terrestris</i> L.	puncture vine	DEV	I

*Notes:* Scientific and common names were primarily derived from the Jepson Online Interchange (Jepson FLoreae Project 2019). In instances where common names were not provided in this resource, common names were obtained from Rebman and Simpson (2014). Additional common names were obtained from the USDA maintained database (USDA 2013) or the Sunset Western Garden Book (Brenzel 2001) for ornamental/horticultural plants. Common names denoted with \* are from County of San Diego 2010.

**HABITATS**

DEV = Developed land  
 FWM = Freshwater marsh  
 OW = Open water

**ORIGIN**

N = Native to locality  
 I = Introduced species from outside locality

# **ATTACHMENT 2**

## **Wildlife Species Observed/Detected**



**Attachment 2**  
**Wildlife Species Observed**

Scientific Name	Common Name	Occupied Habitat	On-Site Abundance/ Seasonality (Birds Only)	Evidence of Occurrence
<b>INVERTEBRATES</b> (Nomenclature for fairy shrimp from Eriksen and Belk 1999; for spiders and insects from Evans 2008; for butterflies from San Diego Natural History Museum 2002)				
<b>PAPILIONIDAE</b>	<b>PARNASSIANS &amp; SWALLOWTAILS</b>			
<i>Papilio rutulus</i>	western tiger swallowtail	DEV		O
<b>AMPHIBIANS</b> (Nomenclature from Crother et al. 2008)				
<b>HYLIDAE</b>	<b>TREE FROGS</b>			
<i>Pseudacris hypochondriaca</i>	Baja California treefrog	FWM		V
<b>BIRDS</b> (Nomenclature from Chesser, et. al 2018 and Unitt 2004)				
<b>ANATIDAE</b>	<b>DUCKS, GEESE, &amp; SWANS</b>			
<i>Anas platyrhynchos platyrhynchos</i>	mallard	OW	F / Y	O
<b>ARDEIDAE</b>	<b>HERONS &amp; BITTERNs</b>			
<i>Egretta thula candidissima</i>	snowy egret	DEV	F / W	O
<b>CATHARTIDAE</b>	<b>NEW WORLD VULTURES</b>			
<i>Cathartes aura</i>	turkey vulture	FO	F / M, S	O
<b>ACCIPITRIDAE</b>	<b>HAWKS, KITES, &amp; EAGLES</b>			
<i>Buteo jamaicensis</i>	red-tailed hawk	DEV	F / Y	O
<i>Buteo lineatus elegans</i>	red-shouldered hawk	FO	F / Y	V
<b>COLUMBIDAE</b>	<b>PIGEONS &amp; DOVES</b>			
<i>Zenaida macroura marginella</i>	mourning dove	DEV	C / Y	O, V
<b>TROCHILIDAE</b>	<b>HUMMINGBIRDS</b>			
<i>Calypte anna</i>	Anna's hummingbird	FWM, DEV	C / Y	O, V
<i>Selasphorus sasin</i>	Allen's hummingbird	FWM	C / M	O, V
<b>PICIDAE</b>	<b>WOODPECKERS &amp; SAPSUCKERS</b>			
<i>Colaptes auratus</i>	northern flicker	DEV	F / Y	O
<i>Dryobates [=Picoides] nuttallii</i>	Nuttall's woodpecker	DEV	C / Y	V

**Attachment 2  
Wildlife Species Observed**

Scientific Name	Common Name	Occupied Habitat	On-Site Abundance/ Seasonality (Birds Only)	Evidence of Occurrence
<b>TYRANNIDAE</b>	<b>TYRANT FLYCATCHERS</b>			
<i>Sayornis nigricans semiatra</i>	black phoebe	DEV	C / Y	O, V
<i>Tyrannus vociferans vociferans</i>	Cassin's kingbird	DEV	C / Y	O, V
<b>CORVIDAE</b>	<b>CROWS, JAYS, &amp; MAGPIES</b>			
<i>Aphelocoma californica</i>	California [=western] scrub-jay	DEV	C / Y	V
<i>Corvus brachyrhynchos hesperis</i>	American crow	DEV	C / Y	O, V
<b>SITTIDAE</b>	<b>NUTHATCHES</b>			
<i>Sitta carolinensis aculeata</i>	white-breasted nuthatch	DEV	U / Y	O, V
<b>TROGLODYTIDAE</b>	<b>WRENS</b>			
<i>Thryomanes bewickii</i>	Bewick's wren	DEV	F / Y	V
<i>Troglodytes aedon parkmanii</i>	house wren	DEV	F / Y	V
<b>REGULIDAE</b>	<b>KINGLETS</b>			
<i>Regulus calendula calendula</i>	ruby-crowned kinglet	DEV	F / W	O, V
<b>TURDIDAE</b>	<b>THRUSHES</b>			
<i>Sialia mexicana occidentalis</i>	western bluebird	DEV	C / W	O
<b>MIMIDAE</b>	<b>MOCKINGBIRDS &amp; THRASHERS</b>			
<i>Mimus polyglottos polyglottos</i>	northern mockingbird	DEV	C / Y	O
<b>STURNIDAE</b>	<b>STARLINGS &amp; MYNAS</b>			
<i>Sturnus vulgaris</i>	European starling (I)	DEV	F / Y	O, V
<b>MOTACILLIDAE</b>	<b>WAGTAILS &amp; PIPITS</b>			
<i>Anthus rubescens pacificus</i>	American pipit	DEV	F / W	O
<b>PARULIDAE</b>	<b>WOOD WARBLERS</b>			
<i>Setophaga [=Dendroica] coronata</i>	yellow-rumped warbler	DEV	F / W	O, V
<b>EMBERIZIDAE</b>	<b>EMBERIZIDS</b>			
<i>Melospiza melodia</i>	song sparrow	DEV	F / Y	V
<i>Melospiza [=Pipilo] crissalis</i>	California towhee	DEV	F / Y	O, V
<i>Pipilo maculatus</i>	spotted towhee	DEV	F / Y	V
<i>Zonotrichia leucophrys</i>	white-crowned sparrow	DEV	F / W	O, V

**Attachment 2**  
**Wildlife Species Observed**

Scientific Name	Common Name	Occupied Habitat	On-Site Abundance/ Seasonality (Birds Only)	Evidence of Occurrence
<b>FRINGILLIDAE</b>	<b>FINCHES</b>			
<i>Spinus</i> [=Carduelis] <i>psaltria</i> <i>hesperophilus</i>	lesser goldfinch	DEV	F / Y	V
<i>Haemorhous</i> [=Carpodacus] <i>mexicanus</i> <i>frontalis</i>	house finch	DEV	C / Y	O, V
<b>ESTRILDIDAE</b>	<b>WEAVER-FINCHES</b>			
<i>Lonchura punctulata</i>	scaly-breasted munia [=nutmeg manikin] (I)	DEV	C / Y	O, V
<b>MAMMALS</b> (Nomenclature from Baker et al. 2003)				
<b>LEPORIDAE</b>	<b>RABBITS &amp; HARES</b>			
<i>Sylvilagus audubonii</i>	desert cottontail	DEV		O
<b>GEOMYIDAE</b>	<b>POCKET GOPHERS</b>			
<i>Thomomys bottae</i>	Botta's pocket gopher	DEV		B
<div> <div> (I) = Introduced species  <b>HABITATS</b>  C = Coastal water  F = Flying overhead  FW = Foothill woodland  M = Mesic areas and wetlands  O = Open places, waste places, roadsides, burns, etc.  OW = Open water   <b>EVIDENCE OF OCCURRENCE</b>  B = Burrow  O = Observed  V = Vocalization </div> <div> <b>ABUNDANCE</b> (birds only; based on Garrett and Dunn 1981)  C = Common to abundant; almost always encountered in proper habitat, usually in moderate to large numbers  F = Fairly common; usually encountered in proper habitat, generally not in large numbers   <b>SEASONALITY</b> (birds only)  M = Migrant; uses site for brief periods of time, primarily during spring and fall months  S = Spring/summer resident; probable breeder on-site or in vicinity  W = Winter visitor; does not breed locally  Y = Year-round resident; probable breeder on-site or in vicinity </div> </div>				

## **ATTACHMENT 3**

### **Sensitive Plant Species Observed or with the Potential for Occurrence**



Attachment 3						
Sensitive Plant Species Observed or with the Potential for Occurrence						
Species' <i>Scientific Name</i> Common Name	State/Federal Status	CNPS Rank	City of San Diego	Habitat/ Preference/Requirements/ Blooming Period	Observed?	Basis for Determination of Occurrence Potential
ANGIOSPERMS: DICOTS						
ASTERACEAE                      SUNFLOWER FAMILY						
<i>Centromadia</i> [=Hemizonia] <i>parryi</i> ssp. <i>australis</i> southern tarplant	—/—	1B.1	—	Annual herb; margins of marshes and swamps, valley and foothill grasslands, vernal pools; blooms May–November; elevation less than 1,600 feet.	No	This species was not observed and not expected to occur within the freshwater marsh on-site due to the high level of high level of disturbance present. This species has been known to occur within two miles from the project site (State of California 2018c).
<i>Iva hayesiana</i> San Diego marsh-elder	—/—	2B.2	—	Perennial herb; marshes and swamps, playas, riparian areas; blooms April–September; elevation below 1,700 feet.	No	This species was not observed on-site or expected to occur as this perennial species would have been apparent, if present during the survey. This species has been known to occur within two miles from the project site (State of California 2018c).
<b>CALIFORNIA NATIVE PLANT SOCIETY (CNPS): CALIFORNIA RARE PLANT RANKS (CRPR)</b> 1B        = Species rare, threatened, or endangered in California and elsewhere. These species are eligible for state listing. 2B        = Species rare, threatened, or endangered in California but more common elsewhere. These species are eligible for state listing. .1        = Species seriously threatened in California (over 80% of occurrences threatened; high degree and immediacy of threat). .2        = Species fairly threatened in California (20-80% occurrences threatened; moderate degree and immediacy of threat).						

## **ATTACHMENT 4**

### **Sensitive Wildlife Species Occurring or with the Potential to Occur**

**Attachment 4**  
**Sensitive Wildlife Species Occurring or with the Potential to Occur**

Species' Common Name/ Scientific Name	Listing Status	Habitat Preference/ Requirements	Detected On-Site?	Potential to Occur On-Site?	Basis for Determination of Occurrence Potential
<b>AMPHIBIANS</b> (Nomenclature from Crother et al. 2008)					
<b>PELOBATIDAE SPADEFOOT TOADS</b>					
Western spadefoot <i>Spea hammondi</i>	CSC	Vernal pools, floodplains, and alkali flats within areas of open vegetation.	No	Very Low	This species was not observed and has a very low potential to occur on-site based on the presence of the freshwater marsh and open water. This species has been known to occur within two miles of the project site (State of California 2018e).
<b>BIRDS</b> (Nomenclature from American Ornithological Society 2018 and Unitt 2004)					
<b>ACCIPITRIDAE HAWKS, KITES, &amp; EAGLES</b>					
Cooper's hawk (nesting) <i>Accipiter cooperii</i>	WL, MSCP	Mature forest, open woodlands, wood edges, river groves. Parks and residential areas.	No	Moderate	This species was not observed and has a moderate potential to occur on-site based on the presence of the mature trees, including eucalyptus.
<b>TYRANNIDAE TYRANT FLYCATCHERS</b>					
Vermilion flycatcher <i>Pyrocephalus rubinus flammeus</i>	CSC	Agricultural areas, parks, ponds, rivers. Rare fall and spring migrant, winter visitor, summer resident. Breeding rare.	No	Low	This species was not observed and has a low potential to occur on-site based on the presence of the mature trees, including eucalyptus.
<b>VIREONIDAE VIREOS</b>					
Least Bell's vireo (nesting) <i>Vireo bellii pusillus</i>	FE, CE, MSCP	Willow riparian woodlands. Summer resident.	No	None	This species was not observed and not expected to occur on-site based on the absence of suitable riparian habitat. This species has been known to occur within two miles of the project site (State of California 2018d).



**Attachment 4**  
**Sensitive Wildlife Species Occurring or with the Potential to Occur**

Species' Common Name/ Scientific Name	Listing Status	Habitat Preference/ Requirements	Detected On-Site?	Potential to Occur On-Site?	Basis for Determination of Occurrence Potential
<b>POLIOPTILIDAE                      GNATCATCHERS</b>					
Coastal California gnatcatcher <i>Polioptila californica californica</i>	FT, CSC, MSCP	Coastal sage scrub, maritime succulent scrub. Resident.	No	None	This species is not expected to occur on the site as no suitable coastal sage scrub or chaparral habitat occurs on site for this species.
<b>ICTERIDAE                      BLACKBIRDS &amp; NEW WORLD ORIOLES</b>					
Tricolored blackbird <i>Agelaius tricolor</i>	CSC, MSCP	Freshwater marshes, agricultural areas, lakeshores, parks. Localized resident.	No	None	This species was not observed and not expected to occur on-site based on the absence of large expanses of freshwater marsh habitat. This species has been known to occur within two miles of the project site (State of California 2018e).
<b>MAMMALS (Nomenclature from Baker et al. (2003))</b>					
Townsend's western big-eared bat <i>Corynorhinus townsendii townsendii</i>	CSC	Caves, mines, buildings. Found in a variety of habitats, arid and mesic. Individual or colonial. Extremely sensitive to disturbance.	No	Low	This species was not observed and has a low potential to occur due to the presence of man-made structure, such as the buildings on-site. This species has been known to occur within two miles of the project site (State of California 2018e).
(I)        = Introduced species  STATUS CODES <u>Listed/Proposed</u> FE        = Listed as endangered by the federal government CE        = Listed as endangered by the State of California  <u>Other</u> CSC       = California Department of Fish and Wildlife species of special concern WL        = California Department of Fish and Wildlife watch list species MSCP    = City and County of San Diego Multiple Species Conservation Program covered species					