

CALIFORNIA DEPARTMENT OF FISH AND GAME

NATURAL COMMUNITY CONSERVATION PLAN
PERMIT

INCLUDING

FINDINGS OF FACT
under the
CALIFORNIA ENVIRONMENTAL QUALITY ACT
and the
NATURAL COMMUNITY CONSERVATION PLANNING ACT

for the

City of Chula Vista
Multiple Species Conservation Plan (MSCP)
Subarea Plan

November 2003

ISSUED BY THE
DEPARTMENT OF FISH AND GAME
JANUARY 2005

NCCP PERMIT

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1.0 INTRODUCTION

This Natural Community Conservation Plan Permit (“NCCP Permit” or “Permit”) sets forth findings and authorizations of the California Department of Fish and Game (“CDFG”) for the City of Chula Vista Multiple Species Conservation Program Subarea Plan (“Subarea Plan”).¹ CDFG is acting as a responsible agency under the California Environmental Quality Act, Public Resources Code section 21000 et seq. (“CEQA”), in approving the Subarea Plan as provided for in the Natural Community Conservation Planning Act, Fish and Game Code sections 2800-2835² (“NCCPA”).

1.1 The Natural Community Conservation Planning Act

The NCCPA provides for the preparation and implementation of large-scale natural resource conservation plans as an alternative to reviewing impacts of urban development on a project-by-project and species-by-species basis. A natural community conservation plan (“NCCP”) must provide for “the protection of habitat, natural communities, and species diversity on a landscape or ecosystem level” (§2820, subd. (a)(3)) while allowing “compatible and appropriate economic development, growth, and other human uses” (§2805, subd. (h)). When it approves an NCCP, CDFG may approve the “take” of species whose conservation and management is provided for in the NCCP (§2835), including those listed as endangered, threatened, or candidate species under the California Endangered Species Act, sections 2050 et seq. (“CESA”).

The NCCPA was originally enacted in 1991;³ was amended in 1993,⁴ 1994,⁵ 1996⁶ and 2000.⁷ The NCCPA was substantially revised in 2002 by Senate Bill 107,⁸ which codified a number of CDFG’s administrative standards and practices for NCCP development and implementation and added new requirements. With the revisions, many of the substantive standards and mandatory elements for an NCCP formerly contained in guidelines prepared by CDFG are now found in section 2820. The revised NCCPA also “grandfathered” a number of NCCPs that were under development prior to enactment of the 2002 revisions, requiring that these plans be completed, approved and implemented pursuant to the NCCPA as it read in 2001 rather than pursuant to the revised statutes (§2830). For an NCCP that falls under one of the grandfathering provisions in section 2830, CDFG must evaluate the adequacy of the NCCP by reference to earlier versions of

¹ The Subarea Plan and its associated Implementing Agreement identify this document as CDFG’s “NCCP Authorization.” The NCCP Permit and the NCCP Authorization are the same document, for purposes of the Subarea Plan and associated documents.

² All further section references are to the Fish and Game Code, unless otherwise indicated.

³ Statutes 1991, chapter 765, section 2, page 3424 (A.B. 2172).

⁴ Statutes 1993, chapter 708, section 1, page 4034 (S.B. 755).

⁵ Statutes 1994, chapter 220, section 1, page 1778 (S.B. 1352).

⁶ Statutes 1996, chapter 593, sections 1 and 2, page 2702 (A.B. 3446).

⁷ Statutes 2000, chapter 87, sections 1-3, page 1207 (S.B. 1679).

⁸ Statutes 2002, chapter 4, sections 1 and 2, page 81 (S.B. 107). Minor changes were subsequently enacted as part of S.B. 2052 (Stats. 2002, ch. 133, §§ 1 and 2, p. 568).

the NCCPA and to the guidelines issued under those earlier statutes. For that reason, a number of the section references below to the NCCPA will be to former sections that, although replaced by new provisions in 2002, still set forth the relevant standards for grandfathered NCCPs under existing law.⁹

The NCCP Act promotes cooperation and coordination among public agencies, landowners, and other private interests in developing NCCPs. CDFG is authorized to prepare and implement NCCPs with a wide variety of private and public interests, including individuals, organizations, companies, and state and local government agencies (§2810, subdiv. (a) §711.2 and former § 2810). Natural community conservation planning may be undertaken by local, state, and federal agencies independently or in cooperation with other individuals and entities (§ 2809 and former § 2820). An NCCP plan must be approved by CDFG before it is implemented (§ 2820, subdiv. (a) and former § 2820). To be approved, an NCCP plan must meet the standards set forth in statute (§ 2820 and § 2821), except that many of the plans that meet the criteria in § 2830 must instead meet the standards set forth in CDFG's NCCP Guidelines (see former § 2820 and former § 2825, subdiv. (a)). CDFG is authorized to prepare non-regulatory guidelines to establish NCCP standards and to guide the development and implementation of NCCP Plans (former § 2825 subdiv. (a)). NCCP plans are also subject to review under the California Environmental Quality Act, Public Resources Code § 21000 et seq. CDFG may authorize the "taking" of any identified species whose conservation and management is provided for in a CDFG approved NCCP plan (§ 2835 and former § 2835). Under the Fish and Game Code, "take" means to "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill" (§ 86).

1.2 Multiple Species Conservation Program Subregional Plan

The Multiple Species Conservation Program Plan (Volumes I & II, as revised December, 1998) ("MSCP Plan") sets forth a Multiple Species Conservation Program ("MSCP"). The MSCP is a comprehensive habitat conservation planning program that addresses multiple species habitat needs and the preservation of native vegetation communities for a 900-square-mile-area in southwestern San Diego County. It is one of three subregional habitat planning efforts in San Diego County which contribute to preservation of regional biodiversity through coordination with other habitat conservation planning efforts throughout southern California. The MSCP allows local jurisdictions to maintain land use control and development flexibility by planning a regional preserve system that can meet future public and private project mitigation needs. The MSCP Plan does not impose major new restrictions on land use. Rather, the plan is designed to streamline and coordinate existing procedures for review and permitting of project impacts to biological resources.

The MSCP Preserve will protect bio-diversity, enhance the quality of life in the San Diego region, and provide economic benefits by efficiently addressing land use impacts on certain

⁹ All subsequent references to a "former" section number are to the indicated section of the Fish and Game Code as it read on December 31, 2001, in other words to the NCCPA as amended through 2000 and disregarding changes made in 2002 by S.B. 107.

species and habitats in a comprehensive fashion. The MSCP has been developed cooperatively by local jurisdictions and special districts with the goal of conserving native vegetation communities and associated species, rather than focusing preservation efforts on one species at a time. Historic loss of native vegetation has resulted in many species of wildlife becoming increasingly rare, and in some cases threatened with extirpation or extinction. Without a multiple species conservation plan, additional species might continue to decline to the point they would need to be added to the federal and state threatened and endangered species lists.

Local jurisdictions and special districts are each implementing their respective portions of the MSCP Plan through subarea plans, which describe specific implementing mechanisms for the MSCP. The MSCP subarea plans contribute collectively to the conservation of vegetation communities and species in the MSCP study area. The combination of the subregional MSCP Plan and subarea plans serve as a multiple species Habitat Conservation Plan pursuant to section 10, subdiv. (a)(1)(B) of the federal Endangered Species Act (“ESA”) and as an NCCP. The MSCP is being implemented in phases as participating jurisdictions and special districts submit their subarea plans to the United States Fish and Wildlife Service (“USFWS”) and CDFG for approval. Upon approval, the USFWS and CDFG authorize the take of listed species and other species of concern, subject to the terms of the subarea plan and the MSCP. Conservation and management responsibilities, and implementation guarantees for each subarea plan are set forth in implementing agreements between the entity responsible for each subarea plan and the USFWS and CDFG (“**Wildlife Agencies**”).

The approximately 900 square mile (582,243 acres) MSCP area includes the City of San Diego, portions of the unincorporated County of San Diego, ten additional city jurisdictions, and several independent special districts. The area is known for its natural beauty and mild climate, which combine to make the region a popular destination for recreation, tourism, and new development. The region has sustained one of the highest rates of growth in the country over the past two decades.

The southern boundary of the MSCP area is the international border with Mexico. National Forest lands form much of the eastern boundary, the Pacific Ocean lies to the west, and the northern boundary is the San Dieguito River valley. Marine Corps Air Station Miramar, the Point Loma Naval Complex, and other military lands are within the MSCP study area but are being planned separately. Conservation planning also is being conducted to the north of the study area by a coalition of nine cities in conjunction with the San Diego Association of Governments (the “Multiple Habitat Conservation Program”) and in the eastern portion of San Diego County (the “Multiple Habitat Conservation and Open Space Program”). When fully implemented, the MSCP and these other subregional plans will create an interconnected habitat preserve system throughout the 4,200-square-mile county. These programs have been coordinated in all key scientific, public policy, and finance/acquisition strategy aspects and have been designed to complement planning efforts in Orange and Riverside counties.

The area’s topography, soils, and climate combine to influence vegetative associations, which in turn support characteristic plant and animal species. The topography is diverse and includes

broad, flat valleys, deep canyons, perennially flowing rivers and intermittent streams, moderately and steeply sloped terrain, rolling foothills and nearly level mesas, coastal bluffs, and a series of coastal bays, inlets and lagoons. Elevations range from mean sea level along to coast to approximately 3,700 feet above mean sea level in inland areas.

1.3 Subarea Plan

The City of Chula Vista Subarea Plan (“**Subarea Plan**”) was initially set forth in Volume II of the August, 1996 MSCP Plan, and was revised October, 2002 and again February 2003. The Subarea Plan has been prepared pursuant to a general outline developed by the USFWS and CDFG to meet the requirements of the NCCPA. The Subarea Plan is consistent with the MSCP Plan and contributes to the implementation of the MSCP Plan. In addition, the Subarea Plan is a stand-alone document for the purposes of implementing portions of the MSCP Preserve.

The City of Chula Vista Preserve was developed by the City of Chula Vista (“City”) in cooperation with the Wildlife Agencies, property owners, developers, and environmental groups. The majority of the Preserve consists of hard-line areas designated for 100 percent preservation. These 100 percent conservation areas are either already in public ownership or will be dedicated into the Preserve as part of the development approval process for Covered Projects. Preserve boundaries for Covered Projects were established on a project-by-project basis after evaluation of habitat and species data and/or surveys conducted as part of project entitlement processing, evaluation by the Wildlife Agencies, and consideration of how such mitigation could best contribute to the overall MSCP and subregional planning effort. A relatively small portion of the Preserve (approximately 133 acres) is comprised of 75-100 percent conservation areas, which consist of smaller private landholdings; the Subarea Plan requires that a minimum of 75 percent of these lands must be conserved.

The City’s incorporated boundary includes approximately 33,045 acres. The Chula Vista Subarea is comprised of that territory located within the incorporated limits of the City, and for which take authorization will be granted. The area and configuration of the Chula Vista Subarea is anticipated to change over time as territory is annexed or detached by the City. The Chula Vista MSCP Planning Area is defined by the City’s General Plan boundary and includes a total of 57,849 acres, both within the City and outside the City, within unincorporated areas of the County of San Diego. Take authorization pursuant to this Subarea Plan will be issued only for the Chula Vista Subarea, which is defined as the area of land within the incorporated boundary of the City of Chula Vista, as may be modified from time to time by annexation in accordance with the Subarea Plan. However, the Subarea Plan includes information on the larger Chula Vista MSCP Planning Area because of the important inter-relationship between this Subarea Plan and the adopted County of San Diego MSCP Subarea Plan/South County Segment, which overlaps the Chula Vista MSCP Planning Area. Through cooperative planning efforts between the City and the County of San Diego, new development has been deliberately directed into the City, adjacent to existing infrastructure. Conversely, much of the habitat conservation has been directed into the unincorporated County, into the Multi-Habitat Planning Area (MHPA). The MHPA is the area identified in MSCP within which the permanent MSCP Preserve will be

assembled and managed for its biological resources. This provides a more efficient use of public services and enables preservation of large, contiguous blocks of open space, resulting in superior preserve design and habitat connectivity.

The Subarea Plan presently encompasses 33,045 acres within the MSCP area, of which 7,306 acres are upland habitats and 1,080 acres are wetlands. The remaining roughly 75 percent of the Subarea is considered to be non-habitat; this includes 6,192 acres of Agriculture and 15,288 acres of Developed land. The Chula Vista Preserve is estimated to eventually comprise 4,557 acres (54 percent of remaining habitat) with an additional 4,250 acres expected to be conserved outside of the City boundary but with the MSCP Preserve.

Because the Subarea Plan was developed as an element of the MSCP subregional plan, the Subarea Plan must necessarily be analyzed with reference to, and in the context of, the previously approved MSCP. The Subarea Plan and MSCP Subregional Plan, when read together, make an integrated NCCP within the area covered by the Subarea Plan. Therefore, as used in this document, the term “Subarea Plan” refers not only to the Subarea Plan itself but also to those portions of the MSCP Subregional Plan that relate to and provide context to the Subarea Plan. CDFG’s findings, for example, are based in part on facts relating to the MSCP Subregional Plan. That said, the Subarea Plan is designed to be a complete and independently viable plan that is generally not dependent on implementation of other subarea plans within the subregion, except as specifically noted in the Subarea Plan.

1.4 Implementing Agreement

CDFG plans to execute an Implementing Agreement with USFWS and the City (“**Implementing Agreement**”) concurrently with its issuance of this NCCP Permit. Issuance of the Permit and CDFG’s execution of the Implementation Agreement will together constitute CDFG’s approval of the Subarea Plan (“**NCCP Approval**”). The Implementing Agreement is an enforceable agreement to ensure the implementation of the MSCP Subregional Plan and the Subarea Plan, to bind each party to the terms of the MSCP Subregional Plan and Subarea Plan, and to provide remedies and recourse for failure to adhere to the terms of the MSCP Subregional Plan or Subarea Plan. This NCCP Permit specifically applies to the Subarea Plan as implemented pursuant to the Implementing Agreement.

2.0 ADMINISTRATIVE RECORD OF PROCEEDINGS

For purposes of these findings, the administrative record of proceedings for CDFG’s discretionary issuance of this NCCP Permit consists, at a minimum, of the following documents:

- All Subarea Plan materials prepared by the City and submitted to CDFG;
- All staff reports and related non-privileged documents prepared by CDFG with respect to its compliance with CEQA and with respect to the issuance of an NCCP Permit for the Subarea Plan;

- All written testimony or documents submitted by any person to CDFG relevant to these findings and CDFG's discretionary actions with respect to the Subarea Plan;
- All notices issued to comply with CEQA, the NCCPA, or with any other law relevant to and governing the processing and approval of this NCCP Permit by CDFG;
- All written comments received by CDFG in response to, or in connection with, environmental documents prepared for this project;
- All written evidence or correspondence submitted to, or transferred from, CDFG with respect to compliance with CEQA or with respect to the Subarea Plan;
- Any proposed decisions or findings related to the Subarea Plan submitted to CDFG by its staff, the City, Subarea Plan supporters and opponents, or other persons;
- The documentation of the final decision by CDFG, including all documents cited or relied on in these findings adopted pursuant to CEQA and the NCCPA;
- Any other written materials relevant to CDFG's compliance with CEQA or CDFG's decision on the merits with respect to the NCCP Permit for the Subarea Plan, including any draft environmental documents that were released for public review, and copies of studies or other documents relied upon in any environmental document prepared for the project and either made available to the public during a public review period or included in CDFG's files on the Subarea Plan, and all non-privileged internal agency communications, including staff notes and memoranda related to the Subarea Plan or compliance with CEQA;
- Matters of common knowledge to CDFG, including but not limited to federal, state, and local laws and regulations; and
- Any other materials required to be in CDFG's administrative record of proceedings by Public Resources Code section 21167.6, subdivision (e).

The custodian of the documents comprising the administrative record of proceedings is the California Department of Fish and Game, located at 1416 Ninth Street, Sacramento, California 95814. All related inquiries should be directed to CDFG's Office of General Counsel at 916-654-3821.

CDFG has relied on all of the documents listed in this section in exercising its independent judgment and reaching its decision with respect to the Subarea Plan, even if every document was not formally presented to CDFG or its staff as part of the CDFG files generated in connection with the Subarea Plan. Without exception, any documents set forth above not found in CDFG's files for the Subarea Plan fall into one of two categories. Certain documents reflect prior planning or legislative decisions of which CDFG was aware in approving the Subarea Plan. (See

City of Santa Cruz v. Local Agency Formation Comm. (1978) 76 Cal.App.3d 381, 391-392; *Dominey v. Department of Personnel Administration* (1988) 205 Cal.App.3d 729, 738, fn. 6.) Other documents influenced the expert advice of CDFG staff, who then provided advice to the decision-makers at CDFG with respect to the NCCP Permit for the Subarea Plan. For that reason, such documents form part of the underlying factual basis for CDFG's decision related to the Subarea Plan. (See Pub. Resources Code, 21167.6, subd. (e)(10); *Browning-Ferris Industries v. City Council of City of San Jose* (1986) 181 Cal.App.3d 852, 866; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 153, 155.)

3.0 FINDINGS UNDER CEQA

3.1 Environmental Documents

CDFG has prepared these findings to comply with CEQA. CDFG is a "responsible agency" under CEQA with respect to the Subarea Plan because of its authority under the NCCPA. (See generally Pub. Resources Code, §§ 21002.1, subd. (d), and 21069; CEQA Guidelines, § 15381; see also Cal. Code Regs., tit. 14, § 783.3, subd. (a).) CDFG accordingly makes the findings that appear in section 3.5 below, under CEQA as part of its discretionary decision to approve the Subarea Plan and authorize resulting take of species whose conservation and management is provided for in the plan.

The City is the CEQA "lead agency" for purposes of the Subarea Plan and has completed environmental review and approval of the plan. (See generally Pub. Resources Code § 21067; CEQA Guidelines, § 15367.) The City analyzed the environmental effects of implementing the Subarea Plan.

The draft Chula Vista Subarea Plan was originally evaluated under the MSCP Subregional Plan in the *Final EIR/EIS for Issuance of Take Authorization for Threatened and Endangered Species Due to Urban Growth Within the Multiple Species Conservation Program (MSCP) Planning Area* (City of San Diego and U.S. Fish and Wildlife Service, January 1997; Final EIR/EIS). Additional environmental documentation was provided in the *Addendum to the Final EIR/EIS for Issuance of Take Authorizations for Threatened and Endangered Species Due to Urban Growth Within the Multiple Species Conservation Program (MSCP) Planning Area* (City of Chula Vista, dated August 24, 2000 and adopted October, 2000; Addendum to the Final EIR/EIS), and in the *Draft Chula Vista MSCP Subarea Plan* (City of Chula Vista, conditionally adopted by the City Council October 17, 2000, and revised June 2002 and again February 2003; Subarea Plan). In adopting the MSCP Subregional Plan and the draft October 2000 Subarea Plan, the City prepared a CEQA Findings of Fact (dated October 9, 2000), which forms the basis of Findings relative to 85 of the 86 species covered under the updated February 2003 Subarea Plan. More recently, the City prepared its *Final Supplemental Environmental Impact Report and Environmental Assessment for the Chula Vista Multiple Species Conservation Program (MSCP) Subarea Plan* (City of Chula Vista and U.S. Fish and Wildlife Service, January 2003; SCH#20022051045; Final Supplemental EIR/EA) due to a determination that the changes that had been made in the Chula Vista Subarea Plan since October 2000 that could result in potentially significant impacts

that were not addressed in either the Final EIR/EIS or the Addendum to the Final EIR/EIS, and for which a second Addendum was not considered appropriate. Changes made to the previous draft of the Chula Vista Subarea Plan generally include the following:

1. Additional lands will be set aside resulting in increased conservation;
2. Implementing actions are proposed; and,
3. Quino checkerspot (*Euphydryas editha quino*) was added as a Covered Species.

In analyzing and approving the Subarea Plan, the City, as the lead agency, "consider[ed] the effects, both individual and collective, of all activities involved in [the] project." (Pub. Resources Code, § 21002.1, subd. (d).)

These CEQA Findings pertain to CDFG's proposed NCCP Approval for the Subarea Plan. The Subarea Plan implements the City's component of the much larger and comprehensive subregional plan of the MSCP that encompasses 12 jurisdictions and 582,243 acres in the southwestern part of San Diego County. Together, the MSCP Plan and the Subarea Plan form an integrated plan that addresses impacts to wildlife and wildlife habitat that may result from planned development activities within the jurisdictional boundaries of the City. The MSCP was approved, and CEQA Findings were made, by CDFG concurrently for the City of San Diego Subarea Plan on July 16, 1997. As the CEQA Lead Agency for the MSCP, the City of San Diego, in consultation with CDFG and other responsible agencies including the City, prepared the *Recirculated Draft Joint EIR/EIS for Issuance of Take Authorizations for Threatened and Endangered Species Due To Urban Growth within the Multiple Species Conservation Program (MSCP) Planning Area*, dated August 1996 and the *Final EIR/EIS for Issuance of Take Authorizations for Threatened and Endangered Species Due To Urban Growth within the Multiple Species Conservation Program (MSCP) Planning Area*, dated January 1997 (LDR No. 9300287, SCH No. 93121073) (collectively, the "Joint EIR/EIS"). The Joint Final EIR/EIS was certified and adopted by the Lead Agency on March 18, 1997.

Subsequently, the City prepared an Addendum to the EIR/EIS dated August 24, 2000 (adopted October 2000). The Draft Chula Vista Subarea Plan was revised October 2002, and finally again in February 2003. On May 13, 2003, the City Council of Chula Vista, acting as a lead agency under CEQA, adopted the MSCP and the Subarea Plan. The City subsequently submitted the Subarea Plan to CDFG for approval as a Natural Community Conservation Plan pursuant to § 2800, et. seq.

Implementing actions performed by the City to demonstrate and ensure compliance with the Implementing Agreement include the following, performed on May 13, 2003: 1) Adoption of an amendment that incorporates the Chula Vista Subarea Plan in its entirety as a new element of the General Plan; and, 2) Adoption of amendments to the Chula Vista Municipal Code, including: a new Habitat Loss and Incidental Take (HLIT) ordinance which will be applied to development (outside of covered projects) to ensure consistency with the Subarea Plan; a new Otay Ranch Grazing Ordinance; and, amendments to the City's Excavation, Grading and Fills Ordinance to further ensure than no impacts to habitat will occur unless consistent with the MSCP program.

3.2 Findings Requirement

CEQA requires public agencies to adopt certain findings before approving a project for which an EIR was prepared. The findings that appear below are intended to comply with CEQA's mandate that no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant effects thereof unless the agency makes one or more of the following findings:

- (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment;
- (2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency; or,
- (3) Economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

(Pub. Resources Code § 21081, subdiv. (a), CEQA Guidelines, § 15091, subdiv. (a); see also CEQA Guidelines, § 15082, subdiv. (b)(2)). These findings are also intended to comply with the requirement that each finding by CDFG be supported by substantial evidence in the administrative record, as well as accompanied by a brief explanation of the rationale for each finding. (*Id.*, § 15091, subds. (a) and (b); see also Discussion following CEQA Guidelines, § 15091.) To that end, these findings provide the written, specific reasons supporting CDFG's decisions under CEQA as they relate to the approval of the Subarea Plan under the NCCPA.

Because CDFG adopts these findings as a responsible agency, the scope of these findings and CDFG's analysis under CEQA are more limited than that of the lead agency (Pub. Resources Code, §§ 21102.1, subd. (d) and 21167.2; CEQA Guidelines, § 15096, subds. (f)-(h); Cal. Code Regs., tit. 14, §§ 783.3, subd. (a) and 783.5, subd. (c)). In its capacity as a responsible agency, CDFG is also bound by the legal presumption that the EIR certified by the City fully complies with CEQA (CEQA Guidelines, § 15096, subd. (e)(1)-(2); *City of Redding, supra*, 209 Cal.App.3d at pp. 1178-1181; see also Pub. Resources Code, § 21167.2; *Laurel Heights Improvement Association, supra*, 6 Cal.4th at p. 1130). In fact, CDFG is bound by the presumption of adequacy, except in extremely narrow circumstances (Pub. Resources Code, § 21167.2; CEQA Guidelines, § 15096, subds. (e) and (f)). CDFG concludes such circumstances do not exist in the present case based on substantial evidence in its administrative record for the Subarea Plan NCCP Permit.

3.3 Scope of Findings

CDFG is a responsible agency under CEQA for purposes of approving the Subarea Plan because of its authority under NCCPA and the lead agency's prior actions with respect to the project. As a responsible agency, CDFG's CEQA obligations are "more limited" than those of the lead agency. (CEQA Guidelines, § 15096, subd. (g)(1).) CDFG, in particular, is "responsible for considering only the effects of those activities involved in [the] project which it is required by law to carry out or approve." (Pub. Resources Code, § 21002.1, subd. (d).) Thus, while CDFG must "consider the environmental effects" of the Subarea Plan as disclosed in the environmental documents described above, CDFG "has responsibility for mitigating or avoiding only the direct or indirect environmental effects of those parts of the project which it decides to carry out, finance, or approve." (CEQA Guidelines, § 15096, subds. (f), (g)(1).) Accordingly, because CDFG's exercise of discretion is limited to approval of the Subarea Plan and associated take authorizations, CDFG is responsible for considering only the environmental effects that fall within its authority under the NCCPA.

CDFG's more limited obligations as a responsible agency affect the scope of, but not the obligation to adopt, findings required by CEQA. Findings are required, in fact, by each "public agency" that approves a "project for which an environmental impact report has been certified which identifies one or more significant effects on the environment[.]" (Pub. Resources Code, § 21081, subd. (a); CEQA Guidelines, § 15091, subd. (a); see also Pub. Resources Code, § 21068 ("significant effect on the environment defined"); CEQA Guidelines, § 15382 (same).) Because the City certified the Addendum to the Final EIR/EIS in approving the Subarea Plan, the obligation to adopt findings under CEQA necessarily applies to CDFG as a responsible agency. (CEQA Guidelines, § 15096, subd. (h); *Resource Defense Fund v. Local Agency Formation Comm. of Santa Cruz County* (1987) 191 Cal.App.3d 886, 896-898.) However, the City found in the Final Supplemental EIR/EA that there were no new significant impacts to biological resources, and that the level of conservation was the same or higher than that analyzed in the Addendum to the Final EIR/EIS. As a result, no additional CEQA findings were made by the City with respect to biological resource issues.

The specific provision of the CEQA Guidelines addressing the responsible agency findings obligation is section 15096, subdivision (h). That section provides, in pertinent part, that a "responsible agency shall make the findings required by Section 15091 for each significant effect of the project and shall make the findings in Section 15093 if necessary." (CEQA Guidelines, § 15096, subd. (h).) The scope of this charge in the guidelines is governed by statutory language concerning the extent of responsible agency decision making authority under CEQA. As noted above, the controlling statute provides that a "responsible agency shall be responsible for considering only the effects of those activities involved in a project which it is required by law to carry out or approve." (Pub. Resources Code, § 21002.1, subd. (d).) The same section underscores that the more limited scope of review for responsible agencies necessarily "applies only to decisions by a public agency to carry out or approve a project[.]" (*Ibid.*) For the same reason, CDFG is required to adopt findings under CEQA in the present case only for those environmental effects specifically authorized by CDFG under NCCPA.

3.4 Legal Effect of the Findings

These findings are not merely informational. To the extent CDFG relies on implementation of particular measures to make a necessary finding under CESA or NCCPA, those measures constitute a binding set of obligations that take effect when CDFG approves the NCCP Permit for the Subarea Plan. CDFG believes that all mitigation and conservation measures that it has relied on for purposes of its findings are separately required under the Subarea Plan, the MSCP Subregional Plan or the Implementing Agreement, or are express conditions of this NCCP Permit. Consequently CDFG does not anticipate that as a practical matter these findings, in and of themselves, will increase obligations of the City or of those operating under authority of this NCCP Permit.

3.5 Findings Regarding Potentially Significant Environmental Effects

Impacts to species covered under the Subarea Plan are generally off-set through a combination of conservation and management of occupied/suitable habitat, conservation of known locations of Covered Species, and/or through a variety of avoidance or conservation actions intended to benefit particular species. All Covered Species are expected to benefit by the system of large, interconnected blocks of habitat that the City's Subarea Plan, in conjunction with the MSCP Subregional Plan, will establish and preserve in perpetuity. The Preserve will be adaptively managed, per the measures in the City's Subarea Plan and MSCP Subregional Plan, which will further reduce the indirect effects and benefit all Covered Species, including rare, threatened, and endangered species. A key element of the Subarea Plan is the Narrow Endemic Species Policy which ensures a high level of protection to species identified as having an extremely limited distribution within the MSCP and/or the Subarea Plan. A second key element is the Wetlands Protection Program, which ensures conservation of wetland habitats regardless of overlapping state or federal jurisdiction. These key policies are summarized below.

Narrow Endemic Species Policy

The MSCP defines a number of species as Narrow Endemics, which are highly restricted by their habitat affinities or other ecological factors. Coverage for these species generally requires substantial avoidance of known or newly discovered populations, and participating jurisdictions to specify and implement measures in their individual subarea plans to avoid or minimize impacts to all populations. The Chula Vista Subarea Plan's narrow endemic provisions allow up to a maximum of 20 percent impact of a population within development areas regulated by the Habitat Loss and Interim Take (HLIT) Ordinance and in 75-100 percent Conservation Areas, and up to 5 percent impact to populations within 100 percent Conservation Areas within Covered Projects and in 100 percent Conservation Areas Regulated by the HLIT Ordinance (refer to section 5.2.3 of the Chula Vista Subarea Plan for greater detail). Any encroachment exceeding these impact guidelines requires a determination of biologically superior preservation by the City, and is subject to concurrence by the Wildlife Agencies (CDFG and USFWS, collectively). Where complete avoidance of narrow endemic species populations is not possible, mitigation is required at a 1:1 to 3:1 ratio (Table 5-3 of Subarea Plan). Hard-lined development areas of Covered Projects are not

subject to the above narrow endemic provisions, but did receive previous biological studies to determine the distributions and abundance of sensitive flora and fauna as part of the analysis to hard-line the project.

Species known to occur in the Chula Vista Subarea which are identified in the MSCP as narrow endemics are variegated dudleya, Otay tarplant, and snake cholla. In addition, the Chula Vista Subarea Plan has listed the salt marsh bird's-beak as a narrow endemic species. This species occurs within the Sweetwater Marsh National Wildlife Refuge, and although not anticipated to be directly impacted by any activities authorized through the Subarea Plan, if present, salt marsh bird's beak would be afforded the additional narrow endemic protections described above.

Three additional species having some potential for occurrence within the Chula Vista Subarea (including in some cases species with known occurrences on portions of Otay Ranch), and which are listed as narrow endemics by the MSCP, are San Diego thorn-mint, San Diego ambrosia, and Palmer's ericameria. The Chula Vista Subarea Plan has also listed Orcutt's brodiaea as a narrow endemic species, thereby providing the additional protections described above. Similarly, the Chula Vista Subarea Plan defines willowy monardella as a narrow endemic species. This species has received considerable attention due to a limited local distribution and possible declines in the remaining populations conserved through MSCP. While not known from the Chula Vista Subarea, it is found in nearby areas. Listing it as a narrow endemic species under the Chula Vista Plan provides an added level of protection, and conservation requirements, in the event that this species is later found within the Subarea.

The following MSCP narrow endemic species are not expected to occur in the Chula Vista Subarea: Shaw's agave, Encinitas baccharis, Nevin's barberry, thread-leaved brodiaea, Dunn's mariposa lily, Lakeside ceanothus, short-leaved dudleya, Gander's pitcher sage, felt-leaved monardella, and Dehesa bear-grass.

Wetlands Protection Program

The Chula Vista Wetlands Protection Program was instituted in the February 2003 (final) version of the Subarea Plan to ensure conservation, protection, and/or mitigation of wetland habitats essential to many of the Covered Species. Section 5.2.4, Table 5-6, and Appendix B of the Subarea Plan provide a more thorough discussion of the Wetlands Protection Program. This effort on the part of the City was undertaken to off-set existing and future uncertainties in federal jurisdiction over wetland habitats, as the MSCP had assumed for many of its Covered Species. While this need was initially identified due to concerns for vernal pools, the Chula Vista wetlands program extends this commitment to all wetland (and non-vegetated streambeds, open water, etc.) habitat types. The Wetlands Protection Program applies to the following vegetation associations (requisite mitigation ratios are shown in parentheses): salt marsh (4:1), saltpan (4:1), oak riparian forest (3:1), riparian forest (3:1), riparian woodland (3:1), riparian scrub (1:1 to 2:1; 3:1 in the coastal overlay zone), open water/freshwater (1:1), freshwater marsh (1:1 to 2:1; 4:1 in the coastal overlay zone), natural flood channel (1:1 to 2:1), disturbed wetlands (1:1 to 2:1), vernal pools (2:1 to 4:1), marine habitats (2:1), and eelgrass beds (2:1).

The Wetlands Protection Program also includes minimization and mitigation measures, a no net loss of wetlands policy, and that all wetland mitigation must be in-kind. Within the Chula Vista Preserve, all projects are further subject to the City's Facilities Siting Criteria, which requires avoidance of impacts to wetlands to the maximum extent practicable.

The Wetlands Protection Policy is anticipated to provide an additional level of protection to the following species: thread-leaved brodiaea, Orcutt's brodiaea, salt marsh bird's-beak, Orcutt's bird's-beak, San Diego button-celery, willowy monardella, spreading navarretia, California Orcutt grass, San Diego mesa mint, Otay mesa mint, salt marsh skipper, San Diego fairy shrimp, Riverside fairy shrimp, arroyo toad, California red-legged frog, southwestern pond turtle, reddish egret, white-faced ibis, Canada goose, bald eagle, northern harrier, Cooper's hawk, light-footed clapper rail, western snowy plover, long-billed curlew, elegant tern, California least tern, southwestern willow flycatcher, least Bell's vireo, Belding's savannah sparrow, large-billed savannah sparrow, and tricolored blackbird. Palmer's ericameria is also sometimes found in relatively dry, seasonal drainages.

CDFG Review of City's CEQA Findings

The City Council of Chula Vista, as a responsible agency, prepared *CEQA Findings of Fact for the Approval of the Multiple Species Conservation Program (MSCP) Subregional Plan and the Adoption of the City of Chula Vista Multiple Species Conservation Program (MSCP) Subarea Plan* (City CEQA Findings of Fact, dated October 9, 2000). These findings reflect the previously analyzed Final EIR/EIS Certified by the Lead Agencies (City of San Diego and U.S. Fish and Wildlife Service) for the Issuance of Take Authorizations for Threatened and Endangered Species Due to Urban Growth within the Multiple Species Conservation Program (MSCP) Planning Area. The City's CEQA Findings of Fact identified eight potentially significant impacts to biological resources. Five of these potentially significant impacts were identified as originating from implementation of the MSCP Subregional Plan, and include: (1) direct impacts to Covered Species; (2) direct impacts to vegetation/habitat; (3) indirect impacts to Covered Species; (4) indirect impacts to non-wetland uncovered species; and, (5) indirect impacts to sensitive vegetation/habitat. Three potentially significant impacts were identified as resulting from the Subarea Plan itself, and they include: (1) direct impacts to Covered Species; (2) direct impacts to vegetation/habitat; and, (3) indirect impacts to Covered Species, uncovered species, and sensitive vegetation/habitat. The City's CEQA Findings of Fact reflected information in their 2000 draft Subarea Plan. The City found that all eight of these potentially significant impacts on biological resources were mitigated to below a level of significance.

CDFG CEQA Findings

This section presents CDFG's responsible agency findings with respect to the potentially significant environmental effects authorized by CDFG pursuant to the NCCP Permit issued to the City under NCCPA. Such effects are limited, specifically, to the take of Covered Species in the Subarea Plan. The NCCP Permit includes the 86 listed and non-listed species referred to collectively as "Covered Species" in the Chula Vista Subarea Plan and Final Supplemental EIR/EA. The NCCP Permit does not authorize the take of five (5) fully protected species, although those species are Covered Species which will benefit from the conservation and management provided by the Subarea Plan. The NCCP Permit authorizes the take of eighty one (81) Covered Species. CDFG, as a consequence, hereby makes the following findings under CEQA with respect to effects on each Covered Species by the Chula Vista Subarea Plan as authorized under NCCPA.

Impact 3.5.1

Approval of the Subarea Plan and issuance of the NCCP Permit could result in potentially significant adverse impacts on the following vernal pool species and their habitat: thread-leaved Brodiaea (*Brodiaea filifolia*), Orcutt's brodiaea (*Brodiaea orcuttii*), San Diego button-celery (*Eryngium aristulatum* var. *parishii*), spreading navarretia (*Navarretia fossalis*), California Orcutt grass (*Orcuttia californica*), San Diego Mesa mint (*Pogogyne abramsii*), Otay Mesa mint (*Pogogyne nudiuscula*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), and Riverside fairy shrimp (*Streptocephalus woottoni*).

Finding 3.5.1

CDFG finds that changes have been required in, or incorporated into, the Subarea Plan, the MSCP Plan and the NCCP Permit that avoid or mitigate project-related impacts on vernal pool species and their habitat to below a level of significance. (**Pub. Resources Code, § 21081, subd. (a)(1); CEQA Guidelines, § 15091, subd. (a)(1).**)

Explanation 3.5.1: CDFG finds that approval of the Subarea Plan and issuance of the NCCP Permit could result in potentially significant impacts on certain vernal pool species and their habitat because land use development that the Subarea Plan and Permit allow will destroy or adversely affect some of the area's vernal pool habitat, and allow take of Covered Species that utilize the habitat. Furthermore, management activities within the Subarea Preserve may also result in take of vernal pools species and might temporarily disturb their habitat (See Section 7 of Subarea Plan). The potential impact of the Subarea Plan and NCCP Permit on individual vernal pool species is more specifically disclosed in Attachment 1 of this Permit, Sections 4.1-4.3 of the Subarea Plan, and Table 3-5 of the MSCP Subregional Plan.

This species group includes six plant and two invertebrate species strongly associated with vernal pool habitat, but none of which have been found within the Subarea and are therefore unlikely to be adversely affected by implementation of the Subarea Plan and through take authorized in the NCCP Permit. However, some of these species could be significantly adversely affected if they

are present but undetected, or if they occupy vernal pool habitat in the City or within that portion of the MSCP Preserve outside the City that will be implemented through the Subarea Plan. Potential habitat which could support one or more of the above species occurs in vernal pool complexes located within the Otay Ranch Planning Component or possibly in vernal pool habitat within the University site adjacent to Otay Lakes.

CDFG's finding is consistent with the City's finding that these species would be subject to potentially significant direct and indirect effects caused by land use development outside of the Preserve (City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1, 4.3-MHPA-3, 4.3-MHPA-6, 4.3-MHPA-8, and Exhibit 1 [Table ES-3 of MSCP Draft EIR/EIS]). Of the species listed in the vernal pool group, the City found potential impacts to thread-leaved brodiaea were discountable or insignificant (City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1). The City did not identify the impact to species within the Subarea Preserve as potentially significant. The impact on these species within the MSCP Preserve, including the Subarea Preserve, are expected to be small in comparison to impacts outside preserve areas because they will be limited to occasional take and temporary habitat impacts associated with management activities designed to benefit these species and other Covered Species (See Section 7 of Subarea Plan). CDFG nonetheless concludes that this impact may be potentially significant because management activities can be expected to result in the take of some Covered Species and to disturb, at least temporarily, protected habitat within the MSCP Preserve.

The Subarea Plan does not specifically state that pre-project surveys are required to be performed where impacts may occur to vernal pool habitat and/or to any of the potentially occurring species associated with vernal pools. However, such baseline information is essential to appropriately evaluate impacts to such habitat, and to apply mitigation ratios in accordance with the functions and values of both the impacted wetlands as well as the mitigation wetlands proposed by a project, as discussed in Section 5.2.4 of the Subarea Plan. Therefore, where baseline information does not exist, or may be outdated, surveys will be performed, as appropriate, during the CEQA review process. This will ensure that appropriate mitigation ratios and/or restoration requirements are identified and implemented as required through the Wetlands Protection (Section 5.2.4 of Subarea Plan) and Narrow Endemics (Section 5.2.3 of Subarea Plan) policies, or other species-specific measures identified in the Subarea Plan and MSCP Subregional Plan.

CDFG concludes this impact, while potentially significant, has been mitigated to below a level of significance by the conservation features that have been built into the Subarea Plan and the MSCP Subregional Plan. The MSCP Subregional Plan estimated that 88 percent of vernal pool habitat would be conserved and that up to 12 percent of vernal pool habitat may be impacted across the subregional area, but also noted that any plan impact to this habitat type was subject to a standard of "no net loss" of function and value criteria, as determined by the Army Corps of Engineers (ACOE) (See Section 3.2.1 of MSCP Subregional Plan). Subsequent rulings in federal court have led to ACOE no longer regulating much of this habitat. To compensate for this change in federal regulation, the Subarea Plan incorporates specific language and a commitment to implement a Wetlands Protection Program that includes vernal pools as an identified wetland community (Section 5.2.4 of Subarea Plan). The Wetlands Protection Program follows a process

of avoidance, minimization, and if necessary, mitigation for any impacts which cannot be avoided. The Wetlands Protection Program also provides for no net loss of wetlands, as did the former ACOE regulations, and requires that all wetland mitigation be in-kind; two to four acres of new vernal pool habitat must be created under the Subarea Plan for every acre that is destroyed, depending upon the quality of the habitat impacted. Area specific management directives for the above species generally require measures to protect against detrimental edge effects, to maintain surrounding habitat for pollinators (applies only to plant species), and to maintain vernal pool watershed areas.

In addition to the measures identified above, the Otay Ranch Resource Management Plan (RMP) requires preservation of 95 percent of the vernal pool habitat, including a vernal pool Preserve consisting of over 400 acres (City of Chula Vista 1996; Section 4 of Subarea Plan). Implementation of the RMP will be carried out by both the City of Chula Vista and the County of San Diego, ensuring that the goals and policies of the RMP are met and enforced regardless of political jurisdiction (Section II of RMP2 [City of Chula Vista 1996]). Any projects within the Chula Vista Preserve are further subject to the City's Facilities Siting Criteria, which requires avoidance of impacts to wetlands to the maximum extent practicable to minimize impacts within the Preserve (Section 6.3.3.4 of Subarea Plan). The City's Grazing Ordinance places restrictions on grazing activities (e.g., location, seasonal timing, etc.) on Otay Ranch prior to land conveyance into the Preserve. Further, grazing on conveyed lands is prohibited unless it is shown to have a neutral or positive benefit, and is subject to concurrence by the Wildlife Agencies. The City's Grading Ordinance will benefit vernal pool species by regulating clearing and grubbing of sensitive biological resources to ensure compliance with the Chula Vista Subarea Plan. Additional protections may be extended to any vernal pools which support narrow endemic species (Section 5.2.3 of Subarea Plan).

Finally, the Subarea Plan and MSCP Subregional Plan will preserve vernal pools in large, interconnected blocks of habitat that will be protected in perpetuity, and this Preserve will be adaptively managed through Area Specific Management Directives (ASMDs) developed for particular locations of the Reserve, as well as requirements in the MSCP's Biological Monitoring Plan (Ogden 1996). Preservation of large interconnected blocks of habitat, and adaptive management of that habitat to adjust for changes in vernal pool species and other covered species, will benefit these species and mitigate the loss of a small percentage of existing vernal pool habitat and species.

The mitigation and conservation benefits that specific vernal pool species would derive from the Subarea Plan are more specifically identified in Attachment 1 of this NCCP Permit, which is incorporated into these CEQA findings.

CDFG finds that its approval of the Subarea Plan and its issuance of the NCCP Permit could result in a significant impact on these vernal pool species and their habitat from land use development, other covered activities and from management of the MSCP Preserve, but concludes that this impact will be avoided or mitigated to below a level of significance through implementation of the Subarea Plan and compliance with conditions of the NCCP Permit. Key

to this finding by CDFG are requirements that a Preserve be established and adaptively managed for the benefit of these species; that wetland losses within the MSCP area, the Subarea and Otay Ranch will be limited; that any vernal pool habitat that is lost within the Subarea will be replaced with in-kind resources; and, that other impact avoidance, mitigation and management measures in the Subarea Plan, MSCP Subregional Plan and NCCP Permit will be implemented. CDFG notes that its finding under CEQA with respect to these species is consistent with the findings of the City on the same subject. (See City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1, 4.3-MHPA-3, 4.3-MHPA-6, 4.3-MHPA-8, and Exhibit 1 [Table ES-3 of MSCP Draft EIR/EIS]). CDFG's findings are based on the overall conservation strategy, species-specific minimization and avoidance measures, monitoring and management program, and species-specific conditions for coverage identified in the MSCP and the Chula Vista Subarea Plan. (MSCP Table 3-5; Sections 4, 5, 6, 7 and 8 of the Subarea Plan, and other sources identified in this finding).

Impact 3.5.2

Approval of the Subarea Plan and issuance of the NCCP Permit could result in potentially significant adverse impacts on the following clay microhabitat species and their habitat: San Diego thorn-mint (*Acanthomintha ilicifolia*), San Diego goldenstar (*Muilla clevelandii*), Otay tarplant (*Deinandra conjugens*), short-leaved dudleya (*Dudleya blochmaniae* ssp. *brevifolia*), variegated dudleya (*Dudleya variegata*), and sticky dudleya (*Dudleya viscida*).

Finding 3.5.2

CDFG finds that changes have been required in, or incorporated into, the Subarea Plan, the MSCP Plan and the NCCP Permit that avoid or mitigate project-related impacts on clay microhabitat species and their habitat to below a level of significance. (**Pub. Resources Code, § 21081, subd. (a)(1); CEQA Guidelines, § 15091, subd. (a)(1).**)

Explanation 3.5.2: CDFG finds that approval of the Subarea Plan and issuance of the NCCP Permit could result in potentially significant impacts on certain clay microhabitat species and their habitat because land use development that the Subarea Plan and Permit allow will destroy or adversely affect some of the area's clay soil habitat, and allow take of Covered Species that utilize the habitat. Furthermore, management activities within the Subarea Preserve may also result in take of clay microhabitat species and might temporarily disturb their habitat (See Section 7 of Subarea Plan). The potential impact of the Subarea Plan and NCCP Permit on individual clay microhabitat species is more specifically disclosed in Attachment 1 of this Permit, Sections 4.1-4.3 of the Subarea Plan, and Table 3-5 of the MSCP Subregional Plan.

Within this group of species, CDFG finds that impacts will be potentially significant on those species that are known to exist within the City or within areas of the MSCP Preserve outside the City that will be preserved and managed as part of implementation of the Subarea Plan. Species found in these areas include San Diego goldenstar, Otay tarplant, and variegated dudleya, and these are consequently the species that will be subject to the potentially significant impacts identified above. The other clay microhabitat species covered by the Subarea Plan, namely San Diego thorn-mint, short-leaved dudleya, and sticky dudleya, have not been found within the area

and are therefore unlikely to be adversely affected by implementation of the Subarea Plan and through take authorized in the NCCP Permit. However, these species could be significantly adversely affected if they are present but undetected in the City or within that portion of the MSCP Preserve outside the City that will be implemented through the Subarea Plan.

CDFG's finding is consistent with the City's finding that these species would be subject to potentially significant direct and indirect effects caused by land use development outside of the Preserve (City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1, 4.3-MHPA-3, 4.3-MHPA-6, 4.3-MHPA-8, and Exhibit 1 [Table ES-3 of MSCP Draft EIR/EIS]). The City did not identify the impact to species within the Subarea Preserve as potentially significant. The impact on these species within the MSCP Preserve, including the Subarea Preserve, are expected to be small in comparison to impacts outside preserve areas because they will be limited to occasional take and temporary habitat impacts associated with management activities designed to benefit these and other Covered Species (See Section 7 of Subarea Plan). CDFG nonetheless concludes that this impact may be potentially significant because management activities can be expected to result in the take of some Covered Species and to disturb, at least temporarily, protected habitat within the MSCP Preserve.

Clay microhabitat species are comprised of several plant species which are highly restricted to a particular habitat/soil affinity and other specialized conditions, resulting in these species having, generally, very limited and localized populations within San Diego County and the MSCP in particular. They are not broadly distributed within a particular habitat type, and typically do not occur where there has been a moderate or higher level of disturbance, or where non-native species dominate the substrate. CDFG concludes that potential impacts, while potentially significant, have been mitigated to below a level of significance by the conservation features that have been built into the Subarea Plan and the MSCP Subregional Plan. MSCP coverage for these species has largely been achieved through the conservation of major populations and/or through defining these species as narrow endemics, ensuring a high level of conservation for any subsequently identified populations (See Attachment 1 of this Permit for discussions of individual species). Only one of the above six species with a potential for occurrence in the Chula Vista Subarea is not named as a narrow endemic species (San Diego goldenstar), though it is practically treated as such by the County's Biological Mitigation Ordinance, and large numbers of this plant are being conserved in open space on two projects being hard-lined by the Subarea Plan.

The City's Grazing Ordinance places restrictions on grazing activities (e.g., location, seasonal timing, etc.) on Otay Ranch prior to land conveyance into the Preserve. Further, grazing on conveyed lands is prohibited unless it is shown to have a neutral or positive benefit, and is subject to concurrence by the Wildlife Agencies. The City's Grading Ordinance will benefit clay microhabitat species by regulating clearing and grubbing of sensitive biological resources to ensure compliance with the Chula Vista Subarea Plan. Also, some of these clay soil associates are often found peripherally to vernal pools, and may therefore indirectly benefit by conservation and protections of vernal pool habitat through the Subarea's Wetlands Protection Program and through

the Otay Ranch Resource Management Plan (Phases 1 and 2), incorporated into the Chula Vista Subarea Plan.

Finally, the Subarea Plan and MSCP Subregional Plan will preserve populations of clay microhabitat species in large, interconnected blocks of habitat that will be protected in perpetuity, and this Preserve will be adaptively managed through ASMDs developed for particular locations of the Reserve, as well as requirements in the MSCP's Biological Monitoring Plan (Ogden 1996). ASMDs for clay microhabitat species generally require measures to protect against detrimental edge effects and to maintain surrounding habitat for pollinators. Preservation of large interconnected blocks of habitat, and adaptive management of that habitat to adjust for changes in clay microhabitat species and other Covered Species, will benefit these species and mitigate the loss of a small percentage of existing clay microhabitat and species.

The mitigation and conservation benefits that specific clay microhabitat species would derive from the Subarea Plan are more specifically identified in Attachment 1 of this NCCP Permit.

CDFG finds that its approval of the Subarea Plan and its issuance of the NCCP Permit could result in a significant impact on these clay microhabitat species and their habitat from land use development, other covered activities and from management of the MSCP Preserve, but concludes that this impact will be avoided or mitigated to below a level of significance through implementation of the Subarea Plan and compliance with conditions of the NCCP Permit. Key to this finding by CDFG are requirements that a Preserve be established and adaptively managed for the benefit of these species, and that other impact avoidance, mitigation and management measures in the Subarea Plan, MSCP Subregional Plan and NCCP Permit will be implemented. CDFG notes that its finding under CEQA with respect to these species is consistent with the findings of the City on the same subject. (See City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1, 4.3-MHPA-3, 4.3-MHPA-6, 4.3-MHPA-8, and Exhibit 1 [Table ES-3 of MSCP Draft EIR/EIS]). CDFG's findings are based on the overall conservation strategy, monitoring and management program, and species-specific conditions for coverage identified in the MSCP and the Chula Vista Subarea Plan. (MSCP Table 3-5; Sections 4, 5, 6, 7 and 8 of the Subarea Plan, and other sources identified in this finding).

Impact 3.5.3

Approval of the Subarea Plan and issuance of the NCCP Permit could result in potentially significant adverse impacts on the following riparian/freshwater marsh/aquatic species and their habitat: San Diego ambrosia (*Ambrosia pumila*), Palmer's ericameria (*Ericameria palmeri*), willowy monardella (*Monardella linoides* ssp. *viminea*), arroyo toad (*Bufo californicus*), red-legged frog (*Rana aurora draytonii*), southwestern pond turtle (*Clemmys marmorata pallida*), Cooper's hawk (*Accipiter cooperii*), tricolored blackbird (*Agelaius tricolor*), Canada goose (*Branta canadensis*), southwestern willow flycatcher (*Empidonax traillii extimus*), bald eagle (*Haliaeetus leucocephalus*), white-faced ibis (*Plegadis chihi*), and least Bell's vireo (*Vireo bellii pusillus*).

Finding 3.5.3

CDFG finds that changes have been required in, or incorporated into, the Subarea Plan, the MSCP Plan and the NCCP Permit that avoid or mitigate project-related impacts on riparian/freshwater marsh/aquatic species and their habitat to below a level of significance. (**Pub. Resources Code, § 21081, subd. (a)(1); CEQA Guidelines, § 15091, subd. (a)(1).**)

Explanation 3.5.3: CDFG finds that approval of the Subarea Plan and issuance of the NCCP Permit could result in potentially significant impacts on certain riparian/freshwater marsh/aquatic species and their habitat because land use development that the Subarea Plan and Permit allow will destroy or adversely affect some of the area's wetland habitat, and allow take of Covered Species that utilize such habitat. Furthermore, management activities within the Subarea Preserve may also result in take of riparian/freshwater marsh/aquatic species and might temporarily disturb their habitat (See Section 7 of Subarea Plan). The potential impact of the Subarea Plan and NCCP Permit on individual riparian/freshwater marsh/aquatic species is more specifically disclosed in Attachment 1 of this Permit, Sections 4.1-4.3 of the Subarea Plan, and Table 3-5 of the MSCP Subregional Plan.

Within this group of species, CDFG finds that impacts will be potentially significant on those species that are known to exist within the City or within areas of the MSCP Preserve outside the City that will be preserved and managed as part of implementation of the Subarea Plan. Species known to occur in the Subarea, and those for which suitable habitat occurs and the known distribution of the species suggests their potential presence within the Subarea, include San Diego ambrosia, Palmer's ericameria, southwestern pond turtle, Cooper's hawk, tricolored blackbird, Canada goose, southwestern willow flycatcher, bald eagle, white-faced ibis, and least Bell's vireo, and these are consequently the species that will be subject to the potentially significant impacts identified above. The arroyo toad, red-legged frog, and willowy monardella are not expected to occur in the Subarea based upon their current known distributions within San Diego County and are therefore unlikely to be adversely affected by implementation of the Subarea Plan and through take authorized in the NCCP Permit. However, these species could be significantly adversely affected if they are present but undetected in the City or within that portion of the MSCP Preserve outside the City that will be implemented through the Subarea Plan. As an additional protection for willowy monardella populations, should any occur with the Subarea, this species has been listed as a narrow endemic species under the Subarea Plan.

The Subarea Plan does not specifically state that pre-project surveys are required to be performed where impacts may occur to wetland habitat and any of the potentially occurring species associated with such habitat. However, such baseline information is essential to appropriately evaluate impacts to such habitat, and to apply mitigation ratios in accordance with the functions and values of both the impacted wetlands as well as the mitigation wetlands proposed by a project, as discussed in Section 5.2.4 of the Subarea Plan. Therefore, where baseline information does not exist, or may be outdated, surveys will be performed, as appropriate, during the CEQA review process. This will ensure that appropriate mitigation ratios and/or restoration requirements are identified and implemented as required through the Wetlands Protection

(Section 5.2.4 of Subarea Plan) and Narrow Endemics (Section 5.2.3 of Subarea Plan) policies, or other species specific measures identified in the Subarea Plan and MSCP Subregional Plan.

CDFG's finding is consistent with the City's finding that these species would be subject to potentially significant direct and indirect effects caused by land use development outside of the Preserve (City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1, 4.3-MHPA-3, 4.3-MHPA-6, 4.3-MHPA-8, and Exhibit 1 [Table ES-3 of MSCP Draft EIR/EIS]). Of the species listed in the riparian/freshwater marsh/aquatic group, the City found potential impacts to red-legged frog were discountable or insignificant (City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1). The City did not identify the impact to species within the Subarea Preserve as potentially significant. The impact on these species within the MSCP Preserve, including the Subarea Preserve, are expected to be small in comparison to impacts outside preserve areas because they will be limited to occasional take and temporary habitat impacts associated with management activities designed to benefit these species and other Covered Species (See Section 7 of Subarea Plan). CDFG nonetheless concludes that this impact may be potentially significant because management activities can be expected to result in the take of some Covered Species and to disturb, at least temporarily, protected habitat within the MSCP Preserve.

CDFG concludes this impact, while potentially significant, has been mitigated to below a level of significance by the conservation features that have been built into the Subarea Plan and the MSCP Subregional Plan. The Subarea Plan estimates that 93 percent of wetland habitats will be conserved (Section 3.2.1 [Table 3-5] of Subarea Plan). To ensure protection or mitigation for any impacts to wetland habitats, the Subarea Plan commits to implement a Wetlands Protection Program (Section 5.2.4 of Subarea Plan). The Wetlands Protection Program follows a process of avoidance, minimization, and if necessary, mitigation for any impacts to wetlands which cannot be avoided. The Wetlands Protection Program also provides for no net loss of wetlands, and requires that all wetland mitigation be in-kind. Mitigation ratios for wetland impacts are identified in Table 5-6 of the Subarea Plan.

Additional protections to wetland species are derived through the City's Grazing Ordinance, which places restrictions on grazing activities (e.g., location, seasonal timing, etc.) on Otay Ranch prior to land conveyance into the Preserve. Further, grazing on conveyed lands is prohibited unless it is shown to have a neutral or positive benefit, and is subject to concurrence by the Wildlife Agencies. The City's Grading Ordinance will benefit riparian/freshwater marsh/aquatic species by regulating clearing and grubbing of sensitive biological resources to ensure compliance with the Chula Vista Subarea Plan.

Finally, the Subarea Plan and MSCP Subregional Plan will preserve riparian/freshwater marsh/aquatic habitats within large, interconnected blocks of habitat that will be protected in perpetuity, and this Preserve will be adaptively managed through ASMDs developed for particular locations of the Reserve, as well as requirements in the MSCP's Biological Monitoring Plan (Ogden 1996). Preservation of large interconnected blocks of habitat, and adaptive management of that habitat to adjust for changes in wetland species and other Covered Species,

will benefit these species and mitigate the loss of a small percentage of existing wetland habitats and their associated species.

The potential impact of the Subarea Plan and NCCP Permit on individual riparian/freshwater marsh/aquatic species is more fully disclosed in Attachment 1 of this NCCP Permit.

CDFG finds that its approval of the Subarea Plan and its issuance of the NCCP Permit could result in a significant impact on these riparian/freshwater marsh/aquatic species and their habitats from land use development, other covered activities and from management of the MSCP Preserve, but concludes that this impact will be avoided or mitigated to below a level of significance through implementation of the Subarea Plan and compliance with conditions of the NCCP Permit. Key to this finding by CDFG are requirements that a Preserve be established and adaptively managed for the benefit of these species; that wetland losses within the MSCP area, the Subarea and Otay Ranch will be limited; that any wetland habitats that are lost within the Subarea will be replaced with in-kind resources; and, that other impact avoidance, mitigation and management measures in the Subarea Plan, MSCP Subregional Plan and NCCP Permit will be implemented. CDFG notes that its finding under CEQA with respect to these species is consistent with the findings of the City on the same subject. (See City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1, 4.3-MHPA-3, 4.3-MHPA-6, 4.3-MHPA-8, and Exhibit 1 [Table ES-3 of MSCP Draft EIR/EIS]). CDFG's findings are based on the overall conservation strategy, species-specific minimization and avoidance measures, monitoring and management program, and species-specific conditions for coverage identified in the MSCP and the Chula Vista Subarea Plan (MSCP Table 3-5; Sections 4, 5, 6, 7 and 8 of the Subarea Plan, and other sources identified in this finding).

Impact 3.5.4

Approval of the Subarea Plan and issuance of the NCCP Permit could result in potentially significant adverse impacts on the following salt marsh species and their habitat: salt marsh bird's-beak (*Cordylanthus maritimus* ssp. *maritimus*), Orcutt's bird's-beak (*Cordylanthus orcuttianus*), salt marsh skipper (*Panoquina errans*), reddish egret (*Egretta rufescens*), long-billed curlew (*Numenius americanus*), Belding's savannah sparrow (*Passerculus sandwichensis beldingi*), large-billed savannah sparrow (*Passerculus sandwichensis rostratus*), and light-footed clapper rail (*Rallus longirostris levipes*).

Finding 3.5.4

CDFG finds that changes have been required in, or incorporated into, the Subarea Plan, the MSCP Plan and the NCCP Permit that avoid or mitigate project-related impacts on salt marsh species and their habitat to below a level of significance. (**Pub. Resources Code, § 21081, subd. (a)(1); CEQA Guidelines, § 15091, subd. (a)(1).**)

Explanation 3.5.4: CDFG finds that approval of the Subarea Plan and issuance of the NCCP Permit could result in potentially significant impacts on certain salt marsh species and their habitat because land use development that the Subarea Plan and Permit allow will destroy or

adversely affect some of the area's salt marsh habitat, and allow take of Covered Species that utilize the habitat. Furthermore, management activities within the Subarea Preserve may also result in take of salt marsh species and might temporarily disturb their habitat (See Section 7 of Subarea Plan). The potential impact of the Subarea Plan and NCCP Permit on individual salt marsh species is more specifically disclosed in Attachment 1 of this Permit, Sections 4.1-4.3 of the Subarea Plan, and Table 3-5 of the MSCP Subregional Plan.

This species group includes two plant and six animal species strongly associated with salt marsh vegetation, all of which are known to occur within the Subarea in the Sweetwater Marsh National Wildlife Refuge, a 100 percent Preserve area. While these species are unlikely to be adversely affected by implementation of the Subarea Plan and through take authorized in the NCCP Permit, some of these species could be significantly adversely affected if they are present but undetected in salt marsh habitat in the City outside of 100 percent Preserve areas.

CDFG's finding is consistent with the City's finding that these species would be subject to potentially significant direct and indirect effects caused by land use development outside of the Preserve (City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1, 4.3-MHPA-3, 4.3-MHPA-6, 4.3-MHPA-8, and Exhibit 1 [Table ES-3 of MSCP Draft EIR/EIS]). Of the salt marsh species identified above, only impacts to the salt marsh skipper were found by the City to not be significant (City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1). The impact on these species within the MSCP Preserve, including the Subarea Preserve, are expected to be small in comparison to impacts outside preserve areas because they will be limited to occasional take and temporary habitat impacts associated with management activities designed to benefit these species and other Covered Species (See Section 7 of Subarea Plan). CDFG nonetheless concludes that this impact may be potentially significant because management activities can be expected to result in the take of some Covered Species and to disturb, at least temporarily, protected habitat within the MSCP Preserve.

The Subarea Plan does not specifically state that pre-project surveys are required to be performed where impacts may occur to salt marsh habitat and any of the potentially occurring species associated with this vegetation community. However, such baseline information is essential to appropriately evaluate impacts to such habitat, and to apply mitigation ratios in accordance with the functions and values of both the impacted wetlands as well as the mitigation wetlands proposed by a project, as discussed in Section 5.2.4 of the Subarea Plan. Therefore, where baseline information does not exist, or may be outdated, surveys will be performed, as appropriate, during the CEQA review process. This will ensure that appropriate mitigation ratios and/or restoration requirements are identified and implemented as required through the Wetlands Protection (Section 5.2.4 of Subarea Plan) and Narrow Endemics (Section 5.2.3 of Subarea Plan) policies, or other species specific measures identified in the Subarea Plan and MSCP Subregional Plan.

CDFG concludes this impact, while potentially significant, has been mitigated to below a level of significance by the conservation features that have been built into the Subarea Plan and the MSCP Subregional Plan. The Subarea Plan estimated that 99 percent salt marsh habitat would be

conserved, with two acres of salt marsh potentially impacted. The Subarea Plan includes a Wetlands Protection Program which follows a process of avoidance, minimization, and if necessary, mitigation for any impacts which cannot be avoided. The Wetlands Protection Program also provides for no net loss of wetlands, and requires that any impacts to coastal salt marsh vegetation be mitigated in-kind at a 4:1 replacement ratio.

Any projects within the Chula Vista Preserve are further subject to the City's Facilities Siting Criteria, which requires avoidance of impacts to wetlands to the maximum extent practicable to minimize impacts within the Preserve (Section 6.3.3.4 of Subarea Plan). In addition, the City's Grading Ordinance may benefit salt marsh species by regulating clearing and grubbing of sensitive biological resources to ensure compliance with the Chula Vista Subarea Plan. Additional protections may be extended to salt marsh bird's beak, which is a narrow endemic species under the Subarea Plan (Section 5.2.3 of Subarea Plan).

Finally, the Subarea Plan and MSCP Subregional Plan will preserve and/or connect salt marsh with large, interconnected blocks of habitat that will be protected in perpetuity, and this Preserve will be adaptively managed through ASMDs developed for particular locations of the Reserve, as well as requirements in the MSCP's Biological Monitoring Plan (Ogden 1996). Preservation of large interconnected blocks of habitat, and adaptive management of that habitat to adjust for changes in salt marsh species and other covered species, will benefit these species and mitigate the loss of a small percentage of existing salt marsh habitat and species.

The mitigation and conservation benefits that individual salt marsh species would derive from the Subarea Plan are more specifically identified in Attachment 1 of this NCCP Permit.

CDFG finds that its approval of the Subarea Plan and its issuance of the NCCP Permit could result in a significant impact on these Salt Marsh species and their habitat from land use development, other covered activities and from management of the MSCP Preserve, but concludes that this impact will be avoided or mitigated to below a level of significance through implementation of the Subarea Plan and compliance with conditions of the NCCP Permit. Key to this finding by CDFG are requirements that a Preserve be established and adaptively managed for the benefit of these species; that wetland losses within the MSCP area, the Subarea and Otay Ranch will be limited; that any salt marsh habitat that is lost within the Subarea will be mitigated at a 4:1 replacement ratio with in-kind resources; and, that other impact avoidance, mitigation and management measures in the Subarea Plan, MSCP Subregional Plan and NCCP Permit will be implemented. CDFG notes that its finding under CEQA with respect to these species is consistent with the findings of the City on the same subject. (See City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1, 4.3-MHPA-3, 4.3-MHPA-6, 4.3-MHPA-8, and Exhibit 1 [Table ES-3 of MSCP Draft EIR/EIS]). CDFG's findings are based on the overall conservation strategy, species-specific minimization and avoidance measures, monitoring and management program, and species-specific conditions for coverage identified in the MSCP and the Chula Vista Subarea Plan (MSCP Table 3-5; Sections 4, 5, 6, 7 and 8 of the Subarea Plan, and other sources identified in this finding).

Impact 3.5.5

Approval of the Subarea Plan and issuance of the NCCP Permit could result in potentially significant adverse impacts on the following coastal bluff and nearshore species and their habitat: Shaw's agave (*Agave shawii*), aphanisma (*Aphanisma blitoides*), coastal dunes milk-vetch (*Astragalus tener* var. *titi*), coast wallflower (*Erysimum ammophilum*), Nuttall's lotus (*Lotus nuttallianus*), western snowy plover (*Charadrius alexandrinus nivosus*), California brown pelican (*Pelecanus occidentalis californicus*), California least tern (*Sterna antillarum browni*), and elegant tern (*Sterna elegans*).

Finding 3.5.5

CDFG finds that changes have been required in, or incorporated into, the Subarea Plan, the MSCP Plan and the NCCP Permit that avoid or mitigate project-related impacts on coastal bluff and nearshore species and their habitat to below a level of significance. (**Pub. Resources Code, § 21081, subd. (a)(1); CEQA Guidelines, § 15091, subd. (a)(1).**)

Explanation 3.5.5: CDFG finds that approval of the Subarea Plan and issuance of the NCCP Permit could result in potentially significant impacts on certain coastal bluff and nearshore species and their habitat because land use development that the Subarea Plan and Permit allow will destroy or adversely affect some of the area's coastal habitat, and potentially allow take of Covered Species that utilize the habitat. Furthermore, approved uses and management activities within the Subarea Preserve may also result in take of coastal bluff and nearshore species and might temporarily disturb their habitat (Sections 6.1-6.3 and Section 7 of Subarea Plan). The potential impact of the Subarea Plan and NCCP Permit on individual coastal bluff and nearshore species is more specifically disclosed in Attachment 1 of this Permit, Sections 4.1-4.3 of the Subarea Plan, and Table 3-5 of the MSCP Subregional Plan.

This species group includes five plant and four bird species. None of the plant species have been found within the Subarea and are therefore unlikely to be adversely affected by implementation of the Subarea Plan and through take authorized in the NCCP Permit. Similarly, the four bird species are more strongly associated with (i.e., depend upon) bay and marine habitats, but generally not salt marsh, which lie outside of the subarea. However, while not expected to make significant use of wetland or upland habitats within the Subarea, these birds may occasionally fly over or rest on such lands within the Subarea. In addition, the above plant species could be significantly adversely affected if they are present but undetected, or if they occupy habitat near San Diego Bay within the City or within that portion of the MSCP Preserve outside the City that will be implemented through the Subarea Plan.

In evaluating whether implementation of the proposed project would effectively protect covered species and habitat, the City concluded in its Supplemental EIR/EIS that potential impacts, outside of the MHPA preserve, to the following species would not be significant: aphanisma, coast wallflower, and elegant tern (City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1 and Exhibit 1 [Table ES-3 of MSCP Draft EIR/EIS]). Potential impacts to Shaw's agave, coastal dunes milk-vetch, Nuttall's lotus, western snowy plover, California brown pelican, and

California least tern outside the MHPA preserve were concluded by the City to be significant (City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1, 4.3-MHPA-3, 4.3-MHPA-6, 4.3-MHPA-8, and Exhibit 1 [Table ES-3 of MSCP Draft EIR/EIS]). However, in applying the general premise that all species covered by the Subarea Plan should be assessed as if they were state and federally listed, CDFG concludes that any impacts to the above species would be considered potentially significant.

The City did not identify the impact to species within the Subarea Preserve as potentially significant. Potential impacts on any of these species within the MSCP Preserve, including the Subarea Preserve, are expected to be small in comparison to impacts outside preserve areas because they will be limited to occasional take and temporary habitat impacts associated with management activities designed to benefit these species and other Covered Species (Section 7 of Subarea Plan). CDFG nonetheless concludes that this impact may be potentially significant because management activities may result in the take of some Covered Species and to disturb, at least temporarily, protected habitat within the MSCP Preserve.

CDFG concludes that this impact, while potentially significant, has been mitigated to below a level of significance by the conservation features that have been built into the Subarea Plan and the MSCP Subregional Plan. The Subarea Plan and MSCP Subregional Plan will preserve habitat in large, interconnected blocks that will be protected in perpetuity, and this Preserve will be adaptively managed through ASMDs developed for particular locations of the Reserve, as well as requirements in the MSCP's Biological Monitoring Plan (Ogden 1996). Preservation of large interconnected blocks of habitat, and adaptive management of that habitat to adjust for changes in covered species, will benefit these species and mitigate the loss of Coastal Bluff and Nearshore species and their habitat. Additional benefit is provided to the above species through the City's Grading Ordinance by regulating clearing and grubbing of sensitive biological resources to ensure compliance with the Chula Vista Subarea Plan.

The potential impact of the Subarea Plan and NCCP Permit on individual coastal bluff and nearshore species is more fully disclosed in Attachment 1 of this NCCP Permit.

CDFG finds that its approval of the Subarea Plan and its issuance of the NCCP Permit could result in a significant impact on these coastal bluff and nearshore species and their habitat from land use development, other covered activities and from management of the MSCP Preserve, but concludes that this impact will be avoided or mitigated to below a level of significance through implementation of the Subarea Plan and compliance with conditions of the NCCP Permit. Key to this finding by CDFG are requirements that a Preserve be established and adaptively managed for the benefit of these species; that habitat losses within the MSCP and the Subarea will be limited; that any covered coastal habitat that is lost within the Subarea will be replaced with in-tier habitat consistent with the Subarea Plan and MSCP; and that other impact avoidance, mitigation and management measures in the Subarea Plan, MSCP Subregional Plan and NCCP Permit will be implemented. CDFG notes that its finding under CEQA with respect to these species is consistent with the findings of the City, which determined that impacts to these species, after mitigation, would be less than significant. (City of Chula Vista CEQA Findings of

Fact 4.3-MHPA-1, 4.3-MHPA-3, 4.3-MHPA-6, 4.3-MHPA-8; Table 2 of Appendix A of Supplemental EIR/EIS). CDFG's findings are based on the overall conservation strategy, species-specific minimization and avoidance measures, monitoring and management program, and species-specific conditions for coverage identified in the MSCP and the Chula Vista Subarea Plan. (MSCP Table 3-5; Sections 4, 5, 6, 7 and 8 of the Subarea Plan, and other sources identified in this finding).

Impact 3.5.6

Approval of the Subarea Plan and issuance of the NCCP Permit could result in potentially significant adverse impacts on the following low elevation shrubland species and their habitat: Del Mar manzanita (*Arctostaphylos glandulosa* var. *crassifolia*), Encinitas baccharis (*Baccharis vanessae*), wart-stemmed ceanothus (*Ceanothus verrucosus*), Del Mar Mesa sand aster (*Corethrogyne filaginifolia* var. *linifolia*), San Diego barrel cactus (*Ferocactus viridescens*), felt-leaved monardella (*Monardella hypoleuca* ssp. *lanata*), snake cholla (*Opuntia parryi* var. *serpentina*), Torrey pine (*Pinus torreyana*), small-leaved rose (*Rosa minutifolia*), narrow-leaved nightshade (*Solanum tenuilobatum*, now *S. xanti*), quino checkerspot butterfly (*Euphydryas editha quino*), orange-throated whiptail (*Cnemidophorus hyperythrus beldingi*), San Diego horned lizard (*Phrynosoma coronatum blainvillei*), Southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*), coastal cactus wren (*Campylorhynchus brunneicapillus couesi*), coastal California gnatcatcher (*Polioptila californica californica*), mountain lion (*Felix concolor*), and southern mule deer (*Odocoileus hemionus fuliginata*).

Finding 3.5.6

CDFG finds that changes have been required in, or incorporated into, the Chula Vista Subarea Plan, the MSCP Subregional Plan, and the NCCP Permit that avoid or mitigate project-related impacts on low elevation shrubland species and their habitat to below a level of significance. (**Pub. Resources Code, § 21081, subd. (a)(1); CEQA Guidelines, § 15091, subd. (a)(1).**)

Explanation 3.5.6: CDFG finds that approval of the Subarea Plan and issuance of the NCCP Permit could result in potentially significant impacts on certain low elevation shrubland species and their habitat because land use development that the Subarea Plan and Permit allow will destroy or adversely affect some of the area's scrub and chaparral habitat, and allow take of Covered Species that utilize such habitats. Furthermore, management activities within the Subarea Preserve may also result in take of low elevation shrubland species and might temporarily disturb their habitat (see Section 7 of Subarea Plan). The potential impact of the Subarea Plan and NCCP Permit on individual Low Elevation Shrubland species is more specifically disclosed in Attachment 1 of this NCCP Permit, Sections 4.1-4.4 of the Subarea Plan, and Table 3-5 of the MSCP Subregional Plan.

This group of species includes ten plant and eight animal species commonly associated with scrub and chaparral vegetation communities in the coastal lowlands (generally < 1,000 feet elevation); however, many of these species may also occur at higher elevations and in other habitat types (e.g., grassland, etc.). The occurrence of these species at lower elevations distinguishes this group from the following group, high elevation shrubland species. Within the low elevation shrubland group, CDFG finds that impacts will be potentially significant on those species that are known to exist within the City or within areas of the MSCP Preserve outside the City that will be preserved and managed as part of implementation of the Subarea Plan. Species found in these areas include San Diego barrel cactus, snake cholla, narrow-leaved nightshade, quino checkerspot, orange-throated whiptail, San Diego horned lizard, Southern California rufous-crowned sparrow, coastal cactus wren, coastal California gnatcatcher, mountain lion, and southern mule deer, and these are consequently the species that will be subject to the potentially significant impacts identified above. Other low elevation shrubland species covered by the Subarea Plan, including Del Mar manzanita, Encinitas baccharis, wart-stemmed ceanothus, Del Mar Mesa sand aster, felt-leaved monardella, Torrey pine, and small-leaved rose, have not been found within the Subarea and are therefore unlikely to be adversely affected by implementation of the Subarea Plan and through take authorized in the NCCP Permit. However, these species could be significantly adversely affected if they are present but undetected in the City or within that portion of the MSCP Preserve outside the City that will be implemented through the Subarea Plan.

In evaluating whether implementation of the proposed project would effectively protect covered species and habitat, the City concluded that potential impacts, outside of the MHPA preserve, to the following species would not be significant: mountain lion and southern mule deer (City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1 and Exhibit 1 [Table ES-3 of MSCP Draft EIR/EIS]). Potential impacts to Del Mar manzanita, Encinitas baccharis, wart-stemmed ceanothus, Del Mar Mesa sand aster, San Diego barrel cactus, felt-leaved monardella, snake cholla, Torrey pine, small-leaved rose, narrow-leaved nightshade, orange-throated whiptail, San Diego horned lizard, southern California rufous-crowned sparrow, coastal cactus wren, and coastal California gnatcatcher outside the MHPA preserve were concluded by the City to be significant (City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1, 4.3-MHPA-3, 4.3-MHPA-6, 4.3-MHPA-8, and Exhibit 1 [Table ES-3 of MSCP Draft EIR/EIS]). However, in applying the general premise that all species covered by the Subarea Plan should be assessed as if they were state and federally listed, CDFG concludes that impacts to all of the above species would be potentially significant.

The City did not identify the impact to species within the Subarea Preserve as potentially significant. The impact on these species within the MSCP Preserve, including the Subarea Preserve, are expected to be small in comparison to impacts outside preserve areas because they will be limited to occasional take and temporary habitat impacts associated with management activities designed to benefit these species and other Covered Species (Section 7 of Subarea Plan). CDFG nonetheless concludes that this impact may be potentially significant because management activities may result in the take of some Covered Species and to disturb, at least temporarily, protected habitat within the MSCP Preserve.

CDFG concludes that this impact, while potentially significant, has been mitigated to below a level of significance by the conservation features that have been built into the Subarea Plan and the MSCP Subregional Plan. The Subarea Plan estimated that 2,418 acres of coastal sage scrub (65 percent of Subarea total), 190 acres of maritime succulent scrub (65 percent of Subarea total), and 28 acres of chaparral habitat (100 percent of Subarea total) would be preserved. A combination of habitat-based mitigation, and the conservation of known core and/or major populations of species in this low elevation shrubland group is the basis of determining adequate mitigation for potential impacts under the Subarea Plan. The Subarea Plan and MSCP Subregional Plan will preserve habitat in large, interconnected blocks that will be protected in perpetuity, and this Preserve will be adaptively managed through ASMDs developed for particular locations of the Reserve, as well as requirements in the MSCP's Biological Monitoring Plan (Ogden 1996). Preservation of large interconnected blocks of habitat, and adaptive management of conserved habitat to adjust for changes in covered species will benefit these species and mitigate the loss of low elevation shrubland species and their habitat. Additional benefit to these species may be derived through the City's Grazing Ordinance, which restricts grazing activities (e.g., location, seasonal timing, etc.) on Otay Ranch prior to land conveyance into the Preserve, and the City's Grading Ordinance which regulating clearing and grubbing of sensitive biological resources to ensure compliance with the Chula Vista Subarea Plan.

The mitigation and conservation benefits that individual low elevation shrubland species would derive from the Subarea Plan are more specifically identified in Attachment 1 of this NCCP Permit.

CDFG finds that its approval of the Subarea Plan and its issuance of the NCCP Permit could result in a significant impact on these low elevation shrubland species and their habitat from land use development, other covered activities and from management of the MSCP Preserve, but concludes that this impact will be avoided or mitigated to below a level of significance through implementation of the Subarea Plan and compliance with conditions of the NCCP Permit. Key to this finding by CDFG are requirements that a Preserve be established and adaptively managed for the benefit of these species, that any low elevation shrubland habitat that is lost within the Subarea will be replaced with in-tier habitat consistent with the Subarea Plan and MSCP; and, that other impact avoidance, mitigation, and management measures in the Subarea Plan, MSCP Subregional Plan, and NCCP Permit will be implemented. CDFG notes that its finding under CEQA with respect to these species is consistent with the findings of the City on the same subject. (See City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1, 4.3-MHPA-3, 4.3-MHPA-6, 4.3-MHPA-8, and Exhibit 1 [Table ES-3 of MSCP Draft EIR/EIS]). CDFG's findings are based on the overall conservation strategy, monitoring and management program, and species-specific conditions for coverage identified in the MSCP and the Chula Vista Subarea Plan (MSCP Table 3-5; Sections 4, 5, 6, 7 and 8 of the Subarea Plan, and other sources identified in this finding).

Impact 3.5.7

Approval of the Subarea Plan and issuance of the NCCP Permit could result in potentially significant adverse impacts on the following high

elevation shrubland species and their habitat: Otay manzanita (*Arctostaphylos otayensis*), Nevin's barberry (*Berberis nevinii*), dense reed grass (*Calamagrostis densa*), Dunn's mariposa lily (*Calochortus dunnii*), slender-pod jewelflower (*Caulanthus stenocarpus*), Lakeside ceanothus (*Ceanothus cyaneus*), Tecate cypress (*Cupressus forbesii*), heart-leaved pitcher sage (*Lepechinia cardiophylla*), Gander's pitcher sage (*Lepechinia ganderi*), Dehesa bear-grass (*Nolina interrata*), San Miguel Savory (*Satureja chandleri*), Gander's butterweed (*Senecio ganderi*), Parry's tetracoccus (*Tetracoccus dioicus*), and Thorne's hairstreak (*Miltouria thornei*).

Finding 3.5.7

CDFG finds that changes have been required in, or incorporated into, the Subarea Plan, the MSCP Subregional Plan, and the NCCP Permit that avoid or mitigate project-related impacts on high elevation shrubland species and their habitat to below a level of significance. **(Pub. Resources Code, § 21081, subd. (a)(1); CEQA Guidelines, § 15091, subd. (a)(1).)**

Explanation 3.5.7: CDFG finds that approval of the Subarea Plan and issuance of the NCCP Permit could result in potentially significant impacts on certain high elevation shrubland species and their habitat because land use development that the Subarea Plan and Permit allow will destroy or adversely affect some of the area's shrubland habitat, and potentially allow take of Covered Species that utilize the habitat. Furthermore, approved uses and management activities within the Subarea Preserve may also result in take of high elevation shrubland species and might temporarily disturb their habitat (Sections 6.1-6.3 and Section 7 of Subarea Plan). The potential impact of the Subarea Plan and NCCP Permit on individual high elevation shrubland species is more specifically disclosed in Attachment 1 of this Permit, Sections 4.1-4.3 of the Subarea Plan, and Table 3-5 of the MSCP Subregional Plan.

This species group includes thirteen plant and one invertebrate species, none of which have been found within the Subarea and are therefore unlikely to be adversely affected by implementation of the Subarea Plan and through take authorized in the NCCP Permit. While these species all tend to occur at higher elevations than are found within the Subarea, some of these species could be significantly adversely affected if they are present but undetected in the City or within that portion of the MSCP Preserve outside the City that will be implemented through the Subarea Plan.

In evaluating whether implementation of the proposed project would effectively protect Covered Species and habitat, the City concluded that potential impacts, outside of the MHPA preserve, to the following species would not be significant: Otay manzanita, dense reed grass, Nevin's barberry, Dunn's mariposa lily, Tecate cypress, Gander's pitcher-sage, Gander's butterweed, and Parry's tetracoccus (City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1, 4.3-MHPA-3, 4.3-MHPA-6, 4.3-MHPA-8, and Exhibit 1 [Table ES-3 of MSCP Draft EIR/EIS]). Potential impacts to slender-pod jewelflower, Lakeside ceanothus, heart-leaved pitcher-sage, Dehesa bear-grass, and San Miguel savory outside the MHPA preserve were concluded by the City to be

significant at the Subregional level but not at the Subarea level because no populations were known within the Chula Vista Subarea (City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1, 4.3-MHPA-3, 4.3-MHPA-6, 4.3-MHPA-8, and Exhibit 1 [Table ES-3 of MSCP Draft EIR/EIS]). However, in applying the general premise that all species covered by the Subarea Plan should be assessed as if they were state and federally listed, CDFG concludes that any impacts to the above species would be considered potentially significant.

The City did not identify the impact to species within the Subarea Preserve as potentially significant. Potential impacts on any of these species within the MSCP Preserve, including the Subarea Preserve, are expected to be small in comparison to impacts outside preserve areas because they will be limited to occasional take and temporary habitat impacts associated with management activities designed to benefit these species and other Covered Species (Section 7 of Subarea Plan). CDFG nonetheless concludes that this impact may be potentially significant because management activities may result in the take of some Covered Species and to disturb, at least temporarily, protected habitat within the MSCP Preserve.

CDFG concludes that this impact, while potentially significant, has been mitigated to below a level of significance by the conservation features that have been built into the Subarea Plan and the MSCP Subregional Plan. A combination of habitat-based mitigation and the conservation of known core and/or major populations of species in this high elevation shrubland group is the basis of determining adequate conservation to off-set potential impacts under the Subarea Plan. The Subarea Plan and MSCP Subregional Plan will preserve shrubland habitat in large, interconnected blocks that will be protected in perpetuity, and this Preserve will be adaptively managed through ASMDs developed for particular locations of the Reserve, as well as requirements in the MSCP's Biological Monitoring Plan (Ogden 1996). Preservation of large interconnected blocks of habitat, and adaptive management of that habitat to adjust for changes in covered species, will benefit these species and mitigate the loss shrubland species and their habitat. Additional benefit to these species may be derived through the City's Grazing Ordinance, which restricts grazing activities (e.g., location, seasonal timing, etc.) on Otay Ranch prior to land conveyance into the Preserve, and the City's Grading Ordinance which regulates clearing and grubbing of sensitive biological resources to ensure compliance with the Chula Vista Subarea Plan.

The mitigation and conservation benefits that individual high elevation shrubland species would derive from the Subarea Plan are more specifically identified in Attachment 1 of this NCCP Permit.

CDFG finds that its approval of the Subarea Plan and its issuance of the NCCP Permit could result in a significant impact on these high elevation shrubland species and their habitat from land use development, other covered activities, and from management of the MSCP Preserve, but concludes that this impact will be avoided or mitigated to below a level of significance through implementation of the Subarea Plan and compliance with conditions of the NCCP Permit. Key to this finding by CDFG are requirements that a Preserve be established and adaptively managed for the benefit of these species, that any high elevation shrubland habitat that is lost within the

Subarea will be replaced with in-tier habitat consistent with the Subarea Plan and MSCP, and that other impact avoidance, mitigation and management measures in the Subarea Plan, MSCP Subregional Plan and NCCP Permit will be implemented. CDFG notes that its finding under CEQA with respect to these species is consistent with the findings of the City that impacts to these species, after mitigation, would be less than significant. (City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1, 4.3-MHPA-3, 4.3-MHPA-6, 4.3-MHPA-8; Exhibit 1 [Table ES-3 of MSCP Draft EIR/EIS]). CDFG's findings are based on the overall conservation strategy, species-specific minimization and avoidance measures, monitoring and management program, and species-specific conditions for coverage identified in the MSCP and the Chula Vista Subarea Plan (MSCP Table 3-5; Sections 4, 5, 6, 7 and 8 of the Subarea Plan, and other sources identified in this finding).

Impact 3.5.8

Approval of the Subarea Plan and issuance of the NCCP Permit could result in potentially significant adverse impacts on the following grassland species and their habitat: golden eagle (*Aquila chrysaetos*), ferruginous hawk (*Buteo regalis*), Swainson's hawk (*Buteo swainsoni*), mountain plover (*Charadrius montanus*), northern harrier (*Circus cyaneus*), American peregrine falcon (*Falco peregrinus anatum*), western bluebird (*Sialia mexicana*), burrowing owl (*Speotyto [Athene] cunicularia hypugaea*), and American badger (*Taxidea taxus*).

Finding 3.5.8

CDFG finds that changes have been required in, or incorporated into, the Chula Vista Subarea Plan, the MSCP Subregional Plan, and the NCCP Permit that avoid or mitigate project-related impacts on grassland species and their habitat to below a level of significance. (**Pub. Resources Code, § 21081, subd. (a)(1); CEQA Guidelines, § 15091, subd. (a)(1).**)

Explanation 3.5.8: CDFG finds that approval of the Subarea Plan and issuance of the NCCP Permit could result in potentially significant impacts on certain grassland species and their habitat because land use development that the Subarea Plan and Permit allow will destroy or adversely affect some of the area's grassland habitat, and allow take of Covered Species that utilize such habitats. Furthermore, management activities within the Subarea Preserve may also result in take of grassland species and might temporarily disturb their habitat (See Section 7 of Subarea Plan). The potential impact of the Subarea Plan and NCCP Permit on the individual grassland species listed above is more specifically disclosed in Attachment 1 of this NCCP Permit, Sections 4.1-4.3 of the Subarea Plan, and Table 3-5 of the MSCP Subregional Plan.

This group of species includes eight bird and one mammal species commonly associated with grassland vegetation; however, many of these species also occur in other habitat types such as open sage scrub, pastures, or agricultural fields. Within this grassland species group, CDFG finds that impacts will be potentially significant on those species that are known to exist within the City or within areas of the MSCP Preserve outside the City that will be preserved and managed as part of implementation of the Subarea Plan. Although the City did not identify any locations of mountain plover in their Subarea, due to the presence of suitable habitat and the

migratory habitats of this species, CDFG believes this species is likely to occur on at least an infrequent basis. The remaining eight grassland species are also believed to occur on a regular and/or infrequent basis, and are therefore likely to be potentially adversely affected by implementation of the Subarea Plan and through take authorized in the NCCP Permit.

In evaluating whether implementation of the proposed project would effectively protect covered species and habitat, the City concluded that potential impacts, outside of the MHPA preserve, to the following species would not be significant: golden eagle, ferruginous hawk, Swainson's hawk, mountain plover, northern harrier, American peregrine falcon, and American badger (City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1 and Exhibit 1 [Table ES-3 of MSCP Draft EIR/EIS]). Potential impacts to western bluebird and burrowing owl outside the MHPA preserve were concluded by the City to be significant (City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1, 4.3-MHPA-3, 4.3-MHPA-6, 4.3-MHPA-8, and Exhibit 1 [Table ES-3 of MSCP Draft EIR/EIS]). However, in applying the general premise that all species covered by the Subarea Plan should be assessed as if they were state and federally listed, CDFG concludes that any impacts to the above species would be considered potentially significant.

The City did not identify the impact to species within the Subarea Preserve as potentially significant. The impact on these species within the MSCP Preserve, including the Subarea Preserve, are expected to be small in comparison to impacts outside preserve areas because they will be limited to occasional take and temporary habitat impacts associated with management activities designed to benefit these species and other Covered Species (Section 7 of Subarea Plan). CDFG nonetheless concludes that this impact may be potentially significant because management activities may result in the take of some Covered Species and to disturb, at least temporarily, protected habitat within the MSCP Preserve.

CDFG concludes that this impact, while potentially significant, has been mitigated to below a level of significance by the conservation features that have been built into the Subarea Plan and the MSCP Subregional Plan. The MSCP Subregional Plan estimated that 9,770 acres of grassland would be conserved, representing 34 percent of the total grassland within the MSCP subregion and 89 percent of the grassland within the MHPA. The Subarea Plan conserves 896 acres of grassland habitat, or 29 percent of the grassland within the Subarea. A combination of habitat-based mitigation, conservation of known locations of some species, and species-specific avoidance/mitigation measures for species in this grassland group is the basis of determining adequate mitigation for potential impacts under the Subarea Plan. The Subarea Plan and MSCP Subregional Plan will preserve habitat in large, interconnected blocks that will be protected in perpetuity, and this Preserve will be adaptively managed through ASMDs developed for particular locations of the Reserve, as well as requirements in the MSCP's Biological Monitoring Plan (Ogden 1996). Preservation of large interconnected blocks of habitat, and adaptive management of that habitat to adjust for changes in covered species, will benefit these species and mitigate the loss of grassland species and their habitat. Additional benefit to these species may be derived through the City's Grazing Ordinance, which restricts grazing activities (e.g., location, seasonal timing, etc.) on Otay Ranch prior to land conveyance into the Preserve, and the

City's Grading Ordinance which regulating clearing and grubbing of sensitive biological resources to ensure compliance with the Chula Vista Subarea Plan.

The mitigation and conservation benefits that specific Grassland species would derive from the Subarea Plan are more specifically identified in Attachment 1 of this NCCP Permit.

CDFG finds that its approval of the Subarea Plan and its issuance of the NCCP Permit could result in a significant impact on these grassland species and their habitat from land use development, other covered activities and from management of the MSCP Preserve, but concludes that this impact will be avoided or mitigated to below a level of significance through implementation of the Subarea Plan and compliance with conditions of the NCCP Permit. Key to this finding by CDFG are requirements that a Preserve be established and adaptively managed for the benefit of these species, that any grassland habitat that is lost within the Subarea will be replaced with in-tier habitat consistent with the Subarea Plan and MSCP, and that other impact avoidance, mitigation and management measures in the Subarea Plan, MSCP Subregional Plan and NCCP Permit will be implemented. CDFG notes that its finding under CEQA with respect to these species is consistent with the findings of the City on the same subject. (See City of Chula Vista CEQA Findings of Fact 4.3-MHPA-1, 4.3-MHPA-3, 4.3-MHPA-6, 4.3-MHPA-8, and Exhibit 1 [Table ES-3 of MSCP Draft EIR/EIS]). CDFG's findings are based on the overall conservation strategy, monitoring and management program, and species-specific conditions for coverage identified in the MSCP and the Chula Vista Subarea Plan. (MSCP Table 3-5; Sections 4, 5, 6, 7 and 8 of the Subarea Plan, and other sources identified in this finding).

Supplemental EIR/EA for the Chula Vista Multiple Species Conservation Program (MSCP) Subarea Plan (EIR-03-01, SCH# 20022051045)

The City of Chula Vista prepared a Supplemental Environmental Impact Report and Environmental Assessment (January 2003) for the updated Chula Vista Subarea Plan (final version dated February 2003). The decision to prepare a Supplemental EIR/EA was based on the determination that the changes that have been made to the Chula Vista Subarea Plan since the October 2000 draft could result in potentially significant impacts that were not addressed in either the Final EIR/EIS or the Addendum, and for which a second Addendum was not considered appropriate. Because the Supplemental EIR/EA did not identify significant new impacts, or require new mitigation measures, separate CEQA findings were not required. Nevertheless, the major changes in the Subarea Plan with respect to effects on biological resources are discussed below, along with CDFG's analysis with regard to changes in the 2000 Subarea Plan.

"Inverted L" Property Annexation

The 315-acre "Inverted L" property located in the northern portion of the City, previously delineated as a Major Amendment area in the (2000) draft Subarea Plan, was designated for low-density residential development under the Otay Ranch General Development Plan, but is now under the ownership of the Otay Water District and the U.S. Fish and Wildlife Service (USFWS).

The USFWS purchased the southerly 176 acres and has incorporated this land into their San Diego National Wildlife Refuge. It is now designated as 100 percent conserved in the Chula Vista Subarea Plan. The northern 139 acres of the property was purchased by the Otay Water District for the siting of a reservoir facility and conservation purposes. The Chula Vista Subarea Plan now designates the northern portion of the property as being subject to the Otay Water District's draft Subarea Plan.

CDFG agrees with the City's determination that habitat conservation resulting from the change in land use designation for the 315-acre Inverted L property will not produce a significant, adverse impact to the conservation of sensitive species or habitats compared to that which was analyzed and approved by the City in the 2000 Addendum. The Subarea Plan now includes conservation of 176 acres of high quality habitat which was previously designated a Major Amendment area. The southern 139 acres, now owned by the Otay Water District, will be subject to future CEQA analysis for any future development on the property, and possibly subject to conditions in the Otay Water District Subarea Plan, if completed.

San Miguel South and Otay Water District Golf Course Annexations

A second new element described in the Supplemental EIR/EIS involves two annexations into the City of Chula Vista which previously were not a part of the Chula Vista Subarea Plan area. The first, and most important, is the southern parcel of the San Miguel Ranch properties, which was annexed into the City in December 2000. This project involved the development of the San Miguel Ranch MSCP Annexation Agreement (December 19, 2000), made between the County of San Diego, City of Chula Vista, USFWS, CDFG, and the project applicant. This agreement transferred Take Authorization applicable to the southern parcel from the County of San Diego to the City of Chula Vista, prior to Take Authorization being issued to the City by the Wildlife Agencies by virtue of the Chula Vista Subarea Plan. It also required the conservation of 169 acres of habitat on the southern parcel and 166 acres of habitat on the northern parcel, and required conservation of 11 supplementary acres of habitat to significantly add to the long-term viability of the Otay tarplant. The San Miguel Ranch MSCP Annexation Agreement is consistent with the adopted County of San Diego Subarea Plan, South County Segment, the MSCP Subregional Plan, and the Final EIR/EIS. Conservation provided for by the annexation agreement exceeded the original requirements of the MSCP, providing additional conservation land and enhancing the conservation program for the Otay tarplant, a narrow endemic species under the MSCP.

The second annexation was the addition of the Otay Water District golf course property into the City of Chula Vista. This land is the central portion of a property known as the Otay Water District Use Area. The Use Area property was previously identified as outside of the Chula Vista Subarea Plan. The non-golf portions of the leased property remain outside of the Chula Vista Subarea Plan, and subject to the Otay Water District MSCP Subarea Plan, which has not been completed.

CDFG agrees that habitat conservation resulting from the annexation of the San Miguel Ranch South property and the Otay Water District Auld Golf Course property into the Subarea Plan area will not produce a significant, adverse impact to the conservation of sensitive species or habitats compared to that which was analyzed and approved by the City in the 2000 Addendum. The development of the San Miguel property was previously analyzed by the County of San Diego acting as lead agency, and environmental impacts are not affected by the annexation. The annexation of the golf course property, which was previously not part of the Chula Vista Subarea Plan analysis, does not adversely affect the Chula Vista NCCP program or the MSCP.

Bella Lago and Rolling Hills Ranch Projects – Hard-lining of Development Areas

Other major changes to the final Chula Vista Subarea Plan, requiring CEQA analysis not performed in either the 1997 MSCP Subregional Plan or the Addendum to the Final EIR/EIS adopted by the City of Chula Vista in October 2000, concern the hard-lining of Bella Lago and Rolling Hills Ranch development projects. These are considered to be Covered Projects under the Chula Vista Subarea Plan.

The Bella Lago property lies on the southern side of San Miguel Mountain. Areas of development (90.6 acres) and on-site open space (89.0 acres) have been negotiated between the Wildlife Agencies, the applicant, and the City of Chula Vista. This has resulted in approximately 0.26 acre more conservation than was anticipated under previous drafts of the Chula Vista Subarea Plan. Within the Bella Lago open space, which will be dedicated into the Chula Vista MSCP Preserve, populations of Otay tarplant and variegated dudleya will be conserved.

CDFG agrees with the City's determination that the Bella Lago project design, now hard-lined under the final (February 2003) Subarea Plan, is consistent with that assessed under the previous (September 11, 2000) draft Subarea Plan. The conditions imposed on the Bella Lago project in the 2000 draft Subarea Plan required minimization of impacts to narrow endemic species to no more than 20 percent of the total population within the project area. Consistent with this condition, the project conserves 81 percent of the on-site Otay tarplant population. Off-site mitigation was required for that portion which would be impacted, resulting in the purchase of approximately 15,000 square feet (2:1 ratio for the impact area) in the Johnson Canyon area, which supports tens of thousands of Otay tarplants. Additionally, the project conserves, in on-site open space, nearly 100 percent of the variegated dudleya population (estimated at several thousand individuals) and approximately 1,300 San Diego goldenstar individuals.

Regarding Rolling Hills Ranch, the Subarea Plan and Supplemental EIR/EIS only apply to the eastern portion (i.e., final phase) of the development. The more western phases are either already developed or under construction, and were subject to previous permitting and CEQA analysis. The eastern phase of development, open space, and mitigation was negotiated between the Wildlife Agencies, the applicant, and the City of Chula Vista as a means of "hard-lining" this project under the final Subarea Plan. The negotiations resulted in approximately 82.5 acres of additional Preserve area over the development plan that was analyzed in previous versions of the Subarea Plan. Importantly, the modified site design now conserves a major north-south trending

ridgeline which supports extremely large populations of variegated dudleya (narrow endemic) and San Diego goldenstars (MSCP Covered Species), and three locations of quino checkerspot butterfly. Modifications to the development envelope have also been made to conserve on-site populations of Otay tarplant. The City of Chula Vista made a determination that there was no new potentially significant impact to biological resources, compared to that analyzed for the 2000 draft Subarea Plan. CDFG disagrees with this determination, as described below.

Impact 3.5.9

CDFG has determined that the impacts to narrow endemic species, particularly Otay tarplant, resulting from the Rolling Hills Ranch development plan, as proposed in the 2003 Subarea Plan compared to required conditions under the 2000 draft Subarea Plan, are potentially significant.

Finding 3.5.9

CDFG finds that measures have been incorporated into the Chula Vista Subarea Plan that avoid or mitigate the biological impact identified above to below a level of significance. These mitigation measures were part of a negotiated agreement between the developer, the City, CDFG, and USFWS.

Explanation 3.5.9: The Otay tarplant, variegated dudleya, and quino checkerspot populations on the Rolling Hills Ranch site were all discovered subsequent to the 2000 version of the Subarea Plan. The 2000 draft Subarea Plan anticipated that this final phase of the Rolling Hills Ranch project would impact no more than 20 percent of any on-site populations of narrow endemic species, such as Otay tarplant or variegated dudleya. No avoidance of the San Diego goldenstars was required under the 2000 Subarea Plan, and the quino checkerspot was not proposed for coverage at that time. The negotiated site design for Rolling Hills Ranch will conserve 13,278 of the 27,699 Otay tarplants occurring on the property (i.e., 48 percent of the total identified on-site in 2000), 21,956 of the 29,774 variegated dudleya individuals (74 percent of the total observed in 2000), and approximately 6,100 San Diego goldenstars (55 percent of total population). This latter species is covered under the MSCP and no additional conservation was required on the part of Rolling Hills Ranch. Although the conservation of both Otay tarplant and variegated dudleya fall short of the 80 percent target for narrow endemic species under both MSCP and the Subarea Plan, mitigation measures required as part of project approval included the establishment of a 22-acre Tarplant Management Area (TMA), the in-perpetuity management of which will be through a non-wasting \$100,000.00 endowment provided by the developer. Additional mitigation requirements include the following: conservation of 5.8 acres within the San Miguel Mitigation Bank containing approximately 15,080 Otay tarplants; conservation of 1.9 acres of Otay tarplant within the San Miguel Mitigation Bank; and, conservation of a separate off-site 10-acre parcel within the MSCP Subregional Preserve, containing a minimum of 15,000 Otay tarplants. This latter requirement is being met by the preservation of a 10-acre parcel in Johnson Canyon, which supports 210,440 total Otay tarplants. The project also required the conservation of 30 acres of coastal sage scrub and one acre of native grassland within the San Miguel Mitigation Bank.

The conservation of 74 percent of the variegated dudleya population is less than the 80 percent required under the 2000 draft Subarea Plan; however, the additional conserved area supports one

of the largest concentrations of this species in a large ridgeline of open space on the western portion of the property, which is contiguous with similar high quality, conserved habitat to the west. Further, the project is required to develop ASMDs which will protect this area from unauthorized human access and invasion by problematic non-native plant species. CDFG therefore concludes that the level of conservation for the Rolling Hills Ranch project, on balance, taking into account several sensitive species, coastal sage scrub habitat, and general preserve design considerations, is believed to be superior to the level of conservation that was anticipated under the 1997 MSCP Subregional Plan, as approved by the City of San Diego and USFWS, and the 2000 Addendum adopted by Chula Vista. In addition, management of the Preserve is expected to improve habitat conditions on portions of the site that will not be developed.

Changes to the Chula Vista Municipal Code

The City of Chula Vista Municipal Code has been revised to include three new ordinances: the Habitat Loss and Incidental Take (HLIT) Ordinance; an amended Excavation, Grading, and Fills Ordinance, and the Otay Ranch Grazing Ordinance. These are designed to provide effective protection to Covered Species and habitats within the Chula Vista Subarea Plan area until such time as these habitats or species may be taken as specifically authorized under the Subarea Plan and to assist with implementation of the Subarea Plan.

CDFG makes no CEQA findings with respect to these new ordinances; however, CDFG participated in the review and development of these measures, and agrees that they will provide protection to habitats and species covered under the Subarea Plan.

Quino Checkerspot Coverage

After lengthy negotiations between the City of Chula Vista, USFWS, and CDFG, the quino checkerspot butterfly has been added as a Covered Species under the Chula Vista Subarea Plan.

Impact 3.5.10

CDFG has determined that impacts to the quino checkerspot butterfly resulting from implementation of the Chula Vista Subarea Plan are potentially significant.

Finding 3.5.10

CDFG finds that the Chula Vista Subarea Plan will provide adequate conservation and habitat enhancement for the quino checkerspot butterfly to mitigate potential impacts resulting from implementation of the Subarea Plan to below a level of significance. The net benefit to the quino checkerspot warrants its coverage as a Covered Species under the Subarea Plan, independent of conservation efforts in the City of San Diego or County of San Diego MSCP subareas.

Explanation 3.5.10: At the time of the MSCP Subregional Plan (1997), quino checkerspot was known from only one extant location in San Diego County, yet the MSCP noted that it had potential for recolonization into the MSCP area. The quino checkerspot was not covered by the

MSCP Subregional Plan because there was inadequate information about the level of conservation and a lack of assurances that occupied and/or preferred habitat could be adequately protected. Since 1997, numerous focused surveys have provided substantial new information about the distribution of this species in southern San Diego County. USFWS has also drafted a Recovery Plan and issued a proposed Critical Habitat designation for this species. Although the numbers of individuals detected within Chula Vista are low, the City's Subarea Plan provides a commitment to conserve the vast majority of locations where this species has been sighted, and the conservation of a significant portion of the lands considered to be highly or moderately suited to quino habitation. Furthermore, the Subarea Plan requires implementation of a habitat restoration and enhancement program, including monitoring of quino populations within the City's Preserve. This program is designed to significantly increase the numbers of quino within the Chula Vista Subarea Plan area. Therefore, CDFG finds that the measures will mitigate potential adverse impacts to this species to below a level of significance. Section 4.4 and Appendix J of the Subarea Plan provide details of the requirements and recovery contributions for quino checkerspot.

3.6 Mitigation Monitoring and Reporting Program

Every agency that makes CEQA findings must adopt a Mitigation Monitoring and Reporting Program (MMRP) to ensure mitigation measures that have been required as conditions of approval are carried out. (CEQA Guidelines, § 15097, subd. (d).) The City has prepared the Multiple Species Conservation Plan Mitigation and Implementing Agreement Monitoring Program for Biological Resources (MSCP MIAMP), dated February 2003, to serve the needs of both the City and CDFG to ensure that the Subarea Plan, especially the components of the plan designed to avoid and mitigate potentially significant impacts, are properly implemented in compliance with their conditions of approval. After reviewing the City's MSCP MIAMP and determining that this document meets CDFG's needs with respect to implementation of the Chula Vista Subarea Plan, CDFG is adopting the MSCP MIAMP as its own MMRP.

3.7 Alternatives

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. (See, e.g., *Citizens for Quality Growth v. City of Mt. Shasta* (1988) 198 Cal.App.3d 433, 445.)

CDFG faces a similar obligation as a responsible agency under CEQA. (CEQA Guidelines, § 15096, subd. (g); see also Pub. Resources Code, § 21081; CEQA Guidelines, § 15096, subd. (h).) As noted above, however, when considering alternatives and mitigation measures, CDFG "has the responsibility for mitigating or avoiding only the direct or indirect environmental effects of those parts of the project which it decides to carry out, finance or approve." (*Id.*, § 15096, subd. (g)(1).) Those effects, in the present case, are limited to the environmental effects authorized by

CDFG under NCCPA to the species included in this NCCP Permit for the Subarea Plan. In that regard, and consistent with the CEQA Guidelines, issuance of the NCCP Permit is prohibited if there is “any feasible alternative or feasible mitigation measures within [CDFG’s] powers that would substantially lessen or avoid any *significant* effect” associated with that decision. (*Id.*, § 15096, subd. (g)(2) (emphasis added).)

As demonstrated above in section 3.5, no significant environmental effects that fall within the responsibility and jurisdiction of CDFG remain unmitigated. That is to say, all potentially significant impacts associated with CDFG’s NCCP Approval of the Subarea Plan are mitigated to below a level of significance under CEQA. As a result, no project alternatives are analyzed by CDFG. (See, e.g., *Laurel Hills Homeowners Assoc. v. City Council* (1978) 83 Cal.App.3d 515, 520-521 (in adopting findings under CEQA, agencies need not consider the feasibility of project alternatives if they adopt mitigation measures that “substantially lessen or avoid” a project’s significant adverse impacts); *Laurel Heights Improvement Assoc. v. Regents of the University of California* (1988) 47 Cal.3d 376, 400-403.)

3.8 Statement of Overriding Considerations

Because CDFG’s approval of the Subarea Plan will not result in any adverse environmental impacts that remain significant and unavoidable, CDFG need not adopt a Statement of Overriding Considerations under CEQA.

4.0 FINDINGS UNDER NCCPA

All NCCPs must contain certain substantive elements identified in current or former sections of the NCCPA. In addition, NCCPs that are governed solely by the NCCPA as it read on December 31, 2001 (*see* § 2830, subs. (a) and (b)) must comply with guidelines adopted by CDFG for natural community conservation planning within the Coastal Sage Scrub Planning Area. As described above in Section 1.3, the Subarea Plan was developed as an element of the MSCP Subregional Plan, such that the Chula Vista Subarea Plan must necessarily be analyzed with reference to and in the context of the previously approved MSCP Subregional Plan. Therefore, the term “Subarea Plan” as used in these findings refers not only to the Subarea Plan itself but also to those portions of the MSCP Subregional Plan that relate to and provide context to the Subarea Plan.

4.1 NCCPA

As described above in Section 1.1, the NCCPA was significantly revised in 2002 with enactment of Senate Bill 107 (SB 107). SB 107 “grandfathered” a number of NCCPs that were under development prior to enactment of the 2002 revisions, requiring that these plans be completed, approved and implemented pursuant to the NCCPA as it read in 2001 rather than pursuant to the revised statutes (§ 2830). For an NCCP that falls under one of the grandfathering provisions in section 2830, CDFG must evaluate the adequacy of the NCCP by reference to earlier versions of the NCCPA and to the guidelines issued under those earlier statutes.

Finding 4.1.1

CDFG finds that the Subarea Plan meets all of the criteria in section 2830, subdivision (b)(2), for “grandfathering.”

Explanation 4.1.1: Section 2830 provides that for NCCPs meeting specific criteria, taking of identified species is not prohibited even though the NCCP does not meet all standards in NCCPA of 2002. More specifically, this section provides that specified NCCPs that were under development prior to enactment of NCCPA of 2002 must be evaluated and approved by CDFG and subsequently implemented pursuant to the legal and administrative standards that were in place prior to the 2002 amendments to the NCCPA. The statute requires that certain grandfathered plans be approved and implemented solely by the NCCPA as it existed on December 31, 2001 (§ 2830, subs. (a) and (b)).

The City enrolled as an NCCP participant on May 1, 1992. The Subarea Plan specifically meets the Fish and Game Code Section 2830, subdivision (b)(2) because it was prepared pursuant to the planning agreement, signed in March 1993 for the San Diego Multiple Species Conservation Plan. This Subarea Plan must therefore be evaluated, authorized and implemented pursuant to the NCCPA as it existed on December 31, 2001. Applicable standards include former sections of the NCCPA as they existed on that date and relevant NCCP guidelines that were in effect on that date.

4.2 Pre-2002 Statutory Standards

CDFG makes the following findings regarding the Subarea Plan’s compliance with statutory provisions in the NCCPA as they existed on December 31, 2001, prior to enactment of NCCPA of 2002:

Finding 4.2.1

CDFG finds that the Subarea Plan addresses wildlife conservation on a regional or area-wide scale, as required by former section 2805, subdivision (a).

Explanation 4.2.1: As described above, the MSCP area comprises 900 square miles of coastal sage and interdigitated scrub habitat. The Subarea Plan encompasses 33,045 acres within the MSCP area. As described and analyzed in the MSCP Subregional Plan and the Subarea Plan, the Implementing Agreement, the Final Environmental Impact Report/Final Environmental Impact Statement (EIR/EIS) for the MSCP Subregional Plan, the Addendum to the Final EIR/EIS (Chula Vista, adopted October 2000), and the Final Supplemental EIR/EA, the MSCP Plan and the Subarea Plan address the protection and conservation of wildlife on a broad scale.

The Subarea Plan will result in the conservation of approximately 4,993 acres of land within the jurisdictional boundaries of the City. In addition, implementation of this Subarea Plan will result in an additional approximately 4,250 acres of land being conserved outside of the City boundaries and within the County of San Diego Multiple Habitat Planning Area (MHPA). An important benefit is that much of the new development is being directed in proximity to existing

development, and conservation is being targeted toward large blocks of undeveloped land in outlying areas. This makes development more efficient by concentrating essential services, and provides higher value conservation by reducing indirect effects from urbanization. The Subarea Plan therefore provides for conservation of wildlife on a regional or area-wide scale.

Finding 4.2.2 CDFG finds that the Subarea Plan protects and perpetuates wildlife diversity, as required by former section 2805, subdivision (a).

Explanation 4.2.2: The MSCP Plan/Subarea Plan provides comprehensive management and conservation of the subregion's multiple wildlife species including but not limited to those species listed pursuant to the CESA. Consistent with the subregional MSCP framework for preserve management, the Chula Vista Subarea Plan identifies seventeen (17) vegetation communities targeted for preservation and management. Management of these Preserve areas, as identified in the Subarea Plan and consistent with Table 3-5 of the MSCP Plan, and Sections 10, 14.5, and 14.7 of the Implementing Agreement, provide species and site-specific land use and management guidelines to ensure that the biological values are maintained in perpetuity. Table 4.3.1 of the Final EIR/EIS provides the evaluation for species covered under the MSCP Plan and indicates the number and percentage of major populations conserved. The permanent protection and management of these habitats will contribute to the long-term viability of 85 plant and wildlife species within the MSCP subregion. The Subarea Plan further ensures permanent protection and management of one additional species, the quino checkerspot butterfly.

The MSCP Plan/Subarea Plan provides for the assembly of a comprehensive Preserve area consistent with the tenets of reserve design of the CSS NCCP Guidelines which promote biodiversity, provide for no net loss of habitat value from the present, and take into account management and enhancement. The City has adopted and will implement resource protection regulations consistent with the MSCP Subregional Plan, the Chula Vista Subarea Plan, and the Implementing Agreement in order to achieve the conservation targets set forth in the Subarea Plan. The City commits to permanently preserve, in accordance with section 10.5(B) of the Implementing Agreement, approximately 4,993 acres, which represents approximately 49 percent of all upland habitats within the Subarea. The Subarea Plan also provides for the conservation of approximately 1,005 acres (93 percent) of wetland habitats within the Preserve, and incorporates a Wetlands Protection Program to avoid, minimize, and mitigate any and all impacts to wetland habitats, as discussed in Section 5.2.4 and Appendix B of the City's Subarea Plan and Section 10.5(J) of the Implementing Agreement. Tables 2-1, 2-2, and 3-5 of the Subarea Plan and Table 2-1 of the Final EIR/EIS specify the approximate amount and location of acreage that will be permanently conserved for each listed vegetation community within the Chula Vista Subarea and MSCP Plan, respectively. Assembly of the Chula Vista Preserve does not rely on public acquisition of private property. Rather, 100 percent of the Preserve will be permanently protected through the entitlement process and/or pursuant to agreements between landowners, the City, and the Wildlife Agencies, as provided in Section 5.1 of the Subarea Plan.

The City has committed to a comprehensive, funded, adaptive management program that provides a framework plan to ensure the needs of species and associated habitats are met. The

Subarea Plan contains both short and long-term funding mechanisms for managing and monitoring their Preserve lands, as described in Section 8 of the Subarea Plan and Section 11 of the Implementing Agreement. Funding mechanisms include the following: (1) Covered Project Conditions of Coverage (short-term management); (2) Open Space Management Financing Mechanisms (long-term management); (3) Central City Biological Enhancement Program (BEP) (long-term management); and, (4) North City/Otay Ranch Preserve Management Endowment Fund (PMEF) (long-term management). Combined, these four financing mechanisms are intended to ensure that the City will meet the maintenance, management and monitoring requirements of Sections 7.5 and 7.6 of the Subarea Plan, as well as Planned Responses to Changed Circumstances identified in Section 5.8 of the Subarea Plan. In addition, although a regional funding source is not required in order to implement the Chula Vista Subarea Plan, the City has agreed to support and participate with other local jurisdictions and the County of San Diego in efforts to secure a regional funding source consistent with the MSCP Subregional Plan. If regional funds are approved, an equitable portion of such funds will be made available to the City to off-set anticipated implementation costs.

The City will participate in an ongoing monitoring/research program which addresses each of the six elements of the CSS NCCP Guidelines “research agenda.” (Conservation Guidelines, Section 3(b) (see “CSS NCCP Guidelines,” below).) The Subarea Plan (Section 5.5) and Implementing Agreement (Section 14.1) require a continuous habitat acreage accounting model to assure that adequate progress toward implementation of the plan is being achieved. A Biological Monitoring Plan to collect and analyze data on specific species and habitats has been prepared for the Preserve area and includes specific research tasks that have been developed in accordance with the CSS NCCP Guidelines (Section 7 of Subarea Plan; Section 14.5 of Implementing Agreement). In addition, Preserve level monitoring will be required through Area Specific Management Directives (ASMDs) in order to verify species persistence and to provide information sufficient to guide Adaptive Management strategies (Section 7.3 of Subarea Plan; Section 6.3 of MSCP Subregional Plan).

As further described and analyzed in the MSCP Subregional Plan and the Subarea Plan, Chapters 4-6 of the Final EIR/EIS, the City’s CEQA Findings, and Sections 1 and 8 of the Implementing Agreement, and the MSCP Plan/Subarea Plan provide strong and extensive protections for the perpetuation of wildlife diversity.

Finding 4.2.3 CDFG finds that the Subarea Plan allows compatible and appropriate development and growth, as required by former section 2805(a).

Explanation 4.2.3: Lands not protected pursuant to the MSCP Plan or the Subarea Plan may be developed according to local land use laws and regulations. In addition, the Implementing Agreement provides assurances to local jurisdictions and landowners concerning State and federal mitigation requirements covered by the MSCP Plan/Subarea Plan (refer to Section 9 and Section 17 of the Implementing Agreement). These assurances will make local permitting processes for development projects and growth activities more certain and predictable so long as the activities are consistent with the Subarea Plan and the City’s General Plan. As further

described and analyzed in the MSCP Plan and the Subarea Plan, Chapters 4-6 of the Final EIR/EIS, the City's Findings per CEQA, and the Implementing Agreement (Section 1 and Section 8), the MSCP Plan/Subarea Plan allow for compatible development and growth within the City.

Finding 4.2.4 CDFG finds that the Subarea Plan is consistent with the NCCP Enrollment Agreement signed by the City, and with the Ongoing Multi-Species Planning Agreement, as required by former section 2820.

Explanation 4.2.4: On May 1, 1992, the City enrolled in the NCCP program. In March 1993, CDFG, USFWS, California Resources Agency, San Diego Association of Governments, City of San Diego, and County of San Diego entered into the Ongoing Multi-Species Planning Agreement which certified that the three ongoing multi-species planning programs in western San Diego County were accepted as NCCPs. Section 3.5 of the NCCP Process Guidelines (September 1, 1992) allow for appropriate, ongoing multi-species plans within the coastal sage scrub ecosystem to be accepted into the NCCP process.

CDFG believes that the parties to these agreements have complied with their obligations under these agreements during development of the Subarea Plan, that the Subarea Plan itself is consistent with the enrollment and planning agreements' frameworks for the Subarea Plan, and that procedural requirements in the enrollment and planning agreements for development of the Subarea Plan were followed.

Finding 4.2.5 CDFG finds that the Subarea Plan provides for the conservation and management of all species subject to the take authorization provided as part of this NCCP Permit, as required by former section 2835.

Explanation 4.2.5: This NCCP Permit authorizes the take of eighty-six (86) species either upon the effective date of the NCCP Permit or upon future changes in statute. These species include all 85 species covered by the MSCP and the addition of the quino checkerspot butterfly. Many of the facts upon which CDFG relies for including each of these species in this NCCP Permit are provided in Attachment 1, which is incorporated into this finding.

The Subarea Plan provides three categories for species coverage based on the level of conservation provided by the Chula Vista Subarea. These categories include:

1. "Species Adequately Conserved" are species found within the Chula Vista Subarea that are adequately conserved by the Subarea Plan, so that the City's take authorization is maintained regardless of whether the City of San Diego and/or the County of San Diego are continuing to implement their own subarea plans. These species are listed in Table 4-1 of the Chula Vista Subarea Plan.
2. Other Covered Species that either have some known occurrence data within the Subarea, or for which the Subarea contains suitable habitat or conditions for the species. These

species would not be expected to be adequately conserved by the Subarea Plan alone, but the City would receive take authorization based in part upon conservation and management for those species that are provided by other MSCP participants, namely either the City or County of San Diego, as described more specifically in Exhibits E-3 (species conserved in conjunction with the City of San Diego Subarea Plan) and E-4 (species conserved in conjunction with the County of San Diego Subarea Plan) of the Implementing Agreement. Species requiring participation of the County and/or City of San Diego subarea plans are listed in Table 4-2 of the Chula Vista Subarea Plan.

3. Covered Species for which suitable habitat conditions do not exist within Chula Vista. Although none of these species are expected within the City, and therefore no take is anticipated in the Chula Vista Subarea, take is permitted for such species subject to participation of other MSCP participants (i.e., City or County of San Diego) and adherence to any required conditions for coverage identified in the MSCP. Covered Species fitting into this third category are listed in Table 4-3 of the Chula Vista Subarea Plan.

All species subject to the take authorization included as part of this NCCP Approval are addressed in the MSCP Plan/Subarea Plan. For the reasons set forth in Attachment 1, and as further described and analyzed in the MSCP Subregional Plan and the Chula Vista Subarea Plan, Chapters 4-6 of the Final Environmental Impact Report/Final Environmental Impact Statement (EIR/EIS), CDFG's CEQA findings in Section 3.5 of this NCCP Permit, and the Implementing Agreement, Section 1 and Section 8, the MSCP Plan/Subarea Plan conserves and manages all of the species named in this NCCP Permit.

4.3 Coastal Sage Scrub NCCP Guidelines

In 1992, CDFG, in consultation with the USFWS, developed the Southern California Coastal Sage Scrub Natural Community Conservation Planning Process Guidelines, as amended in November 1993 ("**Process Guidelines**"). The Process Guidelines provided a framework for natural community conservation planning within the Regional Coastal Sage Scrub Planning Area. The Regional Coastal Sage Scrub Planning Area comprises roughly 6,000 square miles of coastal sage scrub and overlays parts of five counties: San Diego, Orange, Riverside, Los Angeles, and San Bernardino. Coastal sage scrub is an ecological community that supports a diverse assemblage of native California plants and animals, including the federally threatened California gnatcatcher, the cactus wren, and the orange-throated whiptail lizard.

The Process Guidelines guide the preparation and implementation of NCCPs in the Regional Coastal Sage Scrub Planning Area and provide for the interaction of all of the partners involved. The Process Guidelines explain the roles of the local, state, and federal governments during the planning process and the development of regional and subregional plans. The Process Guidelines are intended to describe a process for regional and subregional natural community conservation planning that ensures adequate participation and collaboration by all stakeholders in the Regional Coastal Sage Scrub Planning Area.

In 1992, CDFG also convened a Scientific Review Panel (“SRP”). The role of the SRP was to collect readily available data and to integrate the information into a region-wide scientific framework for conservation planning activities. The SRP’s specific goals were to analyze field data and other research on the coastal sage scrub habitat in order to identify and develop the best scientific information available, and to develop conservation guidelines to protect and manage coastal sage scrub habitat. In March of 1993, the SRP recommended a conservation strategy that served as a basis for the Southern California Coastal Sage Scrub Natural Community Conservation Planning Conservation Guidelines (“**Conservation Guidelines**”), dated November 1993. The Conservation Guidelines were prepared pursuant to former section 2825(a). Together, the Process Guidelines and Conservation Guidelines comprise the “**CSS NCCP Guidelines**.”

The CSS NCCP Guidelines are intended to provide guidance for natural community conservation planning within the Regional Coastal Sage Scrub Planning Area and do not represent specific criteria for CDFG approval. However, this Subarea Plan adheres to provisions of the Process Guidelines and the Conservation Guidelines insofar as they address certain key natural community conservation planning elements, which appear in former section 2825(a) as suggested content for the CSS NCCP Guidelines. The following findings relate to the Subarea Plan’s consistency with those key elements:

Finding 4.3.1 CDFG finds that the Subarea Plan substantially adheres to the scope and configuration of regional and subregional planning areas as described in the CSS NCCP Guidelines (former § 2825, subd. (a)(1)).

Explanation 4.3.1: The CSS NCCP Guidelines outline the five-county regional planning area of the Regional Coastal Sage Scrub Planning Area. (See Attachment B of Conservation Guidelines) Subregional and subarea planning areas are defined in the OMSP Agreement, MSCP Plan Volumes I and II, and the Final EIR/EIS. The 1996 draft of the Subarea Plan is detailed in the MSCP Plan, Volume II. Subsequent revisions of the Subarea Plan, including the final version dated February 2003, are very similar to the 1996 draft plan evaluated for the MSCP Subregional Plan, with a primary difference being increased conservation levels achieved in the final Subarea Plan.

Finding 4.3.2 CDFG finds that the Subarea Plan substantially adheres to the standards, guidelines and objectives for the Regional Coastal Sage Scrub Planning Area prescribed in the CSS NCCP Guidelines (former § 2825, subd. (a)(2)).

Explanation 4.3.2: The CSS NCCP Guidelines provide guidance for the evaluation, management and restoration of coastal sage scrub habitat. (Conservation Guidelines, Sections 2-6.) The MSCP Plan prescribes methods, policies, guidelines and goals for assembling the MSCP Preserve (MSCP Plan, Volume 1, Section 4), implementing the MSCP Plan and Subarea Plans (MSCP Plan, Volume 1, Section 5), and managing and monitoring the MSCP Preserve (MSCP Plan Volume 1, Section 6). The Subarea Plan prescribes species and habitat-specific goals and

objectives for the management of each Preserve area consistent with the guidelines established in Volume 1, Section 6 of the MSCP Plan. Actions for the Subarea Plan include management recommendations, invasive exotics control and removal, public access and trails, land use adjacency guidelines, and preserve design and compatibility.

Finding 4.3.3

CDFG finds that the preparation of the Subarea Plan substantially adhered to the CSS NCCP Guidelines' provisions regarding the appointment and use of "advisory committees" (former § 2825, subd. (a)(3)), coordination with local, state and federal agencies (former § 2825, subd. (a)(4)), and public participation (former § 2825, subd. (a)(5)).

Explanation 4.3.3: The CSS NCCP Guidelines provide for State and federal wildlife agency coordination, and for participation by and coordination with public agencies and the members of the public. (Process Guidelines, Sections 3-5.) Coordination between state and federal agencies includes the December 4, 1991 MOU between CDFG and the USFWS and the MSCP Working Group. The MSCP Working Group, formed in March 1991, fulfilled the advisory body role for the development, financing and implementation of the MSCP Plan. The group included representatives from state and federal wildlife agencies, local jurisdictions, public works agencies and representatives of development interests and environmental groups from various sectors of the community. Other advisory groups included the MSCP Policy Group, Science Subcommittee, Regional Conservation Coordinating Committee, and a Technical Committee that focused efforts to assure the coordination of key scientific, public policy, and finance/acquisition strategy aspects. A Biological Task Force was assigned to develop the *Biological Standards and Guidelines for Multiple Species Preserve Design* using the best scientific information available. As noted in Section 7.4 of the Subarea Plan and Section 14.7(A) of the Implementing Agreement, the City will join a Regional Habitat Management Technical Committee for coordination of preserve management and to address technical issues associated with preserve management. Under the Subarea Plan (Section 7.4), there will also be an Otay River Valley/Salt Creek Stakeholders Committee to provide input on management issues for Otay Ranch Preserve areas, and a Quino Scientific Advisory Committee (QSAC) to determine priority tasks for the quino checkerspot butterfly restoration program. In addition, a Habitat Emergency Advisory Technical Committee (HEAT) will be formed to provide input in the case of Changed Circumstances and/or other emergencies as determined by the City Habitat Manager.

Finding 4.3.4

CDFG finds that the Subarea Plan substantially adheres to the CSS NCCP Guidelines' provisions for ensuring compatibility and compliance with FESA (former § 2825, subd. (a)(6)).

Explanation 4.3.4: The CSS NCCP Guidelines provide for coordination between CDFG and the USFWS and address the requirements of FESA. (Process Guidelines, Sections 1, 3, 4, and 5.) Pursuant to the December 4, 1991 Memorandum of Understanding between CDFG and the USFWS, the two agencies agreed to ensure that plans prepared by local governments and landowners pursuant to the NCCP Act will facilitate compliance with FESA. The MSCP Plan/Subarea Plan comprehensively addresses habitat conservation concerns pursuant to the

standards established by section 10(a)(1)(B) of FESA and through the special 4(d) rule promulgated by the USFWS, is compatible and consistent with the incidental take requirements of FESA, as evidenced by USFWS's approval of the Subarea Plan.

Finding 4.3.5 CDFG finds that the approval process employed for the Subarea Plan substantially adheres to the process requirements in the CSS NCCP Guidelines (former § 2825, subd. (a)(7)).

Explanation 4.3.5: The CSS NCCP Guidelines prescribe an approval process. (Process Guidelines, Section 5.4). As provided in those guidelines, CDFG's is issuing this NCCP Permit for species whose conservation and management are provided for in the MSCP Plan/Subarea Plan concurrent with CDFG's execution of the Implementing Agreement. The Implementing Agreement will be executed concurrently with issuance of this NCCP Permit.

Finding 4.3.6 CDFG finds that the mechanism for implementing the Subarea Plan substantially adheres to the CSS NCCP Guidelines (former § 2825, subd. (a)(8)).

Explanation 4.3.6: As prescribed in the CSS NCCP Guidelines, the MSCP Plan and its subarea plans will be implemented according to the terms of implementing agreements executed by all necessary participants. The Implementing Agreement obligates the City to implement the MSCP Plan and the Subarea Plan as necessary to assure the long-term viability of biological resources while providing for compatible economic development activities.

Finding 4.3.7 CDFG finds that the Subarea Plan substantially adheres to the CSS NCCP Guidelines provisions concerning monitoring and reporting on NCCP implementation (former § 2825, subd. (a)(9)).

Explanation 4.3.7: The CSS NCCP Guidelines provide for monitoring and evaluating implementation of the NCCPs. (Process Guidelines, Section 6.) In conformance with the MSCP Plan (Section 6.4) and the Subarea Plan (Section 1.5.13), the Implementing Agreement (Section 14) establishes an implementation plan to monitor species and their associated habitats. A habitat conservation accounting model (i.e., HabiTrak) will be used by the City, USFWS, and CDFG to assess whether the City is meeting its obligation to ensure that habitat preservation is proceeding in rough step with development in the Subarea. The City will also prepare and submit an annual report containing an accounting, by project and cumulatively, of habitat acreage lost and conserved within the Subarea during the previous calendar year. Along with CDFG and USFWS, the City will also participate in an annual public workshop to disseminate and discuss the annual report. In addition, the City shall meet with USFWS and CDFG once each year to review and coordinate implementation of the Chula Vista Subarea Plan.

Finding 4.3.8 DFG finds that the Implementing Agreement contains provisions allowing for amendments to the Subarea Plan that are consistent with the initial intent of the plan (former § 2825, subd. (a)(10)).

Explanation 4.3.8: The CSS NCCP Guidelines do not specifically address the amendment of NCCPs once they are finalized. Nonetheless, the Implementing Agreement includes amendment provisions that allow defined minor amendments, and other amendments with appropriate review and approval.

Finding 4.3.9

CDFG finds that the City's process to develop the Subarea Plan substantially adhered to the CSS NCCP Guidelines provisions concerning the loss of coastal sage scrub habitat prior to approval and implementation of the Subarea Plan and the MSCP Subregional Plan.

Explanation 4.3.9: In addition to the above required elements, the CSS NCCP Guidelines included provisions addressing the destruction of coastal sage scrub habitat during the interim planning period leading up to the final preparation and implementation of NCCPs. (Process Guidelines, Section 4; Conservation Guidelines, Section 4) Interim take permits and conservation planning by the City during this interim period have complied with the "interim strategy" requirements of the CSS NCCP Guidelines (Chapters 4 and 6 of the EIR/EIS, and San Diego Association of Governments Quarterly Reports to date) and total coastal sage scrub acreage impacted has not exceeded the 5 percent allowance in the CSS NCCP Guidelines. Additionally, the City has, during the interim period, continued implementation of existing state and federal environmental regulations which provide additional protection and mitigation for sensitive biological environmental resources.

5.0 OTHER FINDINGS

5.1 ESA § 4(d) Special Rule

USFWS' ESA § 4(d) Special Rule for the coastal California gnatcatcher (50 C.F.R. § 17.41(b)(2)) provides, in part, that:

Incidental take of the coastal California gnatcatcher will not be considered a violation of section 9 of the Endangered Species Act of 1973, as amended (Act), if it results from activities conducted pursuant to the State of California's Natural Community Conservation Planning Act of 1991 (NCCP), and in accordance with a NCCP plan for the protection of coastal sage scrub habitat, prepared consistent with the State's NCCP Conservation and Process Guidelines, provided that:

- (i) The NCCP plan has been prepared, approved, and implemented pursuant to California Fish and Game Code [former] sections 2800 - 2840; and
- (ii) The Fish and Wildlife Service (Service) has issued written concurrence that the NCCP plan meets the standards set forth in 50 CFR 17.32(b)(2).

Finding 5.1.1

CDFG finds that the Subarea Plan complies with the standards in Part 17.41(b)(2) of USFWS regulations for California gnatcatcher (15 C.F.R.) because the Subarea Plan was prepared in a manner consistent with the NCCP Conservation and Process Guidelines and in compliance with the NCCPA of 1991.

Explanation 5.1.1: This finding represents a summary of the findings in sections 4.1, 4.2 and 4.3 above, and the explanation for this finding appears in the explanations for each of those findings. This finding establishes that, in CDFG's judgment, the Subarea Plan qualifies for take authorization under the special 4(d) rule for California gnatcatcher provided USFWS issues a written concurrence that the NCCP plan meets the applicable standards.

5.2 Fully Protected Species

The following California fully protected species are known to occur in the Subarea Plan area: golden eagle, American peregrine falcon, bald eagle, California brown pelican, and California least tern. All of these are Covered Species under the City of San Diego MSCP Subarea Plan, the County of San Diego MSCP Subarea Plan, and the Chula Vista Subarea Plan. Take of any of these species is prohibited under Section 3511 of California Fish and Game Code.

Finding 5.2.1

CDFG finds that the activities authorized in this approval will not result in take of fully protected species found within the Subarea Plan.

Explanation 5.2.1: The MSCP Subregional Plan (Table 3-5) and the Subarea Plan provide for the conservation of approximately 91 percent of the roosting and foraging habitat for the brown pelican in the MSCP study area, and no new development of beaches is authorized. Most of the important roosting and foraging habitat occurs on military lands and waters under Port Authority jurisdiction, which are not included as part of the MSCP. Similarly, 93 percent of the potential habitat of the California least tern will be conserved, and management directives are required by the MSCP to ensure the protection of least tern nesting sites. The American peregrine falcon and the bald eagle are both considered adequately conserved species under the MSCP because large tracts of potential foraging habitat are conserved under the plan. The golden eagle was considered adequately conserved because seven of the existing 11 territories within MSCP were anticipated to remain viable (MSCP Table 3-5). CDFG has determined that with these conservation measures and other protections for these species, no take of these fully protected species is expected to occur as a result of activities covered by the Subarea Plan and this NCCP Permit.

6.0 APPROVAL OF THE SUBAREA PLAN AND TAKE AUTHORIZATION

Based on the foregoing findings, CDFG concludes that the Subarea Plan meets all necessary requirements for approval as an NCCP. CDFG approves the Subarea Plan pursuant to NCCPA and authorizes the City and any person or entity that has status under the Implementing Agreement as a third party beneficiary to take the species identified in Section 6.2 in carrying out the activities described below in Section 6.1, subject to the limitations set forth in this NCCP Permit. This take authorization is specifically conditioned on the City's compliance with requirements of the MSCP Subregional Plan, the Subarea Plan, and the Implementing Agreement.

6.1 Covered Activities

This Permit authorizes take resulting from land use development and other activities that are described in and consistent with the MSCP Subregional Plan, the Subarea Plan, and the Implementing Agreement. These activities are generally described in the following paragraph:

This NCCP Permit authorizes the take by the City and by private persons and public entities that are third party beneficiaries under the direct control of the City under terms of the Implementing Agreement for those activities described in the Subarea Plan. In most cases, third party beneficiaries will be landowners and public and private entities undertaking land development activities; all such land development activities must be consistent with the Subarea Plan and Implementing Agreement for take to be authorized. Permits may be issued by the City, consistent with the Subarea Plan, the Federal Section 10(a)(1)(B) Permit, and NCCP Permit for projects within the City's incorporated limits. Take of Chula Vista Covered Species associated with development of public infrastructure, including the development of park and related recreation facilities throughout the Otay Valley Regional Park, consistent with the Otay Valley Regional Park Concept Plan, is also authorized consistent with this Subarea Plan. In addition, CDFG authorizes take of Covered Species that may result from monitoring, management, and conservation activities undertaken in the Preserve pursuant to the Subarea Plan and the MSCP including implementation of adaptive management programs within the Preserve, whether such activities are located within or outside the City of Chula Vista.

For the Covered Projects set forth in Table 5-1 of the Chula Vista Subarea Plan and Exhibit D of the Implementing Agreement, the take authorization provided by this NCCP Permit is effective only after the City, USFWS, and CDFG have determined that the design of the project and the mitigation related to Chula Vista Covered Species conforms to the MSCP Subregional Plan and the Subarea Plan. The City may extend incidental take authorization for such projects through the land development approval process and associated land development or clearing/grubbing permit issued to each Covered Project prior to the start of land development on the site. CDFG's assurances for Covered Projects are described in Section 9.12 of the Implementing Agreement.

Take permits for projects located outside the City boundaries but within the Chula Vista MSCP Planning Area will be issued by the County of San Diego pursuant to the County Subarea Plan,

South County Segment, County Implementing Agreement, and the County's Section 10(a)(1)(B) Permit, and NCCP Permit. Take authority for projects that are annexed into the City subsequent to the issuance of this NCCP Permit may be provided pursuant to Section 5.3.1 of the Chula Vista Subarea Plan and Section 9.15 of the Implementing Agreement.

6.2 Covered Species

The City of Chula Vista and third party beneficiaries under the Implementing Agreement are authorized to take 86 species, subject to the limitations set forth in this NCCP Permit. The 86 species, referred to as "**Chula Vista Covered Species**" are listed in Table 6-1. These species will be affected by public and private projects and activities covered by the Subarea Plan. While the Subarea Plan provides benefits for these species, it may also subject them to adverse impacts associated with public and private projects and activities covered by the Subarea Plan. Table 6-1 further identifies those species for which take is authorized irrespective of any other subarea plan (i.e., "**Chula Vista Adequately Conserved Species**"), as well as those for which take authorization depends on continued MSCP participation by either the City of San Diego or County of San Diego. State fully protected species are also included in Table 6-1, as some loss of suitable habitat is anticipated under the Subarea Plan; however, no take of individuals of these species is authorized at the time of NCCP Approval. Fully protected species as well as those listed under either the state or federal endangered species acts are so indicated in Table 6-1.

Species evaluations and findings are described in the MSCP Plan (Volume I). Estimated habitat loss, by vegetation community, is detailed in the MSCP Plan (Volume II). Table 6-1 lists the "Chula Vista Covered Species" pursuant to the Implementing Agreement. Fully protected species are considered Covered Species, but are not authorized for take at the time of NCCP Approval (see Section 6.2.3).

TABLE 6-1. CHULA VISTA SUBAREA PLAN COVERED SPECIES LIST

Scientific Name Listing Status (Federal / State)	Common Name	Chula Vista Adequately Conserved Species	Covered Species in Conjunction With the City of San Diego MSCP	Covered Species in Conjunction With the County of San Diego MSCP
PLANTS				
<i>Acanthomintha ilicifolia</i> FT/ SE MSCP Narrow Endemic	San Diego Thorn- mint	--	YES	YES
<i>Agave shawii</i> -- / CE MSCP Narrow Endemic	Shaw's Agave	--	YES	YES
<i>Ambrosia pumila</i> FE / -- MSCP Narrow Endemic	San Diego Ambrosia	--	YES	YES
<i>Aphanisma blitoides</i> -- / --	Aphanisma	--	YES	YES
<i>Arctostaphylos glandulosa</i> var. <i>crassifolia</i> FE / --	Del Mar Manzanita	--	YES	YES
<i>Arctostaphylos otayensis</i> -- / --	Otay Manzanita	--	YES	YES
<i>Astragalus tener</i> var. <i>titi</i> FE / CE	Coastal Dunes Milk-Vetch	--	YES	YES
<i>Baccharis vanessae</i> FT/ CE MSCP Narrow Endemic	Encinitas Baccharis	--	YES	YES
<i>Berberis nevinii</i> FE / CE MSCP Narrow Endemic	Nevin's Barberry	--	YES	YES
<i>Brodiaea filifolia</i> FT/ CE MSCP Narrow Endemic	Thread-leaved Brodiaea	--	YES	YES
<i>Brodiaea orcuttii</i> -- / -- Chula Vista Narrow Endemic	Orcutt's Brodiaea	--	--	YES

Scientific Name Listing Status (Federal / State)	Common Name	Chula Vista Adequately Conserved Species	Covered Species in Conjunction With the City of San Diego MSCP	Covered Species in Conjunction With the County of San Diego MSCP
<i>Calamagrostis densa</i> -- / --	Dense Reed Grass	--	YES	YES
<i>Calochortus dunnii</i> -- / CR MSCP Narrow Endemic	Dunn's Mariposa Lily	--	YES	YES
<i>Caulanthus stenocarpus</i> -- / CR	Slender-pod Jewelflower	--	YES	YES
<i>Ceanothus cyaneus</i> -- / -- MSCP Narrow Endemic	Lakeside Ceanothus	--	YES	YES
<i>Ceanothus verrucosus</i> -- / --	Wart-stemmed Ceanothus	--	--	YES
<i>Cordylanthus maritimus</i> ssp. <i>maritimus</i> FE / CE Chula Vista Narrow Endemic	Salt Marsh Bird's- Beak	YES	--	--
<i>Cordylanthus orcuttianus</i> -- / --	Orcutt's Bird's- Beak	YES	--	--
<i>Corethrogyne filaginifolia</i> var. <i>linifolia</i> -- / --	Del Mar Mesa Sand Aster	--	YES	--
<i>Cupressus forbesii</i> -- / --	Tecate Cypress	--	YES	YES
<i>Deinandra conjugens</i> (formerly <i>Hemizonia</i> <i>conjugens</i>) FT / CE MSCP Narrow Endemic	Otay Tarplant	YES	--	--
<i>Dudleya blochmaniae</i> ssp. <i>brevifolia</i> -- / CE MSCP Narrow Endemic	Short-leaved Dudleya	--	YES	YES
<i>Dudleya variegata</i> -- / -- MSCP Narrow Endemic	Variegated Dudleya	YES	--	--

Scientific Name Listing Status (Federal / State)	Common Name	Chula Vista Adequately Conserved Species	Covered Species in Conjunction With the City of San Diego MSCP	Covered Species in Conjunction With the County of San Diego MSCP
<i>Dudleya viscida</i> -- / --	Sticky Dudleya	--	YES	YES
<i>Ericameria palmeri</i> -- / -- MSCP Narrow Endemic	Palmer's Ericameria	--	YES	YES
<i>Eryngium aristulatum</i> var. <i>parishii</i> FE / CE	San Diego Button- Celery	--	YES	YES
<i>Erysimum ammophilum</i> -- / --	Coast Wallflower	--	YES	YES
<i>Ferocactus viridescens</i> -- / --	San Diego Barrel Cactus	YES	--	--
<i>Lepechinia cardiophylla</i> -- / --	Heart-leaved Pitcher Sage	--	YES	YES
<i>Lepechinia ganderi</i> -- / -- MSCP Narrow Endemic	Gander's Pitcher Sage	--	YES	YES
<i>Lotus nuttallianus</i> -- / --	Nuttall's Lotus	--	YES	YES
<i>Monardella hypoleuca</i> ssp. <i>lanata</i> -- / -- MSCP Narrow Endemic	Felt-leaved Monardella	--	YES	YES
<i>Monardella linoides</i> ssp. <i>viminea</i> FE / CE Chula Vista Narrow Endemic	Willowy Monardella	--	YES	YES
<i>Muilla clevelandii</i> -- / --	San Diego Goldenstar	--	YES	YES
<i>Navarretia fossalis</i> FT / --	Spreading Navarretia	--	YES	YES
<i>Nolina interrata</i> FT / CE MSCP Narrow Endemic	Dehesa Bear-Grass	--	YES	YES

Scientific Name Listing Status (Federal / State)	Common Name	Chula Vista Adequately Conserved Species	Covered Species in Conjunction With the City of San Diego MSCP	Covered Species in Conjunction With the County of San Diego MSCP
<i>Opuntia parryi</i> var. <i>serpentina</i> (now <i>O. californica</i> var. <i>californica</i>) -- / CE MSCP Narrow Endemic	Snake Cholla	YES	--	--
<i>Orcuttia californica</i> FE / CE MSCP Narrow Endemic	California Orcutt Grass	--	YES	YES
<i>Pinus torreyana</i> -- / CE	Torrey Pine	--	YES	YES
<i>Pogogyne abramsii</i> FE / CE City of SD Narrow Endemic	San Diego Mesa Mint	--	YES	YES
<i>Pogogyne nudiuscula</i> FE / CE City of SD Narrow Endemic	Otay Mesa Mint	--	YES	YES
<i>Rosa minutifolia</i> -- / CE	Small-leaved Rose	--	YES	YES
<i>Satureja chandleri</i> -- / --	San Miguel Savory	--	YES	YES
<i>Senecio ganderi</i> -- / CR	Gander's Butterweed	--	YES	YES
<i>Solanum tenuilobatum</i> (now <i>Solanum xanti</i>) -- / --	Narrow-leaved Nightshade	--	YES	YES
<i>Tetracoccus dioicus</i> -- / --	Parry's Tetracoccus	--	YES	YES
INVERTEBRATES				
<i>Branchinecta</i> <i>sandiegensis</i> FE / --	San Diego Fairy Shrimp	--	YES	YES

Scientific Name Listing Status (Federal / State)	Common Name	Chula Vista Adequately Conserved Species	Covered Species in Conjunction With the City of San Diego MSCP	Covered Species in Conjunction With the County of San Diego MSCP
<i>Euphydryas editha quino</i> FE / --	Quino Checkerspot	YES	--	--
<i>Miltouria thornei</i> -- / --	Thorne's Hairstreak	--	YES	YES
<i>Panoquina errans</i> -- / --	Salt Marsh Skipper	YES	--	--
<i>Streptocephalus woottoni</i> FE / --	Riverside Fairy Shrimp	--	YES	--
AMPHIBIANS				
<i>Bufo californicus</i> FE / --	Arroyo Southwestern Toad	--	YES	YES
<i>Rana aurora draytonii</i> FT / --	California Red- legged Frog	--	YES	YES
REPTILES				
<i>Clemmys marmorata</i> <i>pallida</i> -- / --	Southwestern Pond Turtle	--	YES	YES
<i>Cnemidophorus</i> <i>hyperythrus beldingi</i> -- / --	Orange-throated Whiptail	--	YES	YES
<i>Phrynosoma coronatum</i> <i>blainvillei</i> -- / --	San Diego Horned Lizard	--	YES	YES
BIRDS				
<i>Accipiter cooperii</i> -- / --	Cooper's Hawk	--	YES	YES
<i>Agelaius tricolor</i> -- / --	Tricolored Blackbird	--	YES	YES
<i>Aimophila ruficeps</i> <i>canescens</i> -- / --	California Rufous- crowned Sparrow	YES	--	--
<i>Aquila chrysaetos</i> BEPA / --, FPS	Golden Eagle	--	YES	YES

Scientific Name Listing Status (Federal / State)	Common Name	Chula Vista Adequately Conserved Species	Covered Species in Conjunction With the City of San Diego MSCP	Covered Species in Conjunction With the County of San Diego MSCP
<i>Branta canadensis</i> -- / --	Canada Goose	--	YES	YES
<i>Buteo regalis</i> -- / --	Ferruginous Hawk	--	YES	YES
<i>Buteo swainsoni</i> -- / CT	Swainson's Hawk	--	YES	YES
<i>Campylorhynchus brunneicapillus couesi</i> -- / --	Coastal Cactus Wren	YES	--	--
<i>Charadrius alexandrinus nivosus</i> FT / --	Western Snowy Plover	YES	--	--
<i>Charadrius montanus</i> FPT / --	Mountain Plover	--	YES	YES
<i>Circus cyaneus</i> -- / --	Northern Harrier	--	YES	YES
<i>Egretta rufescens</i> -- / --	Reddish Egret	--	YES	YES
<i>Empidonax traillii extimus</i> FE / CE	Southwestern Willow Flycatcher	--	YES	YES
<i>Falco peregrinus anatum</i> FE / CE, FPS	American Peregrine Falcon	--	YES	YES
<i>Haliaeetus leucocephalus</i> FT / CE, FPS	Bald Eagle	--	YES	YES
<i>Numenius americanus</i> -- / --	Long-billed Curlew	YES	--	--
<i>Passerculus sandwichensis beldingi</i> -- / CE	Belding's Savannah Sparrow	YES	--	--
<i>Passerculus sandwichensis rostratus</i> -- / --	Large-billed Savannah Sparrow	YES	--	--
<i>Pelecanus occidentalis californicus</i> FE / SE, FPS	California Brown Pelican	--	YES	--
<i>Plegadis chihi</i> -- / --	White-faced Ibis	--	YES	YES

Scientific Name Listing Status (Federal / State)	Common Name	Chula Vista Adequately Conserved Species	Covered Species in Conjunction With the City of San Diego MSCP	Covered Species in Conjunction With the County of San Diego MSCP
<i>Polioptila californica</i> <i>californica</i> FT / --	California Gnatcatcher	YES	--	--
<i>Rallus longirostris</i> <i>levipes</i> FE / CE, FPS	Light-footed Clapper Rail	YES	--	--
<i>Sialia mexicana</i> -- / --	Western Bluebird	--	YES	YES
<i>Speotyto (Athene)</i> <i>cunicularia hypugaea</i> -- / CPT	Burrowing Owl	YES	--	--
<i>Sterna antillarum browni</i> FE / CE, FPS	California Least Tern	YES	--	--
<i>Sterna elegans</i> -- / --	Elegant Tern	--	YES	YES
<i>Vireo bellii pusillus</i> FE / CE	Least Bell's Vireo	YES	--	--
MAMMALS				
<i>Felis concolor</i> -- / Specially Protected	Mountain Lion	--	YES	YES
<i>Odocoileus hemionus</i> <i>fuliginata</i> -- / --	Southern Mule Deer	--	YES	YES
<i>Taxidea taxus</i> -- / --	American Badger	--	YES	YES
FE = Federal Endangered FT = Federal Threatened FPT = Federal Proposed Threatened CE = California Endangered CT = California Threatened CR = California Rare BGEPA = Bald and Golden Eagle Protection Act				

6.2.1 Species Adequately Conserved

Pursuant to the conditions of the MSCP Plan, the Subarea Plan, and Implementing Agreement, and subject to the limitations in this NCCP Permit including those in Section 6.2.3, CDFG authorizes the City to take the following Adequately Conserved Species effective upon USFWS and CDFG approval of the Implementing Agreement and enactment by the City of Chula Vista of General Plan amendments and ordinances required by the Subarea Plan:

Plants:

<i>Cordylanthus maritimus</i> ssp. <i>maritimus</i>	Salt Marsh Bird's-beak
<i>Cordylanthus orcuttianus</i>	Orcutt's Bird's-beak
<i>Deinandra (Hemizonia) conjugens</i>	Otay Tarplant
<i>Dudleya variegata</i>	Variegated Dudleya
<i>Ferocactus viridescens</i>	San Diego Barrel Cactus
<i>Opuntia parryi</i> var. <i>serpentina</i>	Snake Cholla
(<i>Opuntia californica</i> var. <i>californica</i>)	

Invertebrates:

<i>Euphydryas editha quino</i>	Quino Checkerspot Butterfly
<i>Panoquina errans</i>	Salt Marsh Skipper

Birds:

<i>Aimophila ruficeps canescens</i>	California Rufous-crowned Sparrow
<i>Campylorhynchus brunneicapillus couesi</i>	Coastal Cactus Wren
<i>Charadrius alexandrinus nivosus</i>	Western Snowy Plover
<i>Numenius americanus</i>	Long-billed Curlew
<i>Passerculus sandwichensis beldingi</i>	Belding's Savannah Sparrow
<i>Passerculus sandwichensis rostratus</i>	Large-billed Savannah Sparrow
<i>Polioptila californica californica</i>	Coastal California Gnatcatcher
<i>Rallus longirostris levipes</i>	Light-footed Clapper Rail
<i>Speotyto (Athene) cunicularia hypugaea</i>	Western Burrowing Owl
<i>Sterna antillarum browni</i>	California Least Tern
<i>Vireo bellii pusillus</i>	Least Bell's Vireo

The take authorization for the species listed above does not depend on the continued participation in the MSCP by the City of San Diego or the County of San Diego.

6.2.2 Other Chula Vista Covered Species

Pursuant to the conditions of the MSCP Plan, the Subarea Plan and Implementing Agreement, and subject to the limitations in this NCCP Permit including those in Section 6.2.3, CDFG further authorizes the City to take the following species effective upon the date USFWS and CDFG approve the Implementing Agreement and the City of Chula Vista enacts General Plan

amendments and ordinances required by the Subarea Plan, continuing only for such time as the City of San Diego continues to implement its own subarea plan as an MSCP participant:

Plants:

<i>Acanthomintha ilicifolia</i>	San Diego Thorn-mint
<i>Agave shawii</i>	Shaw's Agave
<i>Ambrosia pumila</i>	San Diego Ambrosia
<i>Aphanisma blitoides</i>	Aphanisma
<i>Arctostaphylos glandulosa</i> var. <i>crassifolia</i>	Del Mar Manzanita
<i>Arctostaphylos otayensis</i>	Otay Manzanita
<i>Astragalus tener</i> var. <i>titi</i>	Coastal Dunes Milk-vetch
<i>Baccharis vanessae</i>	Encinitas Baccharis
<i>Berberis nevinii</i>	Nevin's Barberry
<i>Brodiaea filifolia</i>	Thread-leaved Brodiaea
<i>Calamagrostis densa</i>	Dense Reed Grass
<i>Calochortus dunnii</i>	Dunn's Mariposa Lily
<i>Caulanthus stenocarpus</i>	Slender-pod Jewelflower
<i>Ceanothus cyaneus</i>	Lakeside Ceanothus
<i>Corethrogyne filaginifolia</i> var. <i>linifolia</i>	Del Mar Mesa Sand Aster
<i>Cupressus forbesii</i>	Tecate Cypress
<i>Dudleya blochmaniae</i> ssp. <i>brevifolia</i>	Short-leaved Dudleya
<i>Dudleya viscida</i>	Sticky Dudleya
<i>Ericameria palmeri</i>	Palmer's Ericameria
<i>Eryngium aristulatum</i> var. <i>parishii</i>	San Diego Button-celery
<i>Erysimum ammophilum</i>	Coast Wallflower
<i>Lepechinia cardiophylla</i>	Heart-leaved Pitcher Sage
<i>Lepechinia ganderi</i>	Gander's Pitcher Sage
<i>Lotus nuttallianus</i>	Nuttall's Lotus
<i>Monardella hypoleuca</i> ssp. <i>lanata</i>	Felt-leaved Monardella
<i>Monardella linoides</i> ssp. <i>viminea</i>	Willow Monardella
<i>Muilla clevelandii</i>	San Diego Goldenstars
<i>Navarretia fossalis</i>	Spreading Navarretia
<i>Nolina interrata</i>	Dehesa Bear-grass
<i>Orcuttia californica</i>	California Orcutt Grass
<i>Pinus torreyana</i>	Torrey Pine
<i>Pogogyne abramsii</i>	San Diego Mesa Mint
<i>Pogogyne nudiuscula</i>	Otay Mesa Mint
<i>Rosa minutifolia</i>	Small-leaved Rose
<i>Satureja chandleri</i>	San Miguel Savory
<i>Senecio ganderi</i>	Gander's Butterweed
<i>Solanum tenuilobatum</i> (<i>S. xanti</i>)	Narrow-leaved Nightshade
<i>Tetracoccus dioicus</i>	Parry's Tetracoccus

Invertebrates:

Branchinecta sandiegonensis
Miltoura thornei
Streptocephalus woottoni

San Diego Fairy Shrimp
Thorne's Hairstreak
Riverside Fairy Shrimp

Amphibians:

Bufo californicus
Rana aurora draytonii

Arroyo Southwestern Toad
California Red-legged Frog

Reptiles:

Clemmys marmorata pallida
Cnemidophorus hyperythrus beldingi
Phrynosoma coronatum blainvillei

Southwestern Pond Turtle
Orange-throated Whiptail
San Diego Horned Lizard

Birds:

Accipiter cooperii
Agelaius tricolor
Aquila chrysaetos
Branta canadensis
Buteo regalis
Buteo swainsoni
Charadrius montanus
Circus cyaneus
Egretta rufescens
Empidonax traillii extimus
Falco peregrinus anatum
Haliaeetus leucocephalus
Pelecanus occidentalis californicus
Plegadis chihi
Sialia mexicana
Sterna elegans

Cooper's Hawk
Tricolored Blackbird
Golden Eagle
Canada Goose
Ferruginous Hawk
Swainson's Hawk
Mountain Plover
Northern Harrier
Reddish Egret
Southwestern Willow Flycatcher
American Peregrine Falcon
Bald Eagle
California Brown Pelican
White-faced Ibis
Western Bluebird
Elegant Tern

Mammals:

Felis concolor
Odocoileus hemionus fuliginata
Taxidea taxus

Mountain Lion
Southern Mule Deer
American Badger

Pursuant to the conditions of the MSCP Plan, the Subarea Plan, and Implementing Agreement, and subject to the limitations in this NCCP Permit including those in Section 6.2.3, CDFG further authorizes the City to take the following additional species effective upon the date USFWS and CDFG approve the Implementing Agreement and the City of Chula Vista enacts General Plan amendments and ordinances required by the Subarea Plan, continuing only for such time as the County of San Diego continues to implement its own subarea plan as an MSCP participant:

Plants:

<i>Acanthomintha ilicifolia</i>	San Diego Thorn-mint
<i>Agave shawii</i>	Shaw's Agave
<i>Ambrosia pumila</i>	San Diego Ambrosia
<i>Aphanisma blitoides</i>	Aphanisma
<i>Arctostaphylos glandulosa</i> var. <i>crassifolia</i>	Del Mar Manzanita
<i>Arctostaphylos otayensis</i>	Otay Manzanita
<i>Astragalus tener</i> var. <i>titi</i>	Coastal Dunes Milk-vetch
<i>Baccharis vanessae</i>	Encinitas Baccharis
<i>Berberis nevinii</i>	Nevin's Barberry
<i>Brodiaea filifolia</i>	Thread-leaved Brodiaea
<i>Brodiaea orcuttii</i>	Orcutt's Brodiaea
<i>Calamagrostis densa</i>	Dense Reed Grass
<i>Calochortus dunnii</i>	Dunn's Mariposa Lily
<i>Caulanthus stenocarpus</i>	Slender-pod Jewelflower
<i>Ceanothus cyaneus</i>	Lakeside Ceanothus
<i>Ceanothus verrucosus</i>	Wart-stemmed Ceanothus
<i>Cupressus forbesii</i>	Tecate Cypress
<i>Dudleya blochmaniae</i> ssp. <i>brevifolia</i>	Short-leaved Dudleya
<i>Dudleya viscida</i>	Sticky Dudleya
<i>Ericameria palmeri</i>	Palmer's Ericameria
<i>Eryngium aristulatum</i> var. <i>parishii</i>	San Diego Button-celery
<i>Erysimum ammophilum</i>	Coast Wallflower
<i>Lepechinia cardiophylla</i>	Heart-leaved Pitcher Sage
<i>Lepechinia ganderi</i>	Gander's Pitcher Sage
<i>Lotus nuttallianus</i>	Nuttall's Lotus
<i>Monardella hypoleuca</i> ssp. <i>lanata</i>	Felt-leaved Monardella
<i>Monardella linoides</i> ssp. <i>viminea</i>	Willow Monardella
<i>Muilla clevelandii</i>	San Diego Goldenstars
<i>Navarretia fossalis</i>	Spreading Navarretia
<i>Nolina interrata</i>	Dehesa Bear-grass
<i>Orcuttia californica</i>	California Orcutt Grass
<i>Pinus torreyana</i>	Torrey Pine
<i>Pogogyne abramsii</i>	San Diego Mesa Mint
<i>Pogogyne nudiuscula</i>	Otay Mesa Mint
<i>Rosa minutifolia</i>	Small-leaved Rose
<i>Satureja chandleri</i>	San Miguel Savory
<i>Senecio ganderi</i>	Gander's Butterweed
<i>Solanum tenuilobatum</i> (<i>S. xanti</i>)	Narrow-leaved Nightshade
<i>Tetracoccus dioicus</i>	Parry's Tetracoccus

Invertebrates:

Branchinecta sandiegonensis
Miltoura thornei

San Diego Fairy Shrimp
Thorne's Hairstreak

Amphibians:

Bufo californicus
Rana aurora draytonii

Arroyo Southwestern Toad
California Red-legged Frog

Reptiles:

Clemmys marmorata pallida
Cnemidophorus hyperythrus beldingi
Phrynosoma coronatum blainvillei

Southwestern Pond Turtle
Orange-throated Whiptail
San Diego Horned Lizard

Birds:

Accipiter cooperii
Agelaius tricolor
Aquila chrysaetos
Branta canadensis
Buteo regalis
Buteo swainsoni
Charadrius montanus
Circus cyaneus
Egretta rufescens
Empidonax traillii extimus
Falco peregrinus anatum
Haliaeetus leucocephalus
Plegadis chihi
Sialia mexicana
Sterna elegans

Cooper's Hawk
Tricolored Blackbird
Golden Eagle
Canada Goose
Ferruginous Hawk
Swainson's Hawk
Mountain Plover
Northern Harrier
Reddish Egret
Southwestern Willow Flycatcher
American Peregrine Falcon
Bald Eagle
White-faced Ibis
Western Bluebird
Elegant Tern

Mammals:

Felis concolor
Odocoileus hemionus fuliginata
Taxidea taxus

Mountain Lion
Southern Mule Deer
American Badger

A withdrawal by the City of San Diego and/or County of San Diego from the MSCP would have the following results, therefore, on the City of Chula Vista's take authorizations provided in this NCCP Permit:

If the County of San Diego were to withdraw, the City of Chula Vista would lose its take authorization for two plants: Orcutt's brodiaea (*Brodiaea orcuttii*) and the wart-stemmed ceanothus (*Ceanothus verrucosus*).

If the City of San Diego were to withdraw, the City of Chula Vista would lose its take authorization for Del Mar Mesa sand aster (*Corethrogyne filaginifolia* var.

linifolia) and Riverside fairy shrimp (*Streptocephalus woottoni*); it would also lose possible future take authorization for the California brown pelican (*Pelecanus occidentalis californicus*), a fully protected bird that cannot currently be taken.

If the City of San Diego and the County of San Diego were both to withdraw, the City of Chula Vista would lose its take authorization for species identified in this Section 6.2 of the NCCP Permit and would be authorized to take just the 19 species identified above as Species Adequately Conserved.

6.2.3 Fully Protected Species

As set forth in the NCCP findings, above, CDFG has determined that the Subarea Plan provides for the conservation and management of five fully protected birds: the golden eagle, American peregrine falcon, bald eagle, California brown pelican, and California least tern. Fish and Game Code section 3511 prohibits CDFG from authorizing take of these species at this time. Consequently, take of these five species is not authorized at the time this NCCP Permit is issued. CDFG has, however, determined that activities covered by the Subarea Plan can be carried out without causing take of the fully protected birds (see Finding 5.2.1, above) and has determined that the Subarea Plan and MSCP Subregional Plan provide for the conservation and management of these five species. Therefore, consistent with the terms of the Implementing Agreement, the City and third party beneficiaries will receive take authorization for these species in the event section 3511 is repealed or amended in a manner that allows CDFG to authorize take of these birds under the Natural Community Conservation Planning Act. Take of golden eagle, American peregrine falcon, bald eagle, California brown pelican and California least tern will be automatically authorized upon a written legal determination by CDFG that changes in California law provide CDFG with the authority to permit the take of these birds as part of an NCCP plan. CDFG will provide its legal determination promptly after enactment of any relevant legislation; the determination will be attached to the NCCP Permit.

7.0 LIMITATIONS

In issuing this NCCP Permit, CDFG makes no finding or representation as to whether the activities covered by this Permit are in compliance with other applicable laws, regulations, and ordinances. The City and any other entity or person carrying out activities covered by this NCCP Permit are responsible for ensuring those activities comply with such laws, regulations, and ordinances.

8.0 AMENDMENTS

This NCCP Permit may be amended in a manner consistent with section 23.0 of the Implementing Agreement and other relevant provisions in the MSCP Subregional Plan, the Subarea Plan, and the Implementing Agreement.

9.0 SUSPENSION, REVOCATION, AND TERMINATION


This NCCP Permit is subject to suspension, revocation, or termination by action of the Director of CDFG as provided in section 16.3 of the Implementing Agreement.

10.0 TERM OF THE NCCP PERMIT

This NCCP Permit shall take effect after it is signed by CDFG and after all General Plan amendments and ordinances specified in the Subarea Plan have been enacted by the City. The term of this Permit will end on the same date as the term of the Implementing Agreement ends, unless the Permit is suspended, revoked, or terminated by earlier action of CDFG. The Implementing Agreement has a term of fifty (50) years but may be terminated sooner by City withdrawal from the Implementing Agreement or by other action of the parties.

CDFG is issuing duplicate originals of this NCCP Permit; CDFG will retain one of the originals and deliver the other to the City.

Approved by:



SANDRA C. MOREY, Acting Deputy Director
California Department of Fish and Game

Date: 1/13/05

Approved as to form:



MICHAEL R. VALENTINE, General Counsel

11.0 REFERENCES

- Chula Vista, City of. 1993. Otay Ranch, Resource Management Plan. October 28, 1993.
- Chula Vista, City of. 1996. Otay Ranch, Phase 2 Resource Management Plan. February 1996.
- Chula Vista, City of. 2000. CEQA Findings of Fact of the City Council of the City of Chula Vista as a Responsible Agency for the Approval of the Multiple Species Conservation Program (MSCP) Subregional Plan and Adoption of the City of Chula Vista Multiple Species Conservation Program (MSCP Subarea Plan all as previously analyzed in the Final EIR/EIS Certified by the Lead Agencies for the Issuance of Take Authorizations for Threatened and Endangered Species Due to Urban Growth Within the Multiple Species Conservation Program (MSCP) Planning Area. October 9, 2000.
- Chula Vista, City of. 2003. Final Supplemental Environmental Impact Report and Environmental Assessment for the Chula Vista Multiple Species Conservation Plan (MSCP) Subarea Plan. January 2003.
- Chula Vista, City of. 2003. Multiple Species Conservation Plan (MSCP) Mitigation and Implementing Agreement Monitoring Program for Biological Resources for the Chula Vista MSCP Subarea Plan. February 2003.
- DeSante, D.F. and E. Ruhlen. 1995. A census of burrowing owls in California, 1991-1993. Institute for Bird Populations. Point Reyes Station, CA.
- Ogden, 1996. Biological Monitoring Plan for the Multiple Species Conservation Program. Prepared for the City of San Diego, California Department of Fish and Game, and U.S. Fish and Wildlife Service. Revised April 23, 1996.
- Reiser, C. 2001. The Rare Plants of San Diego County. Aquafir Press.
- San Diego, City of. 1997. City of San Diego MSCP Subarea Plan. March 1997.
- San Diego, City of. 1998. Final Multiple Species Conservation Program / MSCP Plan. August 1998.
- San Diego, County of. 1997. County of San Diego MSCP Subarea Plan.
- U.S. Fish and Wildlife Service, 2001. Draft Recovery Plan for the Quino checkerspot butterfly (*Euphydryas editha quino*). 123 pp.
- U.S. Fish and Wildlife Service, 2003. Chula Vista Subarea Plan Biological and Conference Opinions (FWS-SDG-882.1).

ATTACHMENT : NCCP ANALYSIS FOR COVERAGE UNDER THE MSCP SUBREGIONAL PLAN AND CHULA VISTA SUBAREA PLAN

COMMON NAME SCIENTIFIC NAME STATUS (Federal / State)	EXPECTED CONSERVATION	POTENTIAL IMPACTS	MONITORING AND/OR MANAGEMENT PLANS / DIRECTIVES	MEETS NCCP CONSERVATION STANDARDS ?
PLANTS				
<i>Acanthomintha ilicifolia</i> San Diego Thorn-mint FT/ SE List 1B, RED 2-3-2 MSCP Narrow Endemic	The MSCP Subregional Plan conserved 85% of 8 major populations, with each of these conserved between 80 and 100%. The Chula Vista Subarea Plan area does not identify known locations; however, the CNDDDB identifies locations within the Otay Ranch (Village 2 north of Poggi Canyon) and in the Bonita Meadows area. The most significant population in the area is at the resort site of Otay Ranch which is outside of the Chula Vista Subarea and which will be conserved.	Implementation of the MSCP Subregional Plan is expected to impact 15% of the 8 major populations which have been identified. No locations are documented within the Chula Vista Subarea Plan area.	The Biological Monitoring Plan for the MSCP (Ogden 1996) rates this annual plant as a Second Priority species subject to field based monitoring every 2 years. Area Specific Management Directives (ASMDs) and the SPA for the Otay Lakes Resort area must include specific measures to protect against detrimental edge effects from the surrounding development.	YES
<p><u>Rationale for Identifying Species as Covered:</u> San Diego thorn-mint was considered a covered species under the MSCP Subregional analysis because all 8 major populations were within the MHPA and would be conserved between 80 and 100% (85% overall). This is a narrow endemic species under the MSCP, which requires participating jurisdictions to specify and implement measures in their subarea plans to avoid or minimize impacts to all populations. The Chula Vista Subarea Plan narrow endemic provisions allow up to a maximum of 20% impact of a population within development areas regulated by the HLIT Ordinance and in 75-100% Conservation Areas, and up to 5% impact to populations within 100% Conservation Areas with Covered Projects and 100% Conservation Areas Regulated by the HLIT Ordinance (refer Table 5-5 of the Chula Vista Subarea Plan). Any encroachment exceeding these guidelines is subject to a determination of biologically superior preservation by the City, subject to concurrence by the Wildlife Agencies. Hard-lined development areas of Covered Projects are not subject to the above narrow endemic provisions.</p>				
<i>Agave shawii</i> Shaw's Agave FSC / CE List 2, RED 3-3-1 MSCP Narrow Endemic	The MSCP Subregional Plan conserves 100% of all major populations. No occurrences are known for the Chula Vista Plan area.	No impacts to major populations are expected under the MSCP Subregional Plan or the Chula Vista Subarea Plan.	Shaw's agave is subject to habitat-based monitoring under the Biological Monitoring Plan for the MSCP (Ogden 1996). ASMDs must include specific measures to protect against detrimental edge effects.	YES

COMMON NAME SCIENTIFIC NAME STATUS (Federal / State)	EXPECTED CONSERVATION	POTENTIAL IMPACTS	MONITORING AND/OR MANAGEMENT PLANS / DIRECTIVES	MEETS NCCP CONSERVATION STANDARDS ?
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Rationale for Identifying Species as Covered: Shaw's agave was considered a covered species under the MSCP Subregional analysis because all known extant populations are within protected public land (Torrey Pines State Reserve and Border Field State Park). This is a narrow endemic species under the MSCP, which requires participating jurisdictions to specify and implement measures in their subarea plans to avoid or minimize impacts to all populations. Should any populations be found within Chula Vista, this species would be subject to the narrow endemic protections of the Subarea Plan. No impacts to Shaw's agave are expected from implementation of the Chula Vista Subarea Plan.

<i>Ambrosia pumila</i> San Diego Ambrosia FE / None List 1B, RED 3-3-2 MSCP Narrow Endemic	The MSCP Subregional Plan conserves 90% of the only major population in the MSCP. Potential habitat exists in preserve areas of Otay Ranch, including the Otay River Valley.	The MSCP Subregional Plan anticipates development of up to 10% of the only major population in the MSCP, which occurs at Mission Trails Regional Park. No occurrences are confirmed for the Chula Vista Plan area.	The Biological Monitoring Plan for the MSCP (Ogden 1996) rates this plant as a Second Priority species subject to field based monitoring every 2 years. ASMDs must include specific measures to protect against detrimental edge effects and monitoring of transplanted populations.	YES
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Rationale for Identifying Species as Covered: San Diego ambrosia was considered a covered species under the MSCP Subregional analysis because 90% of the only major population (at Mission Trails Park) will be conserved, and the adjoining population at the nearby radio tower site will be 100% conserved. The small population within the San Diego National Wildlife Refuge (Rancho San Diego) will be conserved and managed by the USFWS. If more than 10% of the Mission Trails population is impacted, this species would no longer be a covered species under the MSCP. This is a narrow endemic species under the MSCP, which requires participating jurisdictions to specify and implement measures in their subarea plans to avoid or minimize impacts to all populations. Should any populations be found within Chula Vista, this species would be subject to the narrow endemic protections of the Subarea Plan, and ASMDs would be required to protect against detrimental edge effects. No impacts to San Diego ambrosia are expected from implementation of the Chula Vista Subarea Plan. Of note is that occurrences thought to be San Diego ambrosia in Spring Canyon, Otay Mesa (east of Otay Lakes), Otay Valley (along the Otay River), and Hidden Trails were misidentified and are now known to be a common species of *Ambrosia*.

<i>Aphanisma blitoides</i> Aphanisma FSC / None List 1B, RED 2-2-2	The MSCP Subregional Plan conserves 261 acres (90%) of potential habitat, which consists of southern foredunes and southern coastal bluff scrub. No populations are known within the MSCP.	The MSCP Subregional Plan anticipates development of up to 28 acres (10%) of potential habitat (southern foredunes and southern coastal bluff scrub). No loss of individuals is expected in the MSCP or the Chula Vista Plan area.	Aphanisma is subject to habitat-based monitoring under the Biological Monitoring Plan for the MSCP (Ogden 1996).	YES
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Rationale for Identifying Species as Covered: Aphanisma was considered a covered species under the MSCP Subregional analysis because 90% of potential habitat was being conserved, and no known populations occur within the MSCP.

COMMON NAME SCIENTIFIC NAME STATUS (Federal / State)	EXPECTED CONSERVATION	POTENTIAL IMPACTS	MONITORING AND/OR MANAGEMENT PLANS / DIRECTIVES	MEETS NCCP CONSERVATION STANDARDS ?
<i>Arctostaphylos glandulosa</i> var. <i>crassifolia</i> Del Mar Manzanita FE / None List 1B, RED 3-3-1	The MSCP Subregional Plan conserves 67% of potential habitat (southern maritime chaparral) and 91% of major populations within the MSCP. No populations are known from the Chula Vista Subarea.	The MSCP Subregional Plan anticipates development of up to 9% of major populations. No impacts are expected in the Chula Vista Plan area.	The Biological Monitoring Plan for the MSCP (Ogden 1996) rates this shrub as a Third Priority species, subject to field-based monitoring every 5 years. ASMDs must include specific management measures to address the autecology and natural history of the species and to reduce the risk of catastrophic fire. Management measures to accomplish this may include prescribed fire.	YES
<u>Rationale for Identifying Species as Covered:</u> Del Mar manzanita was considered a covered species under the MSCP Subregional analysis because 91% of major populations were being conserved along with 67% of potential habitat. No occurrences or impacts are anticipated in the Chula Vista Subarea.				
<i>Arctostaphylos otayensis</i> Otay Manzanita FSC / None List 1B, RED 3-2-3	The MSCP Subregional Plan conserves 95% of major populations within the MSCP. No populations are known from the Chula Vista Subarea.	The MSCP Subregional Plan anticipates development of up to 5% of major populations. No impacts are expected in the Chula Vista Plan area.	Otay manzanita is subject to habitat-based and photo-plot monitoring under the Biological Monitoring Plan for the MSCP (Ogden 1996). ASMDs must include specific management measures to promote germination of seeds, maintenance of diverse age class structure, and reduction in the risk of catastrophic fire. Management measures to accomplish this may include prescribed fire.	YES
<u>Rationale for Identifying Species as Covered:</u> Otay manzanita was considered a covered species under the MSCP Subregional analysis because 95% of major populations were being conserved. No occurrences or impacts are anticipated in the Chula Vista Subarea.				
<i>Astragalus deanei</i> Dean's Milk-Vetch FWS / None List 1B, RED 3-3-3	Due to an unknown level of conservation, Dean's milk-vetch is not a covered species for any participating jurisdiction of the MSCP.			NO

COMMON NAME SCIENTIFIC NAME STATUS (Federal / State)	EXPECTED CONSERVATION	POTENTIAL IMPACTS	MONITORING AND/OR MANAGEMENT PLANS / DIRECTIVES	MEETS NCCP CONSERVATION STANDARDS ?
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<i>Astragalus tener</i> var. <i>titi</i> Coastal Dunes Milk-Vetch FE / CE List 1B, RED 3-3-3	The MSCP Subregional Plan conserves 123 acres (92%) of potential habitat (southern foredunes). No populations are known within the MSCP.	The MSCP Subregional Plan anticipates development of up to 11 acres (8%) of potential habitat (southern foredunes). No loss of individuals is expected in the MSCP or the Chula Vista Plan area.	Coastal dunes milk-vetch is subject to habitat-based monitoring under the Biological Monitoring Plan for the MSCP (Ogden 1996).	YES
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Rationale for Identifying Species as Covered: Coastal dunes milk vetch was considered a covered species under the MSCP Subregional analysis because 92% of potential habitat was being conserved, and no known populations occur within the MSCP. This species historically occurred along the Silver Strand but is thought to be extirpated from the MSCP study area.

<i>Baccharis vanessae</i> Encinitas Baccharis FT/ CE List 1B, RED 2-3-2 MSCP Narrow Endemic	The MSCP Subregional Plan conserves 92% of major populations within the MSCP. No populations are known from the Chula Vista Subarea.	The MSCP Subregional Plan anticipates development of up to 8% of major populations. No impacts are expected in the Chula Vista Plan area.	The Biological Monitoring Plan for the MSCP (Ogden 1996) rates this shrub as a Third Priority species, subject to field-based monitoring every 5 years. ASMDs must include specific management measures to address the autecology and natural history of the species and to reduce the risk of catastrophic fire, and appropriate male/female plant ratios. Management measures to accomplish this may include prescribed fire.	YES
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Rationale for Identifying Species as Covered: Encinitas baccharis was considered a covered species under the MSCP Subregional analysis because 92% of major populations were being conserved. This is a narrow endemic species under the MSCP, which requires participating jurisdictions to specify and implement measures in their subarea plans to avoid or minimize impacts to all populations. Should any populations be found within Chula Vista, this species would be subject to the narrow endemic protections of the Subarea Plan, and ASMDs would be required to provide specific management measures to address the autecology and natural history of the species.

<i>Berberis nevini</i> Nevin's Barberry FE / CE List 1B, RED 3-3-3 MSCP Narrow Endemic	The MSCP Subregional Plan conserves 100% of the known occurrences, all of which persist as cultivars in the Spring Valley and Torrey Pines State Reserve. No populations are known from the Chula Vista Subarea.	No impacts to Nevin's barberry are anticipated by the MSCP Subregional Plan or the Chula Vista Subarea Plan.	Nevin's barberry is subject to habitat-based monitoring under the Biological Monitoring Plan for the MSCP (Ogden 1996).	YES
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COMMON NAME SCIENTIFIC NAME STATUS (Federal / State)	EXPECTED CONSERVATION	POTENTIAL IMPACTS	MONITORING AND/OR MANAGEMENT PLANS / DIRECTIVES	MEETS NCCP CONSERVATION STANDARDS ?
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Rationale for Identifying Species as Covered: Nevin's barberry was considered a covered species under the MSCP Subregional analysis because persisting cultivars occurring in Spring Valley and Torrey Pines State Reserve will be conserved. This is a narrow endemic species under the MSCP, which requires participating jurisdictions to specify and implement measures in their subarea plans to avoid or minimize impacts to all populations. Should any populations be found within Chula Vista, this species would be subject to the narrow endemic protections of the Subarea Plan.

<i>Brodiaea filifolia</i> Thread-leaved Brodiaea FT/ CE List 1B, RED 3-3-3 MSCP Narrow Endemic	The MSCP Subregional Plan conserves 88% of vernal pool habitat and 38% of grassland habitat. No populations were known within the MSCP during the Subregional analysis, but this species was recently (2003) identified in a major amendment area of the County MSCP.	The MSCP Subregional Plan anticipates impacts to up to 12% of vernal pool habitat, but such impacts were anticipated to be subject to no net loss of function and value policies and 404(b)(1) guidelines. No impacts are expected in the Chula Vista Plan area.	The Biological Monitoring Plan for the MSCP identifies monitoring for this species as being habitat-based.	YES
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Rationale for Identifying Species as Covered: Thread-leaved brodiaea was considered a covered species under the MSCP Subregional analysis because 88% of the vernal pool and 38% of grassland habitat will be conserved. This is a narrow endemic species under the MSCP, which requires participating jurisdictions to specify and implement measures in their subarea plans to avoid or minimize impacts to all populations. This species was not previously known within the MSCP; however, in 2003 it was discovered near San Dieguito within a major amendment area of the County's MSCP subarea. Approximately 696 individuals were observed; a final site development/preserve design has not been determined at this time. Should any populations be found within Chula Vista, this species would be subject to the narrow endemic protections of the Subarea Plan.

<i>Brodiaea orcuttii</i> Orcutt's Brodiaea FSC / None List 1B, RED 1-3-2 Chula Vista Narrow Endemic	The MSCP Subregional Plan conserves all major populations, 88% of vernal pool habitat, and 38% of grassland habitat.	The MSCP Subregional Plan anticipated impacts to 12% of vernal pool habitat, but impacts were subject to no net loss policies and 404(b)(1) guidelines. No impacts are expected in the Chula Vista Plan area.	The Biological Monitoring Plan for the MSCP (Ogden 1996) rates this annual plant as a Second Priority species subject to field based monitoring every 2 years. ASMDs must include specific measures to protect against detrimental edge effects.	YES
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Rationale for Identifying Species as Covered: Orcutt's brodiaea was considered a covered species under the MSCP Subregional analysis because all of the major populations in the MSCP Plan area (4 populations) were conserved. This species is not known from the Chula Vista Subarea; however, it is documented from the J23-24 and J29-30 vernal pool complexes within the Otay Ranch Planning Component. Chula Vista's Wetlands Protection Program, which includes vernal pools as an identified wetland community, requires minimization and mitigation measures, no net loss of wetlands, and that all wetland mitigation is in-kind. The Otay Ranch Resource Management Plan (RMP), incorporated into the Chula Vista Subarea Plan, states a policy of preservation of 95% of the vernal pool habitat, including a vernal pool Preserve consisting of over 400 acres. Within the Chula Vista Preserve, projects are further subject to the City's Facilities Siting Criteria, which requires avoidance of impacts to wetlands to the maximum extent practicable. Lastly, Orcutt's brodiaea is a narrow endemic species under the Chula Vista Subarea Plan. This allows up to a maximum of 20% impact to a population within development areas regulated by the HLIT Ordinance and in 75-100% Conservation Areas, and up to 5% impact to populations within 100% Conservation Areas with Covered Projects and 100% Conservation Areas Regulated by the HLIT Ordinance (refer Table 5-5 of the Subarea Plan). Any encroachment exceeding these guidelines is subject to a determination of biologically superior preservation by the City, subject to concurrence by the Wildlife Agencies. Hard-lined development areas of Covered Projects are not subject to the above narrow endemic provisions.

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<i>Calamagrostis densa</i> Dense Reed Grass None / None List 1B, RED 2-3-2	The MSCP Subregional Plan conserves 91% of major populations. No populations are known from the Chula Vista Subarea.	The MSCP Subregional Plan anticipates impacts to up to 9% of major populations. No impacts are expected in the Chula Vista Plan area.	The Biological Monitoring Plan for the MSCP identifies monitoring for this species as being habitat-based. ASMDs must address trail maintenance and placement to avoid human impacts, and include specific management measures to address the autecology and natural history of the species and to reduce the risk of catastrophic fire. Management plans should evaluate enhancement opportunities using prescribed fire.	YES
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Rationale for Identifying Species as Covered: Dense reed grass was considered a covered species under the MSCP Subregional analysis because 91% of major populations in the MSCP Plan area were conserved. This species is not known from the Chula Vista Subarea. Taxonomic reclassification has merged *Calamagrostis densa* with *Calamagrostis koelerioides*, a more common and widespread species.

<i>Calochortus dunnii</i> Dunn's Mariposa Lily FSC / CR List 1B, RED 2-2-2 MSCP Narrow Endemic	The MSCP Subregional Plan conserves 100% of major populations. No populations are known from the Chula Vista Subarea.	The MSCP Subregional Plan anticipates no impacts to major populations. No impacts are expected in the Chula Vista Plan area.	The Biological Monitoring Plan for the MSCP rates this annual plant as a Third Priority species subject to habitat-based and photo plot monitoring. ASMDs must include specific measures to protect against detrimental edge effects.	YES
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Rationale for Identifying Species as Covered: Dunn's mariposa lily was considered a covered species under the MSCP Subregional analysis because all of the major populations in the MSCP Plan area are conserved. This is a narrow endemic species under the MSCP, which requires participating jurisdictions to specify and implement measures in their subarea plans to avoid or minimize impacts to all populations. Fifty-two percent of one of the major populations occurs within a major amendment area in the Otay Mountain area. At the time permit amendments are proposed, strategies to provide protection for this species within the amendment area must be included. This species is not known from the Chula Vista Subarea.

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<i>Caulanthus stenocarpus</i> Slender-pod Jewelflower FSC / CR None, None	The MSCP Subregional Plan conserves 75% of major populations. No populations are known from the Chula Vista Subarea.	The MSCP Subregional Plan anticipates impacts to 25% of major populations. No impacts are expected in the Chula Vista Plan area.	The Biological Monitoring Plan for the MSCP considers this species subject to habitat-based monitoring. ASMDs must include specific management measures to address the autecology and natural history of the species and to reduce the risk of catastrophic fire. Management measures to accomplish this may include prescribed fire.	YES
<p><u>Rationale for Identifying Species as Covered:</u> Slender-pod jewelflower was considered a covered species under the MSCP Subregional analysis because 3 of the 4 major populations in the MSCP Plan are conserved. The Wildcat Canyon, Poway/Sanrex, and Fortuna Mountain populations are identified as critical and will be 100% protected as a requirement of the County of San Diego Subarea Plan. This species is not known from the Chula Vista Subarea. Taxonomic reclassification has merged <i>Caulanthus stenocarpus</i> with <i>Caulanthus heterophyllus</i> var. <i>heterophyllus</i>, a more common and widespread species.</p>				
<i>Ceanothus cyaneus</i> Lakeside Ceanothus FSC / None List 1B, RED 3-2-2 MSCP Narrow Endemic	The MSCP Subregional Plan conserves 75% of major populations. No populations are known from the Chula Vista Subarea.	The MSCP Subregional Plan anticipates impacts to 25% of major populations. No impacts are expected in the Chula Vista Plan area.	The Biological Monitoring Plan for the MSCP rates this shrub as a Second Priority species subject to habitat-based and photo plot monitoring. ASMDs must include specific management measures to address the autecology and natural history of the species and to reduce the risk of catastrophic fire. Management measures to accomplish this may include prescribed fire.	YES
<p><u>Rationale for Identifying Species as Covered:</u> Lakeside ceanothus was considered a covered species under the MSCP Subregional analysis because 3 of the 4 major populations in the MSCP Plan area are conserved. This is a narrow endemic species under the MSCP, which requires participating jurisdictions to specify and implement measures in their subarea plans to avoid or minimize impacts to all populations. This species is not known from the Chula Vista Subarea.</p>				

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<i>Ceanothus verrucosus</i> Wart-stemmed Ceanothus FSC / None List 1B, RED 2-2-1	The MSCP Subregional Plan conserves 67% of major populations and 64% of known locations. No populations are known from the Chula Vista Subarea.	The MSCP Subregional Plan anticipates impacts to 33% of major populations and 36% of known locations. No impacts are expected in the Chula Vista Plan area.	The Biological Monitoring Plan for the MSCP rates this shrub as a First Priority species subject to habitat-based and photo plot monitoring. ASMDs for protected populations must include measures to increase populations, including specific management measures to address the autecology and natural history of the species and to reduce the risk of catastrophic fire. Management measures to accomplish this may include prescribed fire. Newly found populations should be evaluated for inclusion in the preserve. Revegetation efforts within suitable habitat must include this species.	YES
<u>Rationale for Identifying Species as Covered:</u> Wart-stemmed ceanothus was considered a covered species under the MSCP Subregional analysis because 67% of major populations in the MSCP Plan area are conserved, and implementation of special management actions will increase populations. This species is not known from the Chula Vista Subarea.				
<i>Chorizanthe orcuttiana</i> Orcutt's Spineflower FE/ CE List 1B, RED 3-3-3	Due to an unknown level of conservation, this is not a covered species for any participating jurisdiction of the MSCP.			NO
<i>Cordylanthus maritimus</i> ssp. <i>maritimus</i> Salt Marsh Bird's-Beak FE / CE List 1B, RED 2-2-2 Chula Vista Narrow Endemic	The MSCP Subregional Plan conserves 100% of major populations. The Chula Vista Subarea Plan calls for 100% conservation of coastal salt marsh at the Sweetwater Marsh National Wildlife Refuge.	No impacts are expected to major populations within the MSCP.	The Biological Monitoring Plan rates this a First Priority species subject to site-specific monitoring. ASMDs must include measures to reduce threats and stabilize populations (e.g., relocate trails, establish buffers), address opportunities for reintroduction, and include measures to enhance existing populations (e.g., provide habitat for pollinators). Newly found populations should be evaluated for inclusion in the preserve.	YES

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Rationale for Identifying Species as Covered: Salt marsh bird's-beak was considered a covered species under the MSCP Subregional analysis because 100% of major populations in the MSCP Plan area are conserved. Specific management for this species is dependent upon federal management activities in the Refuge. Participating jurisdictions' guidelines and ordinances and state and federal wetland regulations will provide additional protection. Chula Vista's Wetlands Protection Program, which includes salt marsh as an identified wetland community, requires minimization and mitigation measures, no net loss of wetlands, and that all wetland mitigation is in-kind. The Chula Vista Subarea's adjacency guidelines related to drainage, toxic substances, and invasive species also should benefit this species. The Chula Vista Subarea Plan contributes 202 acres of salt marsh habitat, within the Sweetwater Marsh National Wildlife Refuge, which supports this species.

<i>Cordylanthus orcuttianus</i> Orcutt's Bird's-Beak FSC / None List 2, RED 3-3-1	The MSCP Subregional Plan conserves 75% of major populations. The Chula Vista Subarea Plan calls for 100% conservation of coastal salt marsh at the Sweetwater Marsh NWR, and the Chula Vista portion of the Otay River Valley supporting a major population of this species is also to be conserved.	The MSCP Subregional Plan anticipates impacts to 25% of major populations. No impacts are expected to major populations in the Chula Vista Plan area.	The Biological Monitoring Plan for the MSCP rates this as a First Priority species subject to site-specific monitoring.	YES
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Rationale for Identifying Species as Covered: Orcutt's bird's-beak was considered a covered species under the MSCP Subregional analysis because 75% (3 of 4) of major populations in the MSCP Plan area are conserved. A portion of the Otay River population lies outside of the MHPA but will be subject to the County's Biological Mitigation Ordinance (80-100% conservation). The Otay Ranch population is considered conserved subject to landowner and agency agreement. Management for the Sweetwater marsh populations will be provided through the management and maintenance activities of the USFWS. Buffers outside of the Refuge, including water quality controls for adjacent development and other measure to reduce edge effects, are required through the Chula Vista LCP and the Subarea Plan's adjacency guidelines. Chula Vista's Wetlands Protection Program, which includes salt marsh as an identified wetland community, requires minimization and mitigation measures, no net loss of wetlands, and that all wetland mitigation is in-kind.

<i>Corethrogyne filaginifolia</i> var. <i>linifolia</i> Del Mar Mesa Sand Aster FSC / None List 1B, RED 3-3-3	The MSCP Subregional Plan conserves 48% of major populations, 57% of the documented localities, and 67% of southern maritime chaparral. This species is not known or expected within the Chula Vista Subarea.	The MSCP Subregional Plan anticipates impacts to 52% of major populations, 43% of known locations, and 33% of southern maritime chaparral habitat. No impacts are expected to this species in the Chula Vista Plan area.	The Biological Monitoring Plan for the MSCP rates this annual plant a Second Priority species subject to field based monitoring every 2 years. ASMDs for the protected populations must include measures to protect against detrimental edge effects, including management measures to address the autecology and natural history of the species and to reduce the risk of catastrophic fire. Management measures to accomplish this may include prescribed fire.	YES
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Rationale for Identifying Species as Covered: Del Mar Mesa Sand Aster was considered a covered species under the MSCP Subregional analysis because 48% of major populations and 67% of its potential habitat (southern maritime chaparral) were being conserved. This is a Group A species in the County's BMO, requiring 80% conservation of populations in future development areas of the County's MSCP. This species is not known from the Chula Vista region; therefore, no impacts are expected by implementation of the Chula Vista Subarea Plan. This taxon has been merged with two other *Corethrogyne filaginifolia* varieties and has been determined not to meet the taxonomic standards for listing.

<i>Cupressus forbesii</i> Tecate Cypress FSC / None List 1B, RED 3-3-2	The MSCP Subregional Plan conserves 98% of the Tecate cypress forest. This species is not known or expected within the Chula Vista Subarea.	The MSCP anticipates impacts to 2% of the Tecate cypress forest within the Subregion. No impacts are expected to this species in the Chula Vista Plan area.	The MSCP Biological Monitoring Plan rates this shrub as a Third Priority species subject to habitat-based and photo plot monitoring. ASMDs for protected populations must include specific measures to protect against detrimental edge effects, including management measures to address the autecology and natural history of the species and to reduce the risk of catastrophic fire. Management measures to accomplish this may include prescribed fire.	YES
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Rationale for Identifying Species as Covered: Tecate cypress was considered a covered species under the MSCP Subregional analysis because 98% of major populations were being conserved, primarily on lands administered by BLM. This species is not known to be present in the Chula Vista Subarea; therefore, no impacts are expected by implementation of the Chula Vista Subarea Plan.

<i>Deinandra conjugens</i> (formerly <i>Hemizonia conjugens</i>) Otay Tarplant FT / CE List 1B, RED 3-3-2 MSCP Narrow Endemic	The MSCP Subregional Plan conserves 66% of major populations. The Chula Vista Subarea Plan includes Preserve design providing conservation at the following levels: (1) For Otay Ranch, 100% conservation of major populations in the Otay River Valley and conservation of 70% overall, including populations in the Wolf Canyon area; (2) For Rolling Hills Ranch, 48% overall conservation with additional mitigation requirements described below;	The MSCP Subregional Plan anticipates impacts to 34% of major populations. The Chula Vista Subarea Plan, in hard-lining the Rolling Hills Ranch project, anticipates the loss of 52% of the on-site population.	The Biological Monitoring Plan for the MSCP rates this as a First Priority species subject to site-specific monitoring. ASMDs must address monitoring populations, adaptive management of preserves (taking into account the extreme population fluctuations from year to year), and specific measures to protect against detrimental edge effects to this species. Management responsibilities within the Chula Vista Subarea are discussed in more detail below.	YES
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COMMON NAME SCIENTIFIC NAME STATUS (Federal / State)	EXPECTED CONSERVATION	POTENTIAL IMPACTS	MONITORING AND/OR MANAGEMENT PLANS / DIRECTIVES	MEETS NCCP CONSERVATION STANDARDS ?
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	(3) For Bella Lago, 80% overall conservation on-site and off-site mitigation; and, (4) For San Miguel Ranch, conservation of a minimum of 48 acres of Otay tarplant habitat and a \$545,000.00 endowment.			
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Rationale for Identifying Species as Covered: Otay tarplant is restricted to the Chula Vista / Spring Valley / Otay Mesa region within the U.S., and northwestern Baja California, Mexico. Fractured clay soils in grasslands or open coastal sage scrub are the typical habitat of Otay tarplant; usually there is little competition from woody shrubs where this annual grows (Reiser 2001). Otay tarplant was a covered species under the MSCP Subregional analysis because 66% of major populations were being conserved. This is a narrow endemic species under the MSCP, which requires participating jurisdictions to specify and implement measures in their subarea plans to avoid or minimize impacts to all populations. MSCP coverage requires avoidance of populations in the Otay River Valley through sensitive design and development of the active recreation areas as described in the Otay Ranch RMP and GDP. One of the seven major populations occurs within an amendment area in Proctor Valley. Strategies for the protection of Otay tarplant within this amendment area will be subject to the review and approval by the Wildlife Agencies.

The Chula Vista Subarea Plan includes Preserve design providing conservation at the following levels: (1) For Otay Ranch, 100% conservation of major populations in the Otay River Valley and conservation of 70% overall, including populations in the Wolf Canyon area; (2) For Rolling Hills Ranch, 48% overall conservation with additional mitigation requirements including the establishment of a Tarplant Management Area (TMA), establishment of a \$100,000.00 endowment to manage the TMA, off-site purchase of 5.8 acres of credits from the San Miguel Ranch Mitigation Bank containing approximately 15,080 tarplants, the additional purchase of 1.9 acres of credits from the San Miguel Ranch Mitigation, and the off-site purchase of 10 acres of land containing a minimum of 15,000 Otay tarplants; (3) For Bella Lago, 80% overall conservation on-site and off-site mitigation; and, (4) For San Miguel Ranch, conservation of a minimum of 48 acres of Otay tarplant habitat and a \$545,000.00 endowment. Also, although outside of the Chula Vista Subarea, the Bonita Meadows property has been acquired by Caltrans for mitigation purposes.

Implementation of ASMDs will provide for focused management of major populations of Otay tarplant. The Otay Ranch populations will be managed through the RMP and future ASMDs. The City of Chula Vista Planning Component Framework Management Plan (refer section 7.3 of the Subarea Plan) provides the framework for managing this species in the City Planning Component. Both Rolling Hills Ranch and Bella Lago will have ASMDs developed and implemented as conditions of project approvals. Extensive populations of Otay tarplant within the northern and western open space area on San Miguel Ranch will be managed by the San Diego NWR. Management of the remaining populations in existing open space areas will be subject to additional management directives to be developed and implemented by the City; this includes open space areas of Sunbow and Rancho Del Rey.

The Biological Monitoring Plan for the MSCP rates this as a First Priority species subject to site-specific monitoring. ASMDs must include specific measures for monitoring of populations, adaptive management of preserves (taking into consideration the extreme population fluctuations from year to year), and specific measures to protect against detrimental edge effects to this species. Implementation of ASMDs will provide for focused management of major populations of Otay tarplant. The Otay Ranch populations will be managed through the RMP and future ASMDs. The City of Chula Vista Planning Component Framework Management Plan (refer section 7.3 of the Subarea Plan) provides the framework for managing this species in the City Planning Component. Both Rolling Hills Ranch and Bella Lago will have ASMDs developed and implemented as conditions of project approvals. Extensive populations of Otay tarplant within the northern and western open space area on San Miguel Ranch will be managed by the San Diego NWR. Management of the remaining populations in existing open space areas will be subject to additional management directives to be developed and implemented by the City; this includes open space areas of Sunbow and Rancho Del Rey.

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<i>Dudleya blochmaniae</i> ssp. <i>brevifolia</i> Short-leaved Dudleya FSC / CE List 1B, RED 3-3-3 MSCP Narrow Endemic	The MSCP Subregional Plan conserves 100% of major populations. This species is not known or expected within the Chula Vista Subarea.	No impacts to major populations are anticipated to short-leaved dudleya. No impacts are expected to this species in the Chula Vista Plan area.	The Biological Monitoring Plan for the MSCP rates this as a First Priority species subject to site-specific monitoring. ASMDs must include: (1) specific measures to protect against detrimental edge effects to this species; (2) species-specific monitoring; and, (3) maintenance of surrounding habitat for pollinators.	YES
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Rationale for Identifying Species as Covered: Short-leaved dudleya was considered a covered species under the MSCP Subregional analysis because 100% of major populations were being conserved, and its categorization as an MSCP Narrow Endemic species requires participating jurisdictions to specify additional conservation measures in their subarea plans. This species is not known to be present in the Chula Vista Subarea; therefore, no impacts are expected by implementation of the Chula Vista Subarea Plan.

<i>Dudleya variegata</i> Variegated Dudleya FSC / None List 1B, RED 2-2-2 MSCP Narrow Endemic	The MSCP Subregional Plan conserves 56% of major populations (>500 individuals) and 75% of the documented locations. Within the Chula Vista Subarea, the Preserve design provides for conservation of 100% of the major populations located in the eastern Otay River Valley. Also, hard-line Preserve design for the Rolling Hills Ranch and Bella Lago projects results in 74% and nearly 100% conservation, respectively.	The MSCP anticipated impacts to 44% of the major populations and 25% of the documented locations within the Subregion. Hard-line Preserve design for the Rolling Hills Ranch project will result in the loss of approximately 26% of the population.	The Biological Monitoring Plan for the MSCP rates this as a First Priority species subject to site-specific monitoring. ASMDs must include species-specific monitoring and specific measures to protect against detrimental edge effects to this species, including effects caused by recreational activities.	YES
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Rationale for Identifying Species as Covered: Variegated dudleya occurs roughly in the southern half of San Diego County and extending into northwestern Baja Californian, Mexico. It is a covered species under the MSCP Subregional Plan because 56% of major populations (>500 individuals) and 75% of the documented locations are being conserved. In addition, this is a narrow endemic species under the MSCP, requiring participating jurisdictions to specify additional conservation measures in their subarea plans. Some populations occur within a major amendment area (Otay Mountain), and as permit amendments are proposed, strategies to provide protection for this species within the amendment area must be included. Within the Chula Vista Subarea, the MSCP Preserve design provides for conservation of 100% of the major populations located in the eastern Otay River Valley. Since the original MSCP analysis, a large population has been identified on Rolling Hills Ranch. Through negotiations to hard-line the Rolling Hills Ranch project under the Subarea Plan, the project envelope was modified and now conserves 74% (21,956 individuals) of the site's population, primarily in a large block of ridgeline habitat on the western side of the property. Also, the Bella Lago project has been hard-lined and conserves nearly 100% (estimated several thousand individuals) of that property's population. The Biological Monitoring Plan for the MSCP rates this as a First Priority species subject to site-specific monitoring. ASMDs must include species-specific monitoring and specific measures to protect against detrimental edge effects to this species, including effects caused by recreational activities.

COMMON NAME SCIENTIFIC NAME STATUS (Federal / State)	EXPECTED CONSERVATION	POTENTIAL IMPACTS	MONITORING AND/OR MANAGEMENT PLANS / DIRECTIVES	MEETS NCCP CONSERVATION STANDARDS ?
<i>Dudleya viscida</i> Sticky Dudleya FSC / None List 1B, RED 2-2-3	The MSCP Subregional Plan conserves 100% of the only major population in the MSCP. This species is not known or expected within the Chula Vista Subarea.	No impacts to any major populations are anticipated to sticky dudleya. No impacts are expected to this species in the Chula Vista Plan area.	This species is addressed through habitat-based monitoring in the Biological Monitoring Plan for the MSCP. ASMDs must include specific measures to protect against detrimental edge effects.	YES
<u>Rationale for Identifying Species as Covered:</u> Short-leaved dudleya was considered a covered species under the MSCP Subregional analysis because 100% of the only major population was conserved. Persistence of this species in San Diego County will largely depend upon NCCP planning in north San Diego County (MHCP and/or NC-MSCP, and Camp Pendleton). This species is not known to be present in the Chula Vista Subarea; therefore, no impacts are expected by implementation of the Chula Vista Subarea Plan.				
<i>Ericameria palmeri</i> Palmer's Ericameria FSC / None List 1B, RED 3-2-1 MSCP Narrow Endemic	The MSCP Subregional Plan conserves 66% of major populations. This species is not documented within the Chula Vista Subarea.	The MSCP anticipated impacts to 34% of the major populations within the Subregion. No impacts are expected to this species in the Chula Vista Plan area.	The Biological Monitoring Plan for the MSCP rates this shrub as a Third Priority species subject to habitat-based and photo-plot monitoring.	YES
<u>Rationale for Identifying Species as Covered:</u> Palmer's ericameria was considered a covered species under the MSCP Subregional analysis because 66% of major populations was being conserved, and its categorization as an MSCP Narrow Endemic species requires participating jurisdictions to specify additional conservation measures in their subarea plans. The MSCP also notes that impacts will be fully mitigated through avoidance, minimization, and compensation.				
<i>Eryngium aristulatum</i> var. <i>parishii</i> San Diego Button-Celery FE / CE List 1B, RED 2-3-2	The MSCP Subregional Plan conserves 82% of major populations and 88% of vernal pool habitat. This species is not documented within the Chula Vista Subarea, but does occur within the Otay Ranch Planning Component, which states a policy of 95% conservation of vernal pool habitat.	The MSCP anticipated impacts to 18% of major populations within the Subregion and up to 12% of vernal pool habitat, but that vernal pools would be subject to no net loss of function and value and federal 404(b)(1) guidelines. No impacts are expected to this species in the Chula Vista Subarea Plan area; however, potential impacts could occur in the Otay Ranch Planning Component depending upon final site development design.	ASMDs must include specific measures to protect against detrimental edge effects.	YES

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Rationale for Identifying Species as Covered: The Subregional Plan estimated that 88% of vernal pool habitat would be conserved, and that up to 12% of vernal pool habitat may be impacted, but that impacts to this habitat type was subject to a no net loss of function and value criteria as determined by the Army Corps of Engineers (ACOE). Subsequent rulings in federal court have led to this habitat largely not being regulated by the ACOE. The City of Chula Vista has incorporated specific language and a commitment to a Wetlands Protection Program, which includes vernal pools as an identified wetland community. The Wetlands Protection Program includes minimization and mitigation measures, no net loss of wetlands, and that all wetland mitigation is in-kind. This species is not known to occur within the Subarea Plan area, but potential habitat occurs within portions of Otay Ranch. The Otay Ranch Resource Management Plan (RMP), incorporated into the Chula Vista Subarea Plan, states a policy of preservation of 95% of the vernal pool habitat, including a vernal pool Preserve consisting of over 400 acres. Within the Chula Vista Preserve, projects are further subject to the City's Facilities Siting Criteria, which requires avoidance of impacts to wetlands to the maximum extent practicable.

<i>Erysimum ammodendrum</i> Coast Wallflower FSC / None List 1B, RED 2-2-3	The MSCP Subregional Plan conserves 92% of southern foredunes and 67% of southern maritime chaparral habitat. No populations are known within the Chula Vista Subarea.	The MSCP Subregional Plan anticipates development of up to 8% of southern foredunes and 33% of southern maritime chaparral habitat. No loss of individuals is expected in the Chula Vista Plan area.	This species is addressed through habitat-based monitoring in the Biological Monitoring Plan for the MSCP.	YES
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Rationale for Identifying Species as Covered: Coast wallflower was considered a covered species under the MSCP Subregional analysis because 92% of southern foredunes and 67% of southern maritime chaparral potential habitat were being conserved. No occurrences or impacts are anticipated in the Chula Vista Subarea.

<i>Ferocactus viridescens</i> San Diego Barrel Cactus FSC / None List 2, RED 1-3-1	The MSCP Subregional Plan conserves 81% of major populations. The Chula Vista Subarea Plan provides for conservation of 75% of major populations located in Salt Creek, Wolf Canyon, and the Otay River Valley. The Otay Ranch RMP requires salvage and relocation of impacted specimens from development areas to suitable locations with the Preserve.	The MSCP Subregional Plan anticipates development of up to 19% of major populations.	This species is subject to habitat-based and photo-plot monitoring by the Biological Monitoring Plan for the MSCP. ASMDs must include measures to protect this species from edge effects and unauthorized collection. Directives should also include appropriate fire management/control practices to protect against a too frequent fire cycle.	YES
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Rationale for Identifying Species as Covered: San Diego barrel cactus was considered a covered species under the MSCP Subregional analysis because 81% of major populations was being conserved. This is a Group B species in the County of San Diego's BMO. This species is relatively abundant in some areas, and will be protected at varying levels in several subareas: Carmel Mountain, 64%; East Elliott, 75%; Marron Valley, 90%; Mission Trails Regional Park, 94%; Otay Mesa, 70%; Otay River Valley, 100%; Sweetwater Reservoir, 100%; and Sycamore Canyon-Fanita Ranch, 50%. The Chula Vista Subarea Plan provides for conservation of 75% of major populations located in Salt Creek, Wolf Canyon, and the Otay River Valley. The Otay Ranch RMP requires salvage and relocation of impacted specimens from development areas to suitable locations with the Preserve.

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<i>Fremontodendron mexicanum</i> Mexican Flannelbush FE / CR List 1B, RED 3-3-2	The MSCP Subregional Plan analysis found that there was insufficient information on the distribution and conservation level for this species. No additional analysis was performed for the Chula Vista Subarea Plan; therefore, this is not a covered species for any of the MSCP's participating agencies.			NO
<i>Githopsis diffusa</i> ssp. <i>filicaulis</i> Mission Canyon Bluecup FSC / None List 3, RED ?-3-3	The MSCP Subregional Plan analysis found that there was an unknown level of conservation for this species. No additional analysis was performed for the Chula Vista Subarea Plan; therefore, this is not a covered species for any of the MSCP's participating agencies.			NO
<i>Lepechinia cardiophylla</i> Heart-leaved Pitcher Sage FSC / None List 1B, RED 3-2-2	The MSCP Subregional Plan conserves 85% of major populations. This species is not known or expected within the Chula Vista Subarea.	The MSCP Subregional Plan anticipates development of up to 15% of major populations.	Heart-leaved pitcher sage is a Second Priority species subject to habitat-based and photo-plot monitoring under the Biological Monitoring Plan for the MSCP (Ogden 1996). ASMDs must include specific management measures to protect against detrimental edge effects, address the autecology and natural history of the species and to reduce the risk of catastrophic fire. Management measures to accomplish this may include prescribed fire.	YES

Rationale for Identifying Species as Covered: Heart-leaved pitcher sage was considered a covered species under the MSCP Subregional analysis because 85% of major populations were being conserved. The Iron Mountain population is within a 100% conservation area. The other three major populations fall within the County's area of undetermined development status; however, as a Group A species in the County's BMO, heart-leaved pitcher sage will receive 80-100% conservation. Known populations of this species on San Miguel Mountain and Otay Mountain are outside of the Chula Vista Subarea boundary, and not expected due to elevation restrictions in its range.

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<i>Lepechinia ganderi</i> Gander's Pitcher Sage FSC / None List 1B, RED 3-1-2 MSCP Narrow Endemic	The MSCP Subregional Plan conserves all known locations of Gander's pitcher sage. No populations are known or expected within the Chula Vista Subarea.	No impacts are currently anticipated under the MSCP Subregional Plan.	Gander's pitcher sage is a Third Priority species subject to habitat-based and photo-plot monitoring under the Biological Monitoring Plan for the MSCP (Ogden 1996). ASMDs must include: (1) specific measures to protect against detrimental edge effects and uncontrolled access; (2) measures to promote the increase of populations; and, (3) specific measures to address the autecology and natural history of the species and to reduce the risk of catastrophic fire. Management measures to accomplish this may include prescribed fire.	YES
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Rationale for Identifying Species as Covered: Gander's pitcher sage was considered a covered species under the MSCP Subregional analysis because all known locations were being conserved. Also, its categorization as an MSCP Narrow Endemic species requires participating jurisdictions to specify additional conservation measures in their subarea plans. One of the five major populations occurs within an amendment area (Otay Mountain). Strategies for the protection of Gander's pitcher sage within this amendment area will be subject to the review and approval by the Wildlife Agencies. Known populations of this species on San Miguel Mountain and Otay Mountain are outside of the Chula Vista Subarea boundary, and not expected due to elevation restrictions in its range.

<i>Lotus nuttallianus</i> Nuttall's Lotus FSC / None List 1B, RED 3-3-2	The MSCP Subregional Plan conserves 80-100% of major populations and 92% of southern foredunes habitat. No populations are known within the Chula Vista Subarea; however, this species is reported within and adjacent to the Sweetwater Marsh NWR.	The MSCP Subregional Plan anticipates development of 1-20% of major populations and up to 8% of southern foredunes habitat. No loss of individuals is expected in the Chula Vista Plan area.	Nuttall's lotus is a First Priority species subject to site-specific monitoring under the Biological Monitoring Plan for the MSCP (Ogden 1996). ASMDs must include specific measures to protect against detrimental edge effects.	YES
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Rationale for Identifying Species as Covered: Nuttall's lotus was considered a covered species under the MSCP Subregional analysis because 80-100% of major populations and 92% of southern foredunes habitat in the MSCP Plan area are conserved. Additional important populations occur on military lands (Imperial Beach, Silver Strand) which are not part of the MSCP. The Chula Vista Subarea's adjacency guidelines related to drainage, toxic substances, and invasive species may benefit this species.

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<i>Monardella hypoleuca</i> ssp. <i>lanata</i> Felt-leaved Monardella FSC / None List 1B, RED 2-2-2 MSCP Narrow Endemic	The MSCP Subregional Plan conserves 89% of major populations. No populations are known or expected within the Chula Vista Subarea.	The MSCP Subregional Plan anticipates development of 11% of major populations. No loss of individuals is expected in the Chula Vista Plan area.	Felt-leaved monardella is a Third Priority species subject to habitat-based and photo-plot monitoring under the Biological Monitoring Plan for the MSCP (Ogden 1996). ASMDs must include measures to protect against detrimental edge effects and uncontrolled access.	YES
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Rationale for Identifying Species as Covered: Felt-leaved monardella was considered a covered species under the MSCP Subregional analysis because 89% of major populations were being conserved. The Iron Mountain and Sequan Peak populations are identified as critical populations, and are 100% protected under the County of San Diego Subarea Plan. Also, this is an MSCP Narrow Endemic species, requiring participating jurisdictions to specify additional conservation measures in their subarea plans. Persistence of this species in San Diego County depends, in part, on conservation efforts outside of the MSCP area. Since this is also a Group A species in the County's BMO, felt-leaved monardella populations within the MSCP will receive 80-100% conservation. No populations of this species are known or expected to be impacted within the Chula Vista Subarea.

<i>Monardella linoides</i> ssp. <i>viminea</i> Willow Monardella FE / CE List 1B, RED 2-3-2 Chula Vista Narrow Endemic	The MSCP Subregional Plan conserves 100% of major populations. No populations are known within the Chula Vista Subarea.	No impacts are anticipated to major populations under the MSCP Subregional Plan.	Willow monardella is a First Priority species subject to site-specific monitoring under the Biological Monitoring Plan for the MSCP (Ogden 1996). ASMDs must include specific measures to protect against detrimental edge effects.	YES
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Rationale for Identifying Species as Covered: Willow monardella was considered a covered species under the MSCP Subregional analysis because 100% of major populations were being conserved. Additional protection was anticipated because the species occurs within drainages subject to CDFG 1600 Code and federal wetland permitting requirements. Although not known to occur within the Chula Vista Subarea, the CNDDB identifies locations to the southeast in the eastern Otay Mesa and Otay Mountain foothill areas. This species has been added to the Chula Vista list of narrow endemic species in the Chula Vista Subarea Plan. Therefore, in the event that this species is later found within the Subarea, it would be subject to the minimum conservation thresholds identified in Section 5.2.3 of the Subarea Plan (generally, minimum of 80% conservation outside of Preserves and 95% conservation in Preserves). Willow monardella may also benefit from the Chula Vista Wetlands Protection Program, which requires minimization and mitigation measures, no net loss of wetlands, and that all wetland mitigation is in-kind. The Chula Vista Subarea's adjacency guidelines related to drainage, toxic substances, and invasive species should also benefit this species. Additionally, as a Group A species in the County's BMO, willow monardella will receive 80-100% conservation on County lands in the MSCP.

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<i>Muilla clevelandii</i> San Diego Goldenstar FSC / None List 1B, RED 2-3-2	The MSCP Subregional Plan conserves 73% of major populations (>1,000 individuals) and 38% of grassland habitat. Within the Chula Vista Subarea, a substantial portion of a large population (6,100 individuals conserved, or 55%) is being conserved in the Rolling Hills Ranch Preserve. Smaller numbers are conserved in the Bella Lago Preserve, and this species is recently reported in the USFWS portion of the "Inverted L" property.	The MSCP Subregional Plan anticipates development of 27% of major populations. Within the Chula Vista Plan area, 45% (approximately 5,006 individuals) of the Rolling Hills Ranch population will be impacted.	San Diego goldenstar is a Second Priority species subject to site-specific monitoring under the Biological Monitoring Plan for the MSCP (Ogden 1996). ASMDs must include specific measures to protect against detrimental edge effects, and monitoring of any transplanted populations.	YES
<p><u><i>Rationale for Identifying Species as Covered:</i></u> San Diego goldenstar occurs only San Diego County and northwestern Baja California, Mexico. Typical habitat consists of native grasslands, often near mima mound topography or in the vicinity of vernal pools. It is reported to be severely declining with urban expansion (Reiser 2001). San Diego goldenstar was considered adequately conserved by the MSCP due to conservation of 8 of 11 major populations (defined as being >1,000 individuals), and 38% of the subregion's grassland habitat. The City of San Diego is required to avoid populations within its 25% encroachment area, and the 4S Ranch population will be transplanted into an appropriate area. Additionally, as a Group A species in the County of San Diego's BMO, San Diego goldenstar will receive 80-100% conservation on County lands within the MSCP. Within the Chula Vista Subarea, approximately 6,100 individuals are being conserved in the Rolling Hills Ranch Preserve (55% of the site's population), approximately 1,300 individuals occur in the Bella Lago Preserve, and this species is recently reported in the USFWS portion of the "Inverted L" property, a 100% conserved site. Additional populations may be found on Otay Ranch, particularly in proximity to vernal pool habitat where they would be expected to benefit by the Wetland Protection Policy and buffer areas provided to the vernal pools. Large populations away from vernal pools are not expected to be impacted because the sites most likely to support San Diego goldenstar within Chula Vista have been hard-lined as part of the Subarea Plan (i.e., Rolling Hills Ranch and Bella Lago). Although coverage for this species under the Chula Vista Subarea Plan is dependent upon the participation and conservation achieved through the City of San Diego MSCP Subarea Plan, the recent discoveries and subsequent conservation achieved by hard-lining the Rolling Hills Ranch and Bella Lago properties have added substantially to the regional conservation of this species.</p>				
<i>Myosurus minimus</i> ssp. <i>apus</i> Little Mousetail FSC / None List 3, RED 2-3-2	The MSCP Preserve does not include adequate habitat to conserve this species.			NO

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<i>Navarretia fossalis</i> Prostrate Navarretia FT / None List 1B, RED 2-3-2	Based on the MSCP Subregional Plan, 63% of the only major population and 88% of vernal pool habitat is expected to be conserved. Prostrate navarretia is not documented to occur within the Chula Vista Plan area, but potential habitat occurs within portions of Otay Ranch occurring within the Subarea, and on the Eastlake "panhandle parcel".	The MSCP Subregional Plan estimated that 37% of the only major population and up to 12% of vernal pool habitat could be impacted. Prostrate navarretia is not documented to occur within the Chula Vista Plan area.	ASMDs must include specific measures to protect against detrimental edge effects, and must incorporate measures to conserve and maintain surrounding habitat for pollinators and as part of the hydrological system for the vernal pools.	YES
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Rationale for Identifying Species as Covered: Prostrate navarretia was considered a covered species under the MSCP Subregional analysis because 63% of major populations and 88% of vernal pool habitat were being conserved. Federal regulation of vernal pool habitat was assumed in the MSCP analysis, and that impacts to this habitat type would be subject to a no net loss of function and value criteria as determined by the Army Corps of Engineers (ACOE). Subsequent rulings in federal court have led to this habitat largely not being regulated by the ACOE. To ensure that this species and its habitat are adequately conserved under the Chula Vista Subarea Plan, the City of Chula Vista has incorporated specific language and a commitment to a Wetlands Protection Program, which includes vernal pools as an identified wetland community. The Wetlands Protection Program includes minimization and mitigation measures, no net loss of wetlands, and that all wetland mitigation is in-kind. The Chula Vista Plan requires that impacts to vernal pools be mitigated at a 2:1 to 4:1, depending upon the quality of the habitat being impacted. This species is not known to occur within the Subarea Plan area, but potential habitat occurs within portions of Otay Ranch that are within the Plan area. The Otay Ranch Resource Management Plan (RMP), incorporated into the Chula Vista Subarea Plan, states a policy of preservation of 95% of the vernal pool habitat, including a vernal pool Preserve consisting of over 400 acres. Within the Chula Vista Preserve, projects are further subject to the City's Facilities Siting Criteria, which requires avoidance of impacts to wetlands to the maximum extent practicable.

<i>Nolina interrata</i> Dehesa Bear Grass FT / CE List 1B, RED 2-3-2 MSCP Narrow Endemic	Based on the MSCP Subregional Plan, 90-100% of major populations is expected to be conserved. This species is not expected to occur within the Chula Vista Plan area.	The MSCP Subregional Plan estimated that less than 10% of major populations would be impacted. Dehesa bear grass is not expected to be impacted in the Chula Vista Plan area.	Dehesa bear grass is a Second Priority species subject to habitat-based and photo-plot monitoring under the Biological Monitoring Plan for the MSCP. ASMDs must include measures to protect against detrimental edge effects and management measures to maintain surrounding habitats for pollinators.	YES
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Rationale for Identifying Species as Covered: Dehesa bear grass was considered a covered species under the MSCP Subregional analysis because 90-100% of major populations were being conserved. This includes 100% conservation of the McGinty Mountain population; half of the Sequan Peak population is under protected ownership and the other half will be 80-100% conserved; and 80-100% of the Dehesa Peak population will be conserved under the County's BMO (this is a Group A species under the BMO). This is an MSCP Narrow Endemic species, which requires participating jurisdictions to specify additional conservation measures in their subarea plans. No populations of this species are known or expected to be impacted within the Chula Vista Subarea.

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<i>Opuntia parryi</i> var. <i>serpentina</i> (now <i>Opuntia californica</i> var. <i>californica</i>) Snake Cholla FSC / CE List 1B, RED 2-3-2 MSCP Narrow Endemic	The MSCP Subregional Plan estimates that 75% of the major populations will be conserved. The Chula Vista Subarea Plan conserves 65% of maritime succulent scrub habitat, and the Otay Ranch GDP/SRP and RMP require protection of 80% of existing occurrences and translocation of any impacted occurrences to restored areas.	The MSCP Subregional Plan estimated that 25% of major populations would be impacted. The Chula Vista Subarea Plan allows up to 35% loss of maritime succulent scrub vegetation, but the Narrow Endemic status of this species allows only a maximum impact to 20% of a population.	ASMDs must include measures to protect against detrimental edge effects, and translocation, where appropriate.	YES
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Rationale for Identifying Species as Covered: Snake cholla was considered a covered species under the MSCP Subregional analysis because 75% of major populations were being conserved. This is an MSCP Narrow Endemic species, which requires participating jurisdictions to specify additional conservation measures in their subarea plans. As a narrow endemic species, the Chula Vista Subarea Plan requires the minimum conservation thresholds identified in Section 5.2.3 of the Subarea Plan (generally, minimum of 80% conservation outside of Preserves and 95% conservation in Preserves). The Otay Ranch GDP/SRP and RMP also require protection of 80% of existing occurrences and translocation of any impacted occurrences to restored areas of comparable size.

<i>Orcuttia californica</i> California Orcutt Grass FE / CE List 1B, RED 3-3-2 MSCP Narrow Endemic	The MSCP Subregional Plan conserves 86% of major populations and 88% of vernal pool habitat. California Orcutt grass is not documented within Chula Vista, but potential habitat occurs on portions of Otay Ranch in the Subarea.	The MSCP Subregional Plan estimated that 14% of major populations and up to 12% of vernal pool habitat could be impacted. California Orcutt grass is not documented to occur within the Chula Vista Plan area.	ASMDs must include specific measures to protect against detrimental edge effects, and must incorporate measures to conserve and maintain surrounding habitat for pollinators.	YES
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Rationale for Identifying Species as Covered: California Orcutt grass was considered a covered species under the MSCP Subregional analysis because 86% of major populations and 88% of vernal pool habitats were being conserved. This is an MSCP narrow endemic species, which requires participating jurisdictions to specify additional conservation measures in their subarea plans. As a narrow endemic species, if this species is present, the Chula Vista Subarea Plan requires the minimum conservation thresholds identified in Section 5.2.3 of the Subarea Plan (generally, minimum of 80% conservation outside of Preserves and 95% conservation in Preserves). Federal regulation of vernal pool habitat was assumed in the MSCP analysis, and that impacts to this habitat type would be subject to a no net loss of function and value criteria as determined by the ACOE. Subsequent rulings in federal court have led to this habitat largely not being regulated by the ACOE. To ensure that this species and its habitat are adequately conserved under the Chula Vista Subarea Plan, the City of Chula Vista has incorporated specific language and a commitment to a Wetlands Protection Program, which includes vernal pools as an identified wetland community. The Wetlands Protection Program includes minimization and mitigation measures, no net loss of wetlands, and that all wetland mitigation is in-kind. The Chula Vista Plan requires that impacts to vernal pools be mitigated at a 2:1 to 4:1, depending upon the quality of the habitat being impacted. This species is not known to occur within the Subarea Plan area, but potential habitat occurs within portions of Otay Ranch that are within the Plan area. The Otay Ranch Resource Management Plan (RMP), incorporated into the Chula Vista Subarea Plan, states a policy of preservation of 95% of the vernal pool habitat, including a vernal pool Preserve consisting of over 400 acres. Within the Chula Vista Preserve, projects are further subject to the City's Facilities Siting Criteria, which requires avoidance of impacts to wetlands to the maximum extent practicable.

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<i>Pinus torreyana</i> Torrey Pine FSC / CE List 1B, RED 3-2-3	The MSCP Subregional Plan identifies 100% conservation of the only naturally occurring population. This species does not naturally occur in the Chula Vista Subarea.	No major populations would be impacted under the MSCP Subregional Plan. Torrey pines do not naturally occur within the Chula Vista Plan area.	This species is addressed through habitat-based monitoring in the Biological Monitoring Plan for the MSCP. The Torrey Pines State Reserve is responsible for managing this species.	YES
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Rationale for Identifying Species as Covered: Torrey pine was considered a covered species under the MSCP Subregional analysis because 100% of the only naturally occurring population was conserved. The Torrey Pines State Reserve is responsible for managing this species. No impacts are expected by implementation of the Chula Vista Subarea Plan.

<i>Pogogyne abramsii</i> San Diego Mesa Mint FE / CE List 1B, RED 2-3-3 City of San Diego Narrow Endemic	Based on the MSCP Subregional Plan 88% of vernal pool habitat is to be conserved. San Diego mesa mint is not expected to occur within the Chula Vista Plan Subarea.	The MSCP Subregional Plan estimated 12% of vernal pool habitat could be impacted. San Diego mesa mint is not expected to occur within the Chula Vista Plan Subarea.	ASMDs must include specific measures to protect against detrimental edge effects, maintain surrounding habitat for pollinators, and maintain pool watershed boundaries.	YES
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Rationale for Identifying Species as Covered: San Diego mesa mint was considered a covered species under the MSCP Subregional analysis because 86% of major populations and 88% of vernal pool habitats were being conserved. Three major populations occur on MCAS Miramar lands, which are not a part of MSCP. Vernal pools included in the National Wildlife Refuge will be managed for recovery of this species. The population at Montgomery Field is conserved and managed by the City of San Diego, and this is a Narrow Endemic species under the City of San Diego's Subarea Plan. Federal regulation of vernal pool habitat was assumed in the MSCP analysis, and that impacts to this habitat type would be subject to a no net loss of function and value criteria as determined by the ACOE. Subsequent rulings in federal court have led to this habitat largely not being regulated by the ACOE. Although not expected because this species is not known from this portion of San Diego County, habitat for this species is adequately conserved under the Chula Vista Subarea Plan which contains specific language and a commitment to a Wetlands Protection Program; vernal pools are an identified wetland community in this program. The Wetlands Protection Program includes minimization and mitigation measures, no net loss of wetlands, and that all wetland mitigation is in-kind. The Chula Vista Plan requires that impacts to vernal pools be mitigated at a 2:1 to 4:1, depending upon the quality of the habitat being impacted. Potential vernal pool habitat occurs within portions of Otay Ranch that are within the Plan area. The Otay Ranch Resource Management Plan (RMP), incorporated into the Chula Vista Subarea Plan, states a policy of preservation of 95% of the vernal pool habitat, including a vernal pool Preserve consisting of over 400 acres. Within the Chula Vista Preserve, projects are further subject to the City's Facilities Siting Criteria, which requires avoidance of impacts to wetlands to the maximum extent practicable.

COMMON NAME SCIENTIFIC NAME STATUS (Federal / State)	EXPECTED CONSERVATION	POTENTIAL IMPACTS	MONITORING AND/OR MANAGEMENT PLANS / DIRECTIVES	MEETS NCCP CONSERVATION STANDARDS ?
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<i>Pogogyne nudiuscula</i> Otay Mesa Mint FE / CE List 1B, RED 3-3-2 City of San Diego Narrow Endemic	Based on the MSCP Subregional Plan, 91% of major populations and 88% of vernal pool habitat is to be conserved. Otay mesa mint is not documented to occur within the Chula Vista Plan area, but potential habitat occurs within portions of Otay Ranch occurring within the Subarea.	The MSCP Subregional Plan estimated that 9% of major populations and up to 12% of vernal pool habitat could be impacted. Otay mesa mint is not documented to occur within the Chula Vista Plan area, but potential habitat occurs within portions of Otay Ranch within the Subarea.	ASMDs must include specific measures to protect against detrimental edge effects, maintain surrounding habitat for pollinators, and maintain pool watershed boundaries.	YES
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Rationale for Identifying Species as Covered: Otay mesa mint was considered a covered species under the MSCP Subregional analysis because 91% of the one major population was being conserved. Also, 88% of vernal pool habitat is being conserved. Vernal pools included in the National Wildlife Refuge will be managed for recovery of this species. This is a Narrow Endemic species under the City of San Diego's Subarea Plan. Federal regulation of vernal pool habitat was assumed in the MSCP analysis, and that impacts to this habitat type would be subject to a no net loss of function and value criteria as determined by the ACOE. Subsequent rulings in federal court have led to this habitat largely not being regulated by the ACOE. Although not expected because this species is not known from this portion of San Diego County, its habitat is adequately conserved under the Chula Vista Subarea Plan which contains specific language and a commitment to a Wetlands Protection Program; vernal pools are an identified wetland community in this program. The Wetlands Protection Program includes minimization and mitigation measures, no net loss of wetlands, and that all wetland mitigation is in-kind. The Chula Vista Plan requires that impacts to vernal pools be mitigated at a 2:1 to 4:1, depending upon the quality of the habitat being impacted. Potential vernal pool habitat occurs within portions of Otay Ranch that are within the Plan area. The Otay Ranch Resource Management Plan (RMP), incorporated into the Chula Vista Subarea Plan, states a policy of preservation of 95% of the vernal pool habitat, including a vernal pool Preserve consisting of over 400 acres. Within the Chula Vista Preserve, projects are further subject to the City's Facilities Siting Criteria, which requires avoidance of impacts to wetlands to the maximum extent practicable.

<i>Rosa minutifolia</i> Small-leaved Rose None / CE List 2, RED 3-3-1	The only known MSCP occurrence was transplanted into the Preserve. No occurrences are known for the Chula Vista Subarea.	As the only known occurrence is now within the MSCP Preserve, no impacts are anticipated to this species.	This species is subject to specific conditions of a CDFG 2081 permit as part of the California Terraces project.	YES
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Rationale for Identifying Species as Covered: Small-leaved rose was considered a covered species under the MSCP Subregional analysis because the only known occurrence in the County was transplanted into the Preserve under the specific requirements of a CDFG 2081 permit. The 2081 identified salvage, propagation, transplantation, and subsequent monitoring requirements. In the event that success criteria are not met, remedial measures will be implemented subject to CDFG approval.

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<i>Satureja chandleri</i> San Miguel Savory None / None List 1B, RED 2-2-2	The MSCP Subregional Plan requires that this species be conserved at the 80+% level. No occurrences are documented for the Chula Vista Subarea.	The MSCP anticipates potential impacts at 0-20% of identified populations. No impacts are anticipated in the Chula Vista Subarea.	San Miguel savory is a Second Priority species subject to habitat-based and photo-plot monitoring under the Biological Monitoring Plan for the MSCP (Ogden 1996). ASMDs must include measures to address the autecology and natural history of the species and to reduce the risk of catastrophic fire. Management measures to accomplish this may include prescribed fire.	YES
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Rationale for Identifying Species as Covered: San Miguel savory was considered a covered species under the MSCP Subregional analysis because 80% or more of the species must be conserved. The MSCP also notes that this will be added as a Group A or B species under the County's BMO; however, the current County listing for San Miguel savory is Group D. Known populations of this species on San Miguel Mountain and Otay Mountain are outside of the Chula Vista Subarea boundary.

<i>Senecio ganderi</i> Gander's Butterweed FSC / CR List 1B, RED 3-2-3	The MSCP Subregional Plan estimated that 90-100% of major populations would be conserved. No occurrences are documented for the Chula Vista Subarea; however, it is found on San Miguel Mountain.	The MSCP anticipates potential impacts to no more than 10% of major populations. No impacts are anticipated in the Chula Vista Subarea.	Gander's butterweed is a Second Priority species subject to habitat-based and photo-plot monitoring under the Biological Monitoring Plan for the MSCP (Ogden 1996). ASMDs must include specific measures to protect against detrimental edge effects to this species, and measures to address the autecology and natural history of the species.	YES
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Rationale for Identifying Species as Covered: Gander's butterweed was considered a covered species under the MSCP Subregional analysis because 90% or more of major populations would be conserved. Half of the Sequan Peak population is under protected ownership, 80-100% of the other half will be conserved, and 90-100% of the McGinty Mountain population will be conserved. The El Cajon Mountain (between El Capitan and San Vicente Reservoir) population is identified as critical which requires 100% protection under the County of San Diego Subarea Plan. This is a Group A species under the County's BMO; therefore, occurrences in the County's MSCP of undetermined development status will receive 80-100% protection. This species is not expected within the Chula Vista Subarea due to elevation restrictions.

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<i>Solanum tenuilobatum</i> (now <i>Solanum xanti</i>) Narrow-leaved Nightshade FSC / None None, None	The MSCP Subregional Plan estimated that 90-100% of major populations would be conserved. No occurrences are documented for the Chula Vista Subarea.	The MSCP anticipates potential impacts to no more than 10% of major populations. No impacts are anticipated in the Chula Vista Subarea.	Narrow-leaved nightshade is a Second Priority species subject to habitat-based and photo-plot monitoring under the Biological Monitoring Plan for the MSCP (Ogden 1996).	YES
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Rationale for Identifying Species as Covered: Narrow-leaved nightshade was considered a covered species under the MSCP Subregional analysis because 90% or more of major populations would be conserved. Two smaller populations, Silverwood and Fernbrook, are identified as critical and are 100% protected under the County of San Diego Subarea Plan. Within the Chula Vista Subarea, a major population occurs on the Inverted L property. The southern portion of this property is now owned and conserved by USFWS. The northern portion is now owned by the Otay Water District and not subject to permitting under the Chula Vista Plan. This taxon has been merged into *Solanum xanti*, a more common and wider ranging species.

<i>Tetracoccus dioicus</i> Parry's Tetracoccus FSC / None List 1B, RED 3-2-2	The MSCP Subregional Plan estimated that 80-100% of major populations would be conserved. No occurrences are documented for the Chula Vista Subarea.	The MSCP anticipates potential impacts to no more than 20% of major populations. No impacts are anticipated in the Chula Vista Subarea.	Parry's tetracoccus is a Second Priority species subject to habitat-based and photo-plot monitoring under the Biological Monitoring Plan for the MSCP (Ogden 1996). ASMDs must include specific measures to protect against detrimental edge effects to this species.	YES
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Rationale for Identifying Species as Covered: Parry's tetracoccus was considered a covered species under the MSCP Subregional analysis because 80-100% of major populations would be conserved. Fourteen of 33 (43%) small populations are under protected ownership. The Dehesa population is identified as critical and will be 100% protected in the San Diego County Subarea Plan. Occurrences in the County's area of undetermined development status will receive 80-100% protection due to Parry's tetracoccus being a Group A species under the County's BMO. The MSCP noted that the acquisition of the remaining portions of the population on Sequan Peak was important, and CDFG has acquired the parcels known to support this species, although two inholdings (which are not documented to support Parry's tetracoccus) remain under ownership of unwilling sellers. This species is not expected within the Chula Vista Subarea.

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INVERTEBRATES

<i>Euphydryas editha quino</i> Quino Checkerspot FE / none	<p>The MSCP Subregional Plan was unable to determine a conservation level for this species or its habitat, therefore it is not a covered species for other participating MSCP jurisdictions (i.e., County of San Diego, City of San Diego). Subsequent analysis for the Chula Vista Subarea Plan has determined that 1,091 acres (73%) of the highest suitability habitat (Category A, as defined in the Subarea Plan), 1,447 acres (60%) of moderate suitability habitat (Category B), and 268 acres (42%) of the lower suitability habitat (Category C) for this species will be conserved. Further, 7 of the 8 locations of quino sightings are within the Chula Vista Preserve.</p>	<p>Implementation of the Chula Vista Subarea Plan is expected to impact 394 acres of Category A habitat (27%), 951 acres of Category B habitat (40%), and 365 acres of Category C habitat within the Plan Area. One location of a quino sighting would be impacted by proposed development of the Rolling Hills Ranch project.</p>	<p>The Chula Vista Subarea Plan includes a comprehensive Quino Checkerspot Recovery Component (refer Appendix J of the Subarea Plan). An important requirement of this program is monitoring, which has been designed for consistency with the federal Recovery Plan (USFWS 2001) for this species. Briefly summarizing, monitoring will address: (1) the overall habitat quality in the Preserve; (2) the effectiveness of quino habitat restoration and enhancement efforts; and, (3) census monitoring of quino populations within the Plan area. Annual reporting of the monitoring and restoration activities are required, and adaptive management will be implemented by the City based upon comparison to results from monitoring of populations outside of the Plan area, with guidance provided by a Quino Scientific Advisory Committee (QSAC). For details on the Quino Checkerspot Recovery Component, refer to Appendix J of the Subarea Plan.</p>	<p style="text-align: center;">YES</p> <p>Subarea Plan adequately conserves this species independent of the MSCP Subregional Plan or any other MSCP-participating jurisdiction.</p>
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Rationale for Identifying Species as Covered: A habitat suitability assessment for quino checkerspot was performed for the Chula Vista Subarea, taking into account known quino locations, previous survey data, occurrence of suitable quino habitat features, and other factors. Lands not assessed included SDGE rights-of-way, City of San Diego Cornerstone Lands, Otay Water District lands, the Otay Landfill, and State Route 125 because the City does not seek take for these locations. Lands were delineated as Category A, Category B, or Category C, with Category A representing occupied habitat or that with the highest potential for quino occupation, Category B representing moderate potential for quino presence, and Category C representing a low likelihood of quino occurrence. The Chula Vista Subarea Plan will conserve 1,091 acres of Category A habitat (73%), 1,447 acres of Category B (60%), and 268 acres of Category C habitat (62%). There are 8 known occurrences of quino checkerspot within the Chula Vista Subarea Plan area. Three of these are in the Otay River/Salt Creek area within the Chula Vista Preserve. One occurrence is on San Diego National Wildlife Refuge property (the "Inverted L" parcel). The remaining 4 occurrences are on Rolling Hills Ranch, and three of these locations are within the future Preserve. Thus, 7 of the 8 known quino occurrences in the Chula Vista Plan area will be conserved.

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In addition to the direct conservation, the Chula Vista Preserve provides for landscape linkages in three critical areas identified in the draft USFWS Recovery Plan for quino checkerspot. The Subarea Plan therefore contributes to potential dispersal of quino checkerspot, including genetic exchange between existing populations and potential recolonization of suitable, but currently unoccupied, habitat. This is consistent with the Draft Recovery Plan. Additional benefit to quino will be derived through management of the Preserve, including the control of public access (where appropriate) and off-road vehicles, restriction of grazing, and control/removal of invasive/exotic plant species, pursuant to area specific management directives, which will be developed as lands are brought into the Preserve through the entitlement process. Within the preserve, impact minimization measures will be undertaken to avoid or minimize potential impacts from approved public facilities. Lastly, the Subarea Plan commits the City to fund and implement a quino habitat restoration and enhancement program. This will provide 50 acres of managed quino checkerspot habitat, targeted in areas critical to quino recovery and long-term importance, and includes a program of perpetual maintenance. In comparison to the low potential for additional (i.e., beyond the one impacted location at Rolling Hills Ranch) direct impacts to quino within the Plan area, the program is expected to provide an extraordinary net biological benefit to this subspecies which will contribute to its long-term persistence and recovery. For additional information on the quino program, refer to Section 4.4 and Appendix J of the Chula Vista Subarea Plan.

<i>Euphyes vestris harbisoni</i> Harbison's Dun Skipper None / None	The MSCP Subregional Plan was unable to determine a conservation level for the Harbison's dun skipper or its habitat, and the Chula Vista Subarea Plan did not provide additional analysis to address this species. Therefore, it is not a covered species for the Chula Vista, the City of San Diego, or the County of San Diego subarea plans.			NO
<i>Lycaena hermes</i> Hermes Copper Butterfly None / None	The MSCP Subregional Plan was unable to determine a conservation level for the hermes copper butterfly or its habitat, and the Chula Vista Subarea Plan did not provide additional analysis to address this species. Therefore, it is not a covered species for the Chula Vista, the City of San Diego, or the County of San Diego subarea plans.			NO
<i>Miltouria thornei</i> Thorne's Hairstreak Butterfly None / None	Based on the MSCP Subregional Plan, 98% of the Tecate cypress forest, the larval habitat, is expected to be conserved. Only 2 acres of Tecate cypress forest are identified in the MSCP Subregion, occurring in the vicinity of Otay Lakes. Much of this habitat type occurs to the east, on Bureau of Land Management property. Tecate cypress forest does not occur within the Chula Vista Subarea Plan area.	The MSCP Subregional Plan estimated that up to 2% of Tecate cypress forest habitat could be impacted. No impacts to this habitat type would occur within the Chula Vista Subarea Plan area, and individual Tecate cypress are not known to occur within the Chula Vista Plan area.	Monitoring for this species is habitat-based. Area Specific Management Directives must manage for the larval host species, Tecate cypress. Management measures to accomplish this may include prescribed fire.	YES

Rationale for Identifying Species as Covered: The Subregional Plan estimated that 98% of Tecate cypress forest habitat would be conserved. Because host plant/habitat is largely confined to areas east of the MSCP, on federal (BLM) land, potential impacts to this species are believed to be extremely limited.

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<i>Panoquina errans</i> Salt Marsh Skipper None / None	Based on the MSCP Subregional Plan, 93% of salt marsh habitat is expected to be conserved. The Chula Vista Subarea Plan will provide for conservation of 99% of this habitat type within the Plan area.	The MSCP Subregional Plan estimated that up to 7% (approximately 120 acres) of salt marsh habitat could be impacted, but would be subject to no net loss of function and value and federal 404(b)(1) guidelines.	Monitoring for this species is habitat-based. Area Specific Management Directives are to include measures to: (1) Control exotic weeds and invertebrate predators, where appropriate; and, (2) control access into salt marsh habitat.	YES
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Rationale for Identifying Species as Covered: The Subregional Plan estimated that 93% of salt marsh habitat would be conserved, that up to 7% of salt marsh habitat may be impacted, and that impacts to this habitat type was subject to a no net loss of function and value criteria as determined by the Army Corps of Engineers (ACOE). The Chula Vista Subarea Plan estimates that 202 of its 204 acres (99%) of salt marsh vegetation will be conserved under the Plan. To ensure that this species and its habitat are adequately conserved, the Chula Vista Subarea Plan incorporates specific language and a commitment to a Wetlands Protection Program, which includes salt marsh vegetation as an identified wetland community. The Wetlands Protection Program includes minimization and mitigation measures, no net loss of wetlands, and that all wetland mitigation is in-kind. The salt marsh skipper is known to occur within the Subarea Plan area, at the Sweetwater National Wildlife Refuge; no direct impacts are anticipated to occur at this location.

<i>Branchinecta sandiegonensis</i> San Diego Fairy Shrimp FE / None	Based on the MSCP Subregional Plan, 88% of vernal pool habitat is expected to be conserved. San Diego fairy shrimp is not documented to occur within the Chula Vista Plan area, but potential habitat occurs within portions of Otay Ranch occurring within the Subarea, and on the Eastlake "panhandle parcel".	The MSCP Subregional Plan estimated that up to 12% of vernal pool habitat could be impacted, but would be subject to no net loss of function and value and federal 404(b)(1) guidelines. San Diego fairy shrimp are not documented to occur within the Chula Vista Plan area.	Area Specific Management Directives are to include measures to protect against detrimental edge effects to this species.	YES
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Rationale for Identifying Species as Covered: The Subregional Plan estimated that 88% of vernal pool habitat would be conserved, and that up to 12% of vernal pool habitat may be impacted, but that impacts to this habitat type was subject to a no net loss of function and value criteria as determined by the Army Corps of Engineers (ACOE). Subsequent rulings in federal court have led to this habitat largely not being regulated by the ACOE. To ensure that this species and its habitat are adequately conserved under the Chula Vista Subarea Plan, the City of Chula Vista has incorporated specific language and a commitment to a Wetlands Protection Program, which includes vernal pools as an identified wetland community. The Wetlands Protection Program includes minimization and mitigation measures, no net loss of wetlands, and that all wetland mitigation is in-kind. The Chula Vista Plan requires that impacts to vernal pools be mitigated at a 2:1 to 4:1, depending upon the quality of the habitat being impacted. This species is not known to occur within the Subarea Plan area, but potential habitat occurs within portions of Otay Ranch that are within the Plan area. The Otay Ranch Resource Management Plan (RMP), incorporated into the Chula Vista Subarea Plan, states a policy of preservation of 95% of the vernal pool habitat, including a vernal pool Preserve consisting of over 400 acres. Within the Chula Vista Preserve, projects are further subject to the City's Facilities Siting Criteria, which requires avoidance of impacts to wetlands to the maximum extent practicable. Therefore, there could be impacts to areas designated or re-proposed as critical habitat for this species, but with the City's compensation measures, there would be no net loss of fairy shrimp habitat. Pre-project surveys are required to be performed where impacts may directly or indirectly affect potential habitat.

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<i>Streptocephalus woottoni</i> Riverside Fairy Shrimp FE / None	Based on the MSCP Subregional Plan, 88% of vernal pool habitat is to be conserved. Riverside fairy shrimp is not known within the Chula Vista Plan area, but potential habitat may occur in portions of Otay Ranch within the Subarea, and on the Eastlake parcel.	The MSCP Subregional Plan estimated that up to 12% of vernal pool habitat could be impacted, but would be subject to no net loss of function and value and federal 404(b)(1) guidelines.	Area Specific Management Directives are to include measures to protect against detrimental edge effects to this species.	YES
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Rationale for Identifying Species as Covered: The Subregional Plan estimated that 88% of vernal pool habitat would be conserved, and that up to 12% of vernal pool habitat may be impacted, but that impacts to this habitat type was subject to a no net loss of function and value criteria as determined by the Army Corps of Engineers (ACOE). Subsequent rulings in federal court have led to this habitat largely not being regulated by the ACOE. To ensure that this species and its habitat are adequately conserved under the Chula Vista Subarea Plan, the City of Chula Vista has incorporated specific language and a commitment to a Wetlands Protection Program, which includes vernal pools as an identified wetland community. The Wetlands Protection Program includes minimization and mitigation measures, no net loss of wetlands, and that all wetland mitigation is in-kind. The Chula Vista Plan requires that impacts to vernal pools be mitigated at a 2:1 to 4:1, depending upon the quality of the habitat being impacted. This species is not known to occur within the Subarea Plan area, but potential habitat occurs within portions of Otay Ranch that are within the Plan area. The Otay Ranch Resource Management Plan (RMP), incorporated into the Chula Vista Subarea Plan, states a policy of preservation of 95% of the vernal pool habitat, including a vernal pool Preserve consisting of over 400 acres. Within the Chula Vista Preserve, projects are further subject to the City's Facilities Siting Criteria, which requires avoidance of impacts to wetlands to the maximum extent practicable. Therefore, there could be impacts to areas designated or re-proposed as critical habitat for this species, but with the City's compensation measures, there would be no net loss of fairy shrimp habitat. Pre-project surveys are required to be performed where impacts may directly or indirectly affect potential habitat.

AMPHIBIANS

<i>Bufo californicus</i> Arroyo Southwestern Toad FE / SSC (The name <i>Bufo microscaphus californicus</i> was used in previous MSCP analysis)	The MSCP Subregional Plan stated that all known locations (Cottonwood Creek in Marron Valley, San Vicente Creek, Santa Ysabel Creek in San Pasqual Valley, Sweetwater River, and Otay River), and 78% of riparian wetland areas in suitable habitat would be conserved. The Chula Vista Subarea Plan provides conservation for 98% of potentially suitable riparian habitat.	The MSCP Subregional Plan identified potential impacts as those occurring to upland habitats adjacent to riparian wetlands in undetermined status areas such as Sloan Canyon.	The MSCP Monitoring Plan requires site specific monitoring at 7 locations. ASMDs must address maintenance of arroyo toad habitat through control of non-native predators, protection and maintenance of suitable low-gradient stream habitat for breeding, and preservation of sheltering and foraging habitat within 1 km of occupied breeding habitat within preserves. ASMDs must also control human impacts within the preserve and protect against edge effects.	YES
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Rationale for Identifying Species as Covered: The MSCP Subregional Plan considered this species adequately conserved because all of the known locations within subregion were preserved, and 90-95% of the upland habitat in Marron Valley would be conserved. Impacts to upland habitats within 1 km of riparian corridors within the MHPA will be minimized during project review by CDFG and USFWS. The arroyo toad is not known to occur within the Chula Vista Plan area. The closest population occurs on the Sweetwater River, and potential habitat occurs within the Plan area in isolated pockets along the lower Sweetwater River and the Otay River. The Sweetwater Reservoir and Otay Reservoir are expected to serve as effective barriers preventing arroyo toads from immigrating into the Subarea. Therefore, there is a low likelihood that this species will occur in the Subarea. If arroyo toads do occur in the Subarea, it is expected to benefit by the Wetlands Protection Program through the avoidance, minimization, and mitigation criteria designed to result in a no net loss of wetland functions and values.

<i>Rana aurora draytonii</i> California Red-legged Frog FT / SSC	The MSCP Subregional Plan assessed that 72% of riparian habitats and freshwater marsh (approximately 9,500 acres) would be conserved. The Chula Vista Subarea Plan conserves 803 of 876 acres, or 92%, of the potential habitat (combines the acreages of all wetland types except salt marsh).	The MSCP Subregional Plan identified potential impacts to 28% of riparian and freshwater marsh (3,800 acres), and that wetlands were subject to no net loss of function and value guidelines. The Chula Vista Plan estimates impacts to 2 acres of freshwater/alkali marsh, 10 acres of riparian/tamarisk scrub, 35 acres of open water/freshwater, 13 acres of disturbed wetlands, and 13 acres of natural flood channel. These would all be subject to avoidance, minimization, and mitigation criteria as described in the City's Wetland Protection Program.	Monitoring for this species is habitat-based. ASMDs must provide for management of any new discovered populations within the preserve.	YES
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Rationale for Identifying Species as Covered: The MSCP Subregional Plan considered this species adequately conserved because of the high level of conservation (70%) of potential habitat within the MSCP Subregion. Further, the MSCP requires that any new discovered populations within the preserve must be managed. The Chula Vista Subarea Plan provides a higher level of conservation, as a percentage basis, than the MSCP, and independently assures conservation of wetland habitats through its Wetlands Protection Program. This species is not expected to occur in the Subarea, and no nearby populations are known which would provide a source for immigration into the Subarea. However, if California red-legged frogs were to occur in the Subarea, it is expected to benefit by the Wetlands Protection Program through the avoidance, minimization, and mitigation criteria designed to result in a no net loss of wetland functions and values.

REPTILES

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<i>Clemmys marmorata pallida</i> Southwestern Pond Turtle FSC / SSC	The MSCP Subregional Plan assessed that 72% of riparian habitats and freshwater marsh (9,501 acres) would be conserved. The Chula Vista Subarea Plan conserves 803 of 876 acres, or 92%, of the potential habitat (combines the acreages of all wetland types except salt marsh). No southwestern pond turtle populations are known to occur in the Chula Vista Subarea.	The MSCP Subregional Plan identified potential impacts to 28% of riparian habitats and freshwater marsh (3,800 acres), and that the wetlands were subject to no net loss and 404(b)(1) guidelines. The Chula Vista Plan estimates potential impacts to 2 acres of freshwater/alkali marsh, 10 acres of riparian/tamarisk scrub, 35 acres of open water/freshwater, 13 acres of disturbed wetlands, and 13 acres of flood channel.	Monitoring for this species is habitat-based. The MSCP requires that areas within 1,500 feet around known locations within preserve lands be maintained and managed for this species. Within this impact avoidance area, human impacts will be minimized, non-native species detrimental to pond turtles will be controlled/removed, and habitat restoration and/or enhancement measures will be implemented.	YES
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Rationale for Identifying Species as Covered: The MSCP Subregional Plan considered this species adequately conserved because 72% of the riparian habitats and freshwater marsh would be conserved. The Subregional Plan further requires that areas within 1,500 feet of known locations within the preserve will be maintained and managed. The southwestern pond turtle is not known to occur within the Chula Vista Subarea, but potential habitat occurs within isolated pockets along the lower Sweetwater River and the Otay River. If this native pond turtle does occur in the Subarea, it is expected to benefit by the Wetlands Protection Program through the avoidance, minimization, and mitigation criteria designed to result in a no net loss of wetland functions and values, as well as the habitat protection and management within 1,500 feet of the identified location.

<i>Cnemidophorus hyperythrus beldingi</i> Orange-throated Whiptail FSC / SSC	The MSCP Subregional Plan provides coverage for this species because 59% of potential habitat (129,600 acres) is conserved, including coastal sage scrub, maritime succulent scrub, chaparral, southern maritime chaparral, and coastal sage/chaparral vegetation communities. Also, 62% of the known point locations were being conserved. The Chula Vista Subarea Plan conserves 2,418 acres (65%) of coastal sage scrub and 190 acres (65%) of maritime succulent scrub.	The MSCP Subregional Plan estimated that 41% of potential habitat and 38% of the known point locations would be developed. The Chula Vista Plan anticipates development of 1,397 acres of coastal sage scrub and 103 acres of maritime succulent scrub.	The Biological Monitoring Plan for the MSCP (Ogden 1996) relies on site specific monitoring using pit-fall traps for this species. ASMDs must address edge effects.	YES
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Rationale for Identifying Species as Covered: The MSCP Subregional Plan considered the orange-throated whiptail adequately conserved because 59% of the suitable habitat would be conserved. The orange-throated whiptail is expected to be relatively common and widespread within suitable habitat, both within the Subarea Plan area and the larger MSCP. The Subarea Plan contributes 2,608 acres of suitable habitat, which is approximately 65% of the available suitable habitat in the Plan area. This species will benefit from the system of large, interconnected blocks of habitat that the City's Subarea, in conjunction with the MSCP Subregional Plan, will establish and preserve in perpetuity. The Preserve will be adaptively managed, which will further reduce indirect effects and provide benefit to the species.

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<i>Phrynosoma coronatum blainvillei</i> San Diego Horned Lizard FSC / SSC	The MSCP Subregional Plan conserves 60% of potential habitat (132,000 acres), consisting of coastal sage scrub, chaparral, coastal sage/chaparral, and riparian scrub plant communities. Also, 63% of the known point locations were being conserved. The Chula Vista Subarea Plan contributes 2,418 acres of coastal sage scrub (65% of total available), 28 acres of chaparral, 190 acres of maritime succulent scrub (65% of total available), and 594 acres of riparian/tamarisk scrub (99% of total available).	The MSCP Subregional Plan estimated that 40% of potential habitat and 38% of the known point locations would be developed. The Chula Vista Plan anticipates development of 1,397 acres of coastal sage scrub and 103 acres of maritime succulent scrub.	The Biological Monitoring Plan for the MSCP (Ogden 1996) relies on site specific monitoring using pit-fall traps for this species. ASMDs must include specific measures to maintain native ant species, discourage the Argentine ant, and protect against detrimental edge effects to this species.	YES
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Rationale for Identifying Species as Covered: The MSCP Subregional Plan considered the horned lizard adequately conserved because 60% of the suitable habitat would be conserved. The Subarea Plan contributes 3,230 acres of suitable habitat. Horned lizards should also benefit from the system of large, interconnected blocks of habitat that the City's Subarea, in conjunction with the MSCP Subregional Plan, will be established and preserved in perpetuity. The Preserve will be adaptively managed, which will further reduce indirect effects and provide benefit to the species.

BIRDS

<i>Pelecanus occidentalis californicus</i> California Brown Pelican FE / SE, FPS	The MSCP Subregional Plan conserves 91% of potential roosting and foraging habitat (approximately 2,900 acres). This includes salt marsh, natural flood channel, and beach habitat outside of intensively used recreational beaches. No new development of beaches is authorized, protecting 90-95% of beach habitat outside of intensively used beach areas. The Chula Vista Plan conserves 202 acres (99%) of salt marsh and 146 acres (92%) of natural flood channel.	The MSCP Subregional Plan estimated that 9% of potential roosting and foraging habitat could be impacted. Within the Chula Vista Subarea Plan, this amounts to potential impacts to 2 acres of salt marsh and 13 acres of natural flood channel.	The Biological Monitoring Plan for the MSCP (Ogden 1996) relies on habitat-based monitoring for this species. No specific monitoring requirements exist for this species, as its coverage is based on conservation of suitable habitat for foraging and roosting.	YES
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COMMON NAME SCIENTIFIC NAME STATUS (Federal / State)	EXPECTED CONSERVATION	POTENTIAL IMPACTS	MONITORING AND/OR MANAGEMENT PLANS / DIRECTIVES	MEETS NCCP CONSERVATION STANDARDS ?
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Rationale for Identifying Species as Covered: The California brown pelican was considered adequately conserved by the MSCP Subregional Plan because 91% of the suitable habitat (for foraging and roosting) would be preserved. No nesting occurs within the MSCP or the Chula Vista Subarea. This species opportunistically uses piers, jetties, and mudflats, and forages in coastal ocean waters and San Diego Bay. Most of the important roosting and foraging habitat occurs on military land and waters under Port Authority jurisdiction, which are not included as part of the MSCP. Direct impacts to brown pelicans are not expected under the Subarea Plan, and as a State Fully Protected species, no direct impacts are authorized under the NCCP.

<i>Egretta rufescens</i> Reddish Egret FSC / none	The MSCP Subregional Plan provides coverage for this species because 92% of potential habitat (approximately 2,700 acres) will be conserved. This encompasses coastal salt marsh, natural flood channel, and saltpan habitats. The Chula Vista Plan contributes 202 acres of salt marsh (99% of total available) and 146 acres of natural flood channel (92% of total available).	The MSCP Subregional Plan estimated that 8% of potential habitat (approximately 230 acres) could be impacted and/or developed. Under the Chula Vista Subarea Plan, potential impacts amount to 2 acres of salt marsh and 13 acres of natural flood channel.	The Biological Monitoring Plan for the MSCP (Ogden 1996) relies on habitat-based monitoring for this species.	YES
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Rationale for Identifying Species as Covered: The reddish egret was considered adequately conserved by the MSCP Subregional Plan because 92% of its potential habitat would be preserved. Potential impacts to suitable habitat under the Subarea Plan are extremely limited, and these habitats are subject to the Wetlands Protection Program which emphasizes avoidance, minimization, and mitigation to result in no net loss of wetland functions and values. No nesting by this species occurs within the MSCP or the Chula Vista Subarea. It is a rare visitor in the fall and winter and a casual (non-breeding) visitor in the spring and summer months. Additional habitat occurs on military land and waters under Port Authority jurisdiction, which are not included as part of the MSCP.

<i>Plegadis chihi</i> White-faced Ibis FSC / SSC	The MSCP Subregional Plan conserves 80% of potential habitat (approximately 1,200 acres) for this species, comprised of salt marsh and natural flood channel. Additional benefits are provided by the conservation of approximately 1,800 acres of agricultural land. The Chula Vista Plan contributes 202 acres (99%) of salt marsh and 146 acres (92%) of natural flood channel, as well as 62 acres of agricultural land.	The MSCP Subregional Plan estimated that 20% of potential habitat (approximately 300 acres) could be impacted and/or developed. Under the Chula Vista Subarea Plan, potential impacts amount to 2 acres of salt marsh and 13 acres of natural flood channel. The Subarea Plan also provides for the development of 6,130 acres of agricultural land.	The Biological Monitoring Plan for the MSCP (Ogden 1996) relies on habitat-based monitoring for this species. Preserve management for the City of San Diego cornerstone lands must include protection and management of potential nesting habitat at Lake Hodges. ASMDs must include specific measures to protect against detrimental edge effects to this species.	YES
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COMMON NAME SCIENTIFIC NAME STATUS (Federal / State)	EXPECTED CONSERVATION	POTENTIAL IMPACTS	MONITORING AND/OR MANAGEMENT PLANS / DIRECTIVES	MEETS NCCP CONSERVATION STANDARDS ?
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Rationale for Identifying Species as Covered: The white-faced ibis was considered adequately conserved by the MSCP Subregional Plan because 80% of its potential habitat would be preserved, impacted habitat would be subject to no net loss and 404(b)(1) guidelines, and known breeding areas near Lake Hodges (City of San Diego cornerstone lands) required protection and management. Potential impacts to suitable wetland habitat under the Chula Vista Subarea Plan are extremely limited, and these habitats are subject to the Wetlands Protection Program which emphasizes avoidance, minimization, and mitigation to result in no net loss of wetland functions and values.

<i>Branta canadensis</i> Canada Goose None / None	The MSCP Subregional Plan conserves approximately 8,200 acres of potential habitat for this species. This is comprised of coastal salt marsh and natural flood channel. Additional benefits are provided by the conservation of approximately 1,800 acres of agricultural land. The Chula Vista Plan contributes 202 acres of salt marsh (99% of total available), 146 acres of natural flood channel (92% of total available), 14 acres of freshwater/alkali marsh (88% of total available), and 24 acres of open water/ freshwater (41% of total available). Approximately 62 acres of agricultural land will also be preserved under the Subarea Plan, providing some additional potential foraging habitat.	The MSCP Subregional Plan estimated that approximately 1,100 acres of potential habitat would be impacted, but that wetland areas would be subject to no net loss of function and value and 404(b)(1) guidelines. Under the Chula Vista Subarea Plan, potential impacts amount to 2 acres of salt marsh, 2 acres of freshwater/alkali marsh, 35 acres of open water/freshwater, 13 acres of natural flood channel. The Subarea Plan also authorizes development of 6,130 acres of agricultural land.	The Biological Monitoring Plan for the MSCP (Ogden 1996) relies on habitat-based monitoring for this species.	YES
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Rationale for Identifying Species as Covered: The Canada goose was considered adequately conserved by the MSCP Subregional Plan because 8,200 acres of potential habitat was to be conserved, and impacted wetland habitat would be subject to no net loss and 404(b)(1) guidelines. Potential impacts to suitable wetland habitat under the Chula Vista Subarea Plan are limited, and these habitats are subject to the Wetlands Protection Program which emphasizes avoidance, minimization, and mitigation to result in no net loss of wetland functions and values.

COMMON NAME SCIENTIFIC NAME STATUS (Federal / State)	EXPECTED CONSERVATION	POTENTIAL IMPACTS	MONITORING AND/OR MANAGEMENT PLANS / DIRECTIVES	MEETS NCCP CONSERVATION STANDARDS ?
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<i>Haliaeetus leucocephalus</i> Bald Eagle FT / CE, FPS	The MSCP Subregional Plan conserves approximately 89% of potential foraging habitat (5,719 acres of freshwater marsh and open water wetlands) for this species. In addition, foraging opportunities will exist on approximately 100,000+ acres of preserve land. The Chula Vista Plan contributes 202 acres (99%) of salt marsh, 14 acres (88%) of freshwater / alkali marsh, and 24 acres (41%) of open water.	The MSCP Subregional Plan estimated that approximately 11% of potential foraging habitat (692 acres) would be impacted, but that wetland areas would be subject to no net loss of function and value and 404(b)(1) guidelines. Under the Chula Vista Subarea Plan, potential impacts amount to 2 acres of salt marsh, 2 acres of freshwater/alkali marsh, and 35 acres of open water/freshwater.	The Biological Monitoring Plan for the MSCP (Ogden 1996) relies on habitat-based monitoring for this species.	YES
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Rationale for Identifying Species as Covered: The bald eagle was considered adequately conserved by the MSCP Subregional Plan because 89% of potential wetland foraging habitat was to be conserved, and preserved uplands provided additional potential foraging habitat. The Chula Vista Subarea incrementally contributes to conservation of this species' habitat in a similar manner assessed for the MSCP Subregion. Potential impacts to suitable wetland habitat under the Chula Vista Subarea Plan are very limited, and these habitats are subject to the Wetlands Protection Program which emphasizes avoidance, minimization, and mitigation to result in no net loss of wetland functions and values. No nesting by bald eagles occurs within the Chula Vista Subarea or the MSCP. It is a rare visitor in the fall and winter to San Diego County, primarily to areas outside of the MSCP. Local occurrences are more likely to occur outside of the Subarea, such as at Sweetwater Reservoir or at Lower Otay Reservoir. As a California Fully Protected Species, no direct take of this species is authorized at this time, or expected under the Chula Vista Subarea Plan.

<i>Circus cyaneus</i> Northern Harrier None / SSC	The MSCP Subregional Plan conserves an estimated 42% of potential nesting habitat, totaling approximately 12,000 acres, for this species. This consists of salt marsh, freshwater marsh and grasslands, with about 85,000 acres of potential foraging habitat conserved. The Chula Vista Subarea Plan contributes 202 acres of salt marsh (99% of total available), 14 acres of freshwater/alkali marsh (88% of total available), and 896 acres of grassland (29% of total available).	The MSCP Subregional Plan estimated that approximately 58% of potential nesting habitat (16,300 acres) would be impacted, but that the wetland areas would be subject to no net loss of function and value and 404(b)(1) guidelines. Under the Chula Vista Subarea Plan, potential impacts amount to 2 acres of salt marsh, 2 acres of freshwater/alkali marsh, and 2,229 acres of grassland.	The MSCP Monitoring Plan relies on habitat-based monitoring. ASMDs must: (1) manage agricultural and disturbed lands (in the preserve) within 4 miles of nesting habitat to provide foraging habitat; (2) buffer active nests from impacts (900 feet or the maximum possible within the preserve); and, (3) include measures for maintaining winter foraging habitat in preserve areas in Proctor Valley, near Sweetwater Lake, San Miguel Ranch, Otay Ranch east of Wueste Road, Lake Hodges, and San Pasqual Valley. Preserve management shall address wintering foraging habitat within the preserve.	YES
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COMMON NAME SCIENTIFIC NAME STATUS (Federal / State)	EXPECTED CONSERVATION	POTENTIAL IMPACTS	MONITORING AND/OR MANAGEMENT PLANS / DIRECTIVES	MEETS NCCP CONSERVATION STANDARDS ?
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Rationale for Identifying Species as Covered: The northern harrier was considered adequately conserved by the MSCP Subregional Plan because 42% of potential nesting habitat and approximately 85,000 acres of potential foraging habitat would be preserved. The MSCP further notes that the additional conservation of grassland habitats should be a priority and one of the primary factors in the design of preserves in the major amendment areas. The Chula Vista Subarea contributes to conservation of northern harrier habitat by conserving 896 acres of grassland, 202 acres of salt marsh, 14 acres of freshwater/alkali marsh; conservation of 2,418 acres of coastal sage scrub, 190 acres of maritime succulent scrub, and 28 acres of chaparral also provide potential foraging habitat for harriers. The MSCP notes that all foraging and nesting habitat within 4 miles of the Sweetwater Marsh nesting location will be conserved. However, the Chula Vista Bayfront property lies adjacent to the marsh and is proposed for development. The MSCP also states that upland enhancement opportunities exist at D Street Fill. While possible restoration of a portion of D Street fill to salt marsh habitat would provide additional potential foraging habitat for northern harriers, enhancement for the benefit of harriers is not recommended as it would conflict with the least tern nesting colony maintained there. Nevertheless, due to buffer requirements from any active nests discovered elsewhere in the Preserve (refer ASMDs identified above), and the overall habitat conservation mentioned above, northern harriers are considered to be adequately conserved by the Subarea Plan and the MSCP.

<i>Accipiter cooperii</i> Cooper's Hawk None / SSC	The MSCP Subregional Plan conserves 59% of potential foraging habitat (approximately 133,400 acres) for this species. This includes 47% of the available oak woodland, 58% of the oak riparian, 64% of the coastal sage scrub, 54% of the chaparral, and 44% of the coastal sage scrub/chaparral habitat within the MSCP. The MSCP also conserves 52% of potential nesting habitat (5,705 acres), and 57% of the locations known at the time of MSCP analysis. The Chula Vista Subarea Plan conserves 2 acres of oak woodland, 2,418 acres of coastal sage scrub, 190 acres of maritime succulent scrub, and 28 acres of chaparral. The conservation of 18 acres of eucalyptus woodland may provide additional benefit to this species.	The MSCP Subregional Plan estimated that 41% of potential foraging habitat (93,900 acres) and 48% of potential nesting habitat (5,200 acres) could be impacted and/or developed. Under the Chula Vista Subarea Plan, potential impacts are anticipated to 1,397 acres of coastal sage scrub, 103 acres of maritime succulent scrub, and 25 acres of eucalyptus woodland.	The Biological Monitoring Plan for the MSCP (Ogden 1996) relies on habitat-based monitoring for this species. ASMDs must include: (1) a 300-foot impact avoidance areas around active nests; and, (2) minimization of disturbance in oak woodlands and oak riparian forests. In addition, an MSCP condition for coverage is that within the Metro-Lakeside-Jamul segment, preserve areas shall conserve patches of oak woodland and oak riparian forest of adequate size for nesting and foraging habitat.	YES
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Rationale for Identifying Species as Covered: The Cooper's hawk was considered adequately conserved by the MSCP Subregional Plan because of the large number of acres of potential foraging (133,400 acres) and nesting habitat (5,705 acres). The Chula Vista Subarea contributes toward this conservation for Cooper's hawk by preserving 2 acres of oak woodland, 2,418 acres of coastal sage scrub, 190 acres of maritime succulent scrub, and 28 acres of chaparral. Additional benefit may occur through conservation of 18 acres of eucalyptus and 896 acres of grassland habitat. The requirement to restrict activities within 300 feet of an active nest will provide additional benefit to this species.

COMMON NAME SCIENTIFIC NAME STATUS (Federal / State)	EXPECTED CONSERVATION	POTENTIAL IMPACTS	MONITORING AND/OR MANAGEMENT PLANS / DIRECTIVES	MEETS NCCP CONSERVATION STANDARDS ?
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<i>Buteo swainsoni</i> Swainson's Hawk None / CT	The MSCP Subregional Plan conserves 22% of potential foraging habitat (11,600 acres) for this species. This includes 38% of the grassland and 6% of the available agricultural land. The Chula Vista Subarea Plan contributes 896 acres (29%) of grassland and 62 acres (1%) of agriculture.	The MSCP Subregional Plan estimated that 42,000 acres (78%) of potential foraging habitat (grassland, agricultural lands) could be developed. Under the Chula Vista Subarea Plan, potential impacts are anticipated to 2,229 acres of grassland (71% of the Subarea's grassland), and 6,192 acres of agriculture (99% of the Subarea's agricultural land).	The Biological Monitoring Plan for the MSCP (Ogden 1996) relies on habitat-based monitoring for this species.	YES
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Rationale for Identifying Species as Covered: The Swainson's hawk was considered adequately conserved by the MSCP Subregional Plan because over 11,000 acres of potential foraging habitat was to be preserved. Grasslands and agricultural fields are the Swainson's hawk's principal foraging habitats. The MSCP emphasizes that additional conservation of grassland habitat should be a priority, and one of the primary factors in the design of preserves in the major amendment areas. Coverage by the MSCP also considered that this species is now an extremely rare visitor during migration, such that the habitat loss is not expected to affect its long term survival. It should be noted, however, that in the early 1900s this was considered the most common breeding hawk in the coastal lowland. The Chula Vista Subarea contributes toward conservation of the Swainson's hawk by preserving 896 acres of grassland and 62 acres of agriculture.

<i>Buteo regalis</i> Ferruginous Hawk FSC / SSC	The MSCP Subregional Plan conserves 22% of potential foraging habitat (11,600 acres). This includes 38% of the grassland and 6% of the agriculture. The Chula Vista Subarea Plan conserves 896 acres (29%) of grassland and 62 acres (1%) of agriculture.	The MSCP Subregional Plan estimated that 42,000 acres (78%) of potential foraging habitat (grassland, agriculture) could be developed. Under the Chula Vista Subarea Plan, potential impacts are anticipated to 2,229 acres (71%) of grassland, and 6,192 acres (99%) of agriculture.	The Biological Monitoring Plan for the MSCP (Ogden 1996) relies on habitat-based monitoring for this species.	YES
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Rationale for Identifying Species as Covered: The ferruginous hawk was considered adequately conserved by the MSCP Subregional Plan because over 11,000 acres of potential foraging habitat was to be preserved. Grasslands and agricultural fields are its principal foraging habitats. The MSCP emphasizes that additional conservation of grassland habitat should be a priority, and one of the primary factors in the design of preserves in the major amendment areas. Coverage by the MSCP also considered that this species is an uncommon winter visitor to the region, such that the habitat loss is not expected to affect its long term survival. The Chula Vista Subarea contributes toward conservation of the ferruginous hawk by preserving 896 acres of grassland and 62 acres of agriculture.

COMMON NAME SCIENTIFIC NAME STATUS (Federal / State)	EXPECTED CONSERVATION	POTENTIAL IMPACTS	MONITORING AND/OR MANAGEMENT PLANS / DIRECTIVES	MEETS NCCP CONSERVATION STANDARDS ?
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<i>Aquila chrysaetos</i> Golden Eagle BEPA / SSC, FPS	The MSCP Subregional Plan anticipated conservation of 53% of potential foraging and/or nesting habitat, consisting of sage scrub, chaparral, grassland, and oak woodland totaling 139,000 acres; large blocks of habitat are conserved in the eastern portion of the MSCP where active nesting territories exist. Of the 11 known territories within (wholly or partially) the MSCP, 7 of these are expected to remain viable.	Four of the 11 active nesting territories are expected to become non-viable due to anticipated development.	The Biological Monitoring Plan for the MSCP (Ogden 1996) relies on habitat-based monitoring for this species. ASMDs for areas with nest sites are to include measures to avoid human disturbance while the nest is active, including establishing a 4,000-foot disturbance avoidance area within preserve lands. ASMDs must also include monitoring of nest sites to determine use/success.	YES
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Rationale for Identifying Species as Covered: The golden eagle was considered adequately conserved by the MSCP Subregional Plan because 139,000 acres of potential foraging/nesting habitat was to be conserved, 7 of the 11 known MSCP territories were expected to remain viable, and because local populations are not critical to, and the plan will not adversely affect, the species' long-term survival. The Chula Vista Subarea Plan contributes 3,534 acres of these upland habitat types as potential foraging habitat. Both the Bella Lago and Rolling Hills Ranch projects are consistent with the MSCP criteria in that there is no encroachment within 4,000 feet of the nest site of the Rancho San Diego golden eagle territory. As a California Fully Protected Species, no direct take of this species is authorized at this time, or expected under the Chula Vista Subarea Plan.

<i>Falco peregrinus anatum</i> American Peregrine Falcon FE / CE, FPS	The MSCP Subregional Plan estimated conservation of 58% of foraging habitat, totaling 89,400 acres of salt marsh, saltpan, freshwater marsh, water, flood channel, sage scrub, and grassland. Also, 61% of historic nest sites are conserved. The Chula Vista Plan contributes 3,890 acres of habitat (includes 190 acres of succulent scrub).	An estimated 39% of potential foraging habitat could be developed under the MSCP; however, impacts to marshes and other wetland habitats were anticipated to be subject to no net loss of function or value and 404(b)(1) requirements.	The Biological Monitoring Plan for the MSCP (Ogden 1996) relies on habitat-based monitoring for this species.	YES
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Rationale for Identifying Species as Covered: The peregrine falcon was considered adequately conserved by the MSCP Subregional Plan because 58% of its potential foraging would be preserved, and impacted wetland habitat would be subject to no net loss and 404(b)(1) guidelines. The Chula Vista Subarea Plan contributes 2,418 acres of coastal sage scrub (65% of the subarea total), 190 acres of maritime succulent scrub (65% of subarea total), 896 acres of grassland (29% of subarea total), 202 acres of coastal salt marsh (99% of subarea total), 14 acres of freshwater/alkaline marsh (88% of subarea total), 24 acres of open water/freshwater (41% of subarea total), and 146 acres of natural flood channel (92% of subarea total). Potential impacts to suitable wetland habitat under the Chula Vista Subarea Plan are therefore extremely limited, and these habitats are subject to the Wetlands Protection Program which emphasizes avoidance, minimization, and mitigation to result in no net loss of wetland functions and values. As a California Fully Protected Species, no direct take of this species is authorized at this time, or expected under the Chula Vista Subarea Plan.

COMMON NAME SCIENTIFIC NAME STATUS (Federal / State)	EXPECTED CONSERVATION	POTENTIAL IMPACTS	MONITORING AND/OR MANAGEMENT PLANS / DIRECTIVES	MEETS NCCP CONSERVATION STANDARDS ?
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<i>Rallus longirostris levipes</i> Light-footed Clapper Rail FE / CE, FPS	The MSCP Subregional Plan provides coverage for this species because approximately 1,700 acres of salt marsh habitat (93% of potential suitable habitat in the MSCP) will be conserved. The Chula Vista Plan contributes 202 acres of salt marsh (99% of Subarea total) of salt marsh preservation.	The MSCP Subregional Plan estimated that 7% of potential habitat (120 acres) could be impacted and/or developed. Impacted potential habitat is expected to be subject to state and federal no net loss policies. Under the Chula Vista Subarea Plan, potential impacts amount to only 2 acres of salt marsh.	ASMDs must include active management of wetlands to ensure a healthy tidal salt marsh environment and specific measures to protect against detrimental edge effects.	YES
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Rationale for Identifying Species as Covered: The light-footed clapper rail was considered adequately conserved by the MSCP Subregional Plan because 93% of its potential habitat would be preserved, and impacted habitat would be subject to state and federal no net loss of function and value policies. The Chula Vista Subarea Plan calls for preservation of 202 of its 204 acres of coastal sage marsh. Potential impacts to suitable wetland habitat under the Chula Vista Subarea Plan are therefore extremely limited, and any impacts are subject to the Wetlands Protection Program which emphasizes avoidance, minimization, and mitigation to result in no net loss of wetland functions and values. Development projects in proximity to salt marsh areas are required to develop ASMDs to provide measures to protect against detrimental edge effects to this species. As a California Fully Protected Species, no direct take of this species is authorized at this time, or expected under the Chula Vista Subarea Plan.

<i>Charadrius alexandrinus nivosus</i> Western Snowy Plover FT / SSC	The MSCP Subregional Plan estimated conservation of 650 acres (93%) of potential habitat, consisting of salt pan and 90-95% of beach habitat outside of intensively used recreation beaches. The Chula Vista Plan does not contribute potential habitat (beaches and saltpan); however, the conservation of 202 acres of salt marsh in the Sweetwater Marsh National Wildlife Refuge is expected to benefit this species.	An estimated 46 acres, or 7%, of potential habitat of the least tern could be developed under the MSCP. Any impacts to habitat meeting the definition of a wetland was anticipated to be subject to no net loss of function or value and 404(b)(1) requirements. Direct impacts to western snowy plovers are not expected from the Chula Vista Subarea Plan.	ASMDs must include protection of nesting sites from human disturbance during the reproductive season and specific measures to protect against detrimental edge effects to this species.	YES
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Rationale for Identifying Species as Covered: The western snowy plover was considered adequately conserved by the MSCP Subregional Plan because approximately 650 acres (93%) of potential habitat were being conserved, and no new development was authorized for beach areas. Additional important habitat is found on military lands (Silver Strand) which are not part of the MSCP. Participating jurisdictions and state and federal statutes will provide additional habitat protection resulting in no net loss of wetlands. More importantly, ASMDs must include protection of nesting sites from human disturbance during the reproductive season and specific measures to protect against detrimental edge effects to this species. Further, incidental take (during the breeding season) associated with maintenance/removal of dikes/levees is not authorized except as specifically approved on a case-by-case basis by the Wildlife Agencies. The Chula Vista Subarea Plan benefits the snowy plover by conserving all salt marsh habitat in the Sweetwater Marsh National Wildlife Refuge (202 acres).

COMMON NAME SCIENTIFIC NAME STATUS (Federal / State)	EXPECTED CONSERVATION	POTENTIAL IMPACTS	MONITORING AND/OR MANAGEMENT PLANS / DIRECTIVES	MEETS NCCP CONSERVATION STANDARDS ?
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<i>Charadrius montanus</i> Mountain Plover FPT / SSC	The MSCP Subregional Plan conserves 11,600 acres (22%) of potential foraging habitat for this species, comprised of grassland and agricultural fields. The Chula Vista Plan contributes approximately 896 acres of grassland and 62 acres of agricultural land.	The MSCP Subregional Plan estimated that 78% of potential foraging habitat (41,100 acres) would potentially be developed. Under the Chula Vista Subarea Plan, potential impacts amount to 2,229 acres of grassland (71%) and 6,130 acres of agricultural land (99%).	The Biological Monitoring Plan for the MSCP (Ogden 1996) relies on habitat-based monitoring for this species. ASMDs for the Tijuana River Valley should specifically address the habitat requirements for mountain plovers.	YES
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Rationale for Identifying Species as Covered: The mountain plover was considered adequately conserved by the MSCP Subregional Plan because 11,600 acres (22%) potential foraging habitat was being conserved. Further, this is an uncommon winter visitor to San Diego County, primarily to the Tijuana River Valley, where it forages in grasslands and agricultural fields. The MSCP conservation requirements for the Tijuana River Valley area is primarily 94%, with a small area identified as 75%. The MSCP is not expected to adversely affect the species' long-term survival. The Chula Vista Plan contributes approximately 896 acres of grassland and 62 acres of agricultural land of potential foraging value to mountain plovers.

<i>Numenius americanus</i> Long-billed Curlew FSC / SSC	The MSCP Subregional Plan conserves approximately 13,500 acres (24%) of potential foraging habitat for this species. This includes coastal salt marsh, salt pan, grassland, and agricultural fields. The Chula Vista Plan contributes 202 acres of salt marsh (99% of Subarea total), 896 acres of grassland, and 62 acres of agricultural fields.	The MSCP Subregional Plan estimated that 76% of potential foraging habitat (42,800 acres) could be developed. Impacted wetland habitat is expected to be subject to state and federal no net loss policies. Under the Chula Vista Subarea Plan, potential impacts amount to 2 acres of salt marsh, 2,229 acres of grassland, and 6,130 acres of agricultural fields.	The Biological Monitoring Plan for the MSCP (Ogden 1996) relies on habitat-based monitoring for this species. No ASMDs were identified in the MSCP for this species.	YES
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Rationale for Identifying Species as Covered: The long-billed curlew was considered adequately conserved by the MSCP Subregional Plan because more than 13,500 acres (24%) of potential foraging habitat was being conserved, and participating jurisdictions and state and federal statutes will provide additional habitat protection resulting in no net loss of wetlands. Further, this is a fairly common migrant and winter visitor to San Diego County, where it forages in grasslands, salt marshes, mudflats, and agricultural fields; the MSCP is not expected to adversely affect the species' long-term survival. The MSCP notes that additional conservation of grassland habitats should be a priority and one of the primary factors in the design of preserve in the major amendment areas. The Chula Vista Plan contributes approximately 202 acres of salt marsh, 896 acres of grassland, and 62 acres of agricultural land, which provide potential foraging habitat to long-billed curlews.

COMMON NAME SCIENTIFIC NAME STATUS (Federal / State)	EXPECTED CONSERVATION	POTENTIAL IMPACTS	MONITORING AND/OR MANAGEMENT PLANS / DIRECTIVES	MEETS NCCP CONSERVATION STANDARDS ?
<i>Sterna elegans</i> Elegant Tern FSC / SSC	The MSCP Subregional Plan estimated conservation of 650 acres (93%) of potential habitat, consisting of salt pan and 90-95% of beach habitat outside of intensively used recreation beaches. The Chula Vista Plan does not contribute potential habitat (beaches and saltpan); however, the conservation of 202 acres of salt marsh in the Sweetwater Marsh National Wildlife Refuge is expected to benefit this species.	An estimated 46 acres, or 7%, of potential habitat of the least tern could be developed under the MSCP. Any impacts to habitat meeting the definition of a wetland was anticipated to be subject to no net loss of function or value and 404(b)(1) requirements. Direct impacts to elegant tern potential habitat are not expected from the Chula Vista Subarea Plan.	ASMDs must include protection of nesting sites from human disturbance during the reproductive season and specific measures to protect against detrimental edge effects to this species.	YES
<p><u>Rationale for Identifying Species as Covered:</u> The elegant tern was considered adequately conserved by the MSCP Subregional Plan because approximately 650 acres (93%) of potential habitat were being conserved, and no new development was authorized for beach areas. Important foraging habitat (bay waters) is under the jurisdiction of the Port Authority and the military and is not part of the MSCP. Participating jurisdictions and state and federal statutes will provide additional habitat protection resulting in no net loss of wetlands. More importantly, ASMDs must include protection of nesting sites from human disturbance during the reproductive season and specific measures to protect against detrimental edge effects to this species. Further, incidental take (during the breeding season) associated with maintenance/removal of dikes/levees is not authorized except as specifically approved on a case-by-case basis by the Wildlife Agencies. The Chula Vista Subarea Plan benefits the elegant tern by conserving all salt marsh habitat in the Sweetwater Marsh National Wildlife Refuge (202 acres).</p>				
<i>Sterna antillarum browni</i> California Least Tern FE / CE, FPS	The MSCP Subregional Plan estimated conservation of 650 acres, or 93% of potential habitat. This consists of salt pan and 90-95% of beach habitat outside of intensively used recreation beaches. The Chula Vista Subarea Plan does not technically contribute potential habitat (beaches and saltpan); however, the conservation of all 202 acres of salt marsh in the Sweetwater Marsh National Wildlife Refuge is also expected to benefit this species.	An estimated 46 acres, or 7%, of potential habitat of the least tern could be developed under the MSCP. Any impacts to habitat meeting the definition of a wetland was anticipated to be subject to no net loss of function or value and 404(b)(1) requirements. Direct impacts to least tern potential habitat are not expected from the Chula Vista Subarea Plan.	ASMDs must include protection of nesting sites from human disturbance during the reproductive season, predator control, and specific measures to protect against detrimental edge effects to this species.	YES

COMMON NAME SCIENTIFIC NAME STATUS (Federal / State)	EXPECTED CONSERVATION	POTENTIAL IMPACTS	MONITORING AND/OR MANAGEMENT PLANS / DIRECTIVES	MEETS NCCP CONSERVATION STANDARDS ?
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Rationale for Identifying Species as Covered: The California least tern was considered adequately conserved by the MSCP Subregional Plan because approximately 650 acres (93%) of potential habitat were being conserved, and no new development was authorized for beach areas. Important foraging habitat (bay waters) is under the jurisdiction of the Port Authority and the military and is not part of the MSCP. Participating jurisdictions and state and federal statutes will provide additional habitat protection resulting in no net loss of wetlands. More importantly, ASMDs must include protection of nesting sites from human disturbance during the reproductive season, predator control, and specific measures to protect against detrimental edge effects to this species. Further, incidental take (during the breeding season) associated with maintenance/removal of dikes/levees or beach maintenance/enhancement is not authorized except as specifically approved on a case-by-case basis by the Wildlife Agencies. The Chula Vista Subarea Plan benefits the California least tern by conserving all salt marsh habitat in the Sweetwater Marsh National Wildlife Refuge (202 acres). Land use adjacency guidelines will also be required for adjacent developments to address lighting, water quality control, and other potential edge effects. As a California Fully Protected Species, no direct take of this species is authorized at this time, or expected under the Chula Vista Subarea Plan.

<i>Speotyto (Athene) cunicularia hypugaea</i> Burrowing Owl FSC / CPT	The MSCP Subregional Plan conserves 4 known locations along with approximately 4,000 acres of known suitable habitat (grassland) and 5,770 acres of potential habitat. The Chula Vista Plan contributes approximately 896 acres of grassland (29%) and 62 acres (1%) of agricultural land as potential habitat for burrowing owls.	The MSCP Subregional Plan anticipated potential impacts to 8 known locations (includes portions of Otay Ranch, San Pasqual Valley, and South County at the international border), and approximately 5,000 acres of known habitat. Potentially suitable habitat which would be impacted under the Chula Vista Subarea Plan includes 2,229 acres of grassland (71%) and 6,130 acres of agricultural land (99%).	During the environmental analysis of proposed projects, burrowing owl surveys (using appropriate protocols) must be conducted in suitable habitat to determine if this species is present and the locations of active burrows. ASMDs must include enhancement of known, historical, and potential burrowing owl habitat and management for ground squirrels. Enhancement measures may include creation of artificial burrows and vegetation management to enhance foraging habitat. Management plans must also include: monitoring of burrowing owl nest sites to determine use and nesting success; predator control; and establishing a 300-foot impact avoidance area (within the preserve) around occupied burrows.	YES
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Rationale for Identifying Species as Covered: The burrowing owl was considered adequately conserved by the MSCP Subregional Plan because approximately 5,770 acres of potential habitat and 4,000 acres of known suitable habitat (grassland vegetation community) were being conserved, including portions of Spring Canyon, San Pasqual Valley, Lake Hodges, Otay Mesa northeast of Brown Field, Otay Ranch, Otay River Valley, and Future Urbanizing Area 4. Eight known burrowing owl locations occur within major amendment areas of the South County Segment of the County of San Diego MSCP Subarea Plan, and the conservation of occupied burrowing owl habitat must be one of the primary factors in preserve design during the permit amendment process. The Wildlife Agencies are also obligated to enhance and manage lands within their ownership to allow for relocation of burrowing owls, particularly in conjunction with burrowing owl removal programs in areas where their presence conflicts with nesting of California least terns.

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The MSCP also requires that focused surveys be conducted in suitable habitat during the environmental review process, and that impacts must be avoided for any burrowing owls occurring in the MHPA. Outside of the MHPA, impacts must be avoided to the maximum extent practicable, any impacted individuals must be relocated out of the impact area using passive or active methods approved by the Wildlife Agencies, and mitigation for impacts to occupied habitat must be through the conservation of occupied burrowing owl habitat or conservation of lands appropriate for restoration, management, and enhancement of burrowing owl nesting and foraging requirements. The MSCP analysis and species evaluations emphasize the importance of enhancement and management of habitat for this species. ASMDs are therefore a very important element of this species coverage, and are to include enhancement of known, historical, and potential burrowing owl habitat and management for ground squirrels (the primary excavator of burrowing owl burrows within the MSCP). Enhancement measure may include creation of artificial burrows and vegetation management to enhance foraging habitat. Management plans must also include: monitoring of burrowing owl nest sites to determine use and nesting success; predator control; and establishing a 300-foot impact avoidance area (within the preserve) around occupied burrows. Since the MSCP approval, neither management plans nor ASMDs have been developed or implemented to benefit burrowing owls, with the exception of one failed attempt to relocate burrowing owls to the San Diego National Wildlife Refuge. Recent analysis indicates that the region's burrowing owl population is in even further decline from that which was evaluated for MSCP, with only one MSCP preserve location supporting any burrowing owls; this site (Spring Canyon) consists of at most 2 pairs, and these are noted to be at risk from off-road vehicle activities.

The burrowing owl was considered adequately conserved by the MSCP Subregional Plan because approximately 5,770 acres of potential habitat and 4,000 acres of known suitable habitat (grassland vegetation community) were being conserved, including portions of Spring Canyon, San Pasqual Valley, Lake Hodges, Otay Mesa northeast of Brown Field, Otay Ranch, Otay River Valley, and Future Urbanizing Area 4. Eight known burrowing owl locations occur within major amendment areas of the South County Segment of the County of San Diego MSCP Subarea Plan, and the MSCP Subregional Plan identifies conservation of occupied burrowing owl habitat is to be one of the primary factors in preserve design during the permit amendment process.

The number of breeding burrowing owls in southern California has drastically declined in the last 50 years, and during the 1980s the decline was probably greater than 70 percent (DeSante and Ruhlen 1995). The status of this species within the Subarea is not well known. Owl pairs previously occupying artificial burrows at the Auld Goff golf course near Rolling Hills Ranch, and occupying ground squirrel burrows southwest of Eastlake High School (near a major SDGE powerline) are no longer present (as of 2003), and no other extant locations within Chula Vista are presently known; however, they may occur within portions of Otay Ranch. This species is also currently known from very few locations, and in low numbers, elsewhere in the MSCP and adjacent areas. The Chula Vista Subarea Plan anticipates conservation of 2,418 acres of coastal sage scrub, 190 acres of maritime succulent scrub, 896 acres of grassland, and 62 acres of agricultural fields; however, not all of these areas will be of a stature and density suitable for occupation by burrowing owls. The low numbers of burrowing owls within the Subarea, and in the MSCP and elsewhere in San Diego County, place this species at considerable risk of extirpation. Therefore, identification and mitigation for any impacts to the remaining owls is essential, as is enhancement and management of suitable burrowing owl habitat, to stabilizing and recovering local burrowing owl populations.

The Chula Vista Subarea Plan and MSCP require that focused surveys for burrowing owls be conducted in suitable habitat during the individual project environmental review process, and that impacts must be avoided for any burrowing owls occurring in the MHPA. Outside of the MHPA, impacts must be avoided to the maximum extent practicable, and any impacted individuals must be relocated out of the impact area using passive or active methods approved by the Wildlife Agencies. Mitigation for impacts to occupied habitat must be through the conservation of occupied burrowing owl habitat or conservation of lands appropriate for restoration, management, and enhancement of burrowing owl nesting and foraging requirements. The MSCP species evaluations emphasize the importance of enhancement and management of habitat for this species. Area Specific Management Directives (ASMDs) are required for specific areas or projects to protect resources at risk. ASMDs and general Subarea Plan implementation require such actions as brush management for fire control; restriction of public access through signage, barriers, or fencing; trail maintenance and monitoring to ensure hikers stay on trails; debris removal; control of exotics; maintaining important wildlife corridor crossings free from obstructions; directives regarding design and control of urban run-off and toxic substances; and where applicable, the control of lighting and noise to prevent adverse impacts on conserved species. These are discussed at much greater length in Sections 6 and 7 of the Chula Vista Subarea Plan.

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ASMDs are therefore a very important element of this species coverage, and are to include enhancement of known, historical, and potential burrowing owl habitat and management for ground squirrels (the primary excavator of burrowing owl burrows within the MSCP). Enhancement measures may include creation of artificial burrows and vegetation management to enhance foraging habitat. Management plans must also include: monitoring of burrowing owl nest sites to determine use and nesting success; predator control; and establishing a 300-foot impact avoidance area (within the Preserve) around occupied burrows. These requirements are anticipated to be much more effective, and consistently applied, through this NCCP process than has historically been imposed by local agencies through the CEQA process. For this reason, potential impacts to burrowing owls are believed to be mitigated to below a level of significance by the Subarea's required measures identified above.

<i>Empidonax traillii extimus</i> Southwestern Willow Flycatcher FE / CE	The MSCP Subregional Plan conserves 76% of potential habitat (approximately 4,900 acres) for this species. This includes preservation of 93% of the riparian woodlands and 80% of riparian scrub, as well as conservation of 88% of the reported localities. The Chula Vista Subarea Plan contributes to the MSCP goals by preserving 10 acres of riparian forest and 594 acres of riparian / tamarisk scrub.	The MSCP Subregional Plan anticipated impacts to approximately 1,400 acres of potential southwestern willow flycatcher habitat (24%); however, impacts to these wetland communities are subject to no net loss policies and 404(b)(1) guidelines. The Chula Vista Subarea Plan anticipates impacts to 10 acres of riparian/tamarisk scrub vegetation.	The Biological Monitoring Plan for the MSCP (Ogden 1996) relies on habitat-based monitoring for this species. ASMDs must include measures to provide appropriate successional habitat, upland buffers for all known populations, cowbird control, and specific measures to protect against detrimental edge effects to this species. Clearing of habitat occupied by least Bell's vireo is restricted to the non-breeding season (September 1 through May 1). Jurisdictions must require new developments, adjacent to preserve areas that create conditions attractive to brown-headed cowbirds, to monitor and control cowbirds.	YES
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Rationale for Identifying Species as Covered: The southwestern willow flycatcher was considered adequately conserved by the MSCP Subregional Plan because 76% of its potential habitat would be preserved, impacted habitat would be subject to no net loss and 404(b)(1) guidelines, and occupied habitat could not be cleared during the breeding season. The Chula Vista Plan contributes 10 acres of riparian woodlands and 594 acres of riparian/tamarisk scrub. Potential impacts to suitable wetland habitat under the Chula Vista Subarea Plan are extremely limited, and these habitats are subject to the Wetlands Protection Program which emphasizes avoidance, minimization, and mitigation to result in no net loss of wetland functions and values.

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<i>Campylorhynchus brunneicapillus couesi</i> Coastal Cactus Wren FSC / SSC	The MSCP Subregional Plan will conserve 850 acres (60% of Subregion total) of maritime succulent scrub in large contiguous blocks. The Chula Vista Subarea Plan contributes 190 acres of maritime succulent scrub (65% of Subarea total) as potential habitat for the cactus wren.	The MSCP Subregional Plan estimated that 580 acres (40% of Subregion total) of maritime succulent scrub would be developed. The Chula Vista Subarea Plan expects 103 acres of maritime succulent scrub (35% of Subarea total) to be developed.	This species is subject to site-specific monitoring under the Biological Monitoring Plan for the MSCP (Ogden 1996). ASMDs must include restoration of maritime succulent scrub habitat, including propagation of cactus patches, active and adaptive management of cactus wren habitat, monitoring of populations within preserves, and specific measures to reduce or eliminate detrimental edge effects. No clearing of occupied cactus wren habitat may occur from February 15 through August 15.	YES
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Rationale for Identifying Species as Covered: The MSCP Subregional Plan considered this species adequately conserved because four of five major populations were conserved, including populations at Lake Hodges/San Pasqual Valley, Lake Jennings, south Sweetwater Reservoir/San Miguel Ranch, and Salt Creek/Otay Mesa, and 60% of potential habitat would be conserved, allowing for expansion of the population with management. Small clusters of cactus wrens at Black Mountain and Spring Valley were also to be conserved. The restoration of maritime succulent scrub habitat, as specified in the Otay Ranch Resource Management Plan and General Development Plan, must occur at the specified 1:1 ratio. The MSCP also notes that restoration of suitable cactus wren habitat and its management are important components of the MSCP Plan. The City of San Diego and the Wildlife Agencies have agreed to make restoration of maritime succulent scrub in Spring Canyon a high priority. ASMDs must include restoration of maritime succulent scrub habitat, including propagation of cactus patches, active/adaptive management of cactus wren habitat, monitoring of populations within preserves, and specific measures to reduce or eliminate detrimental edge effects. The MSCP identified conservation of the cactus wren population along Salt Creek as critical to the persistence of cactus wrens in San Diego County, and conservation of this location was dependent upon implementation of the City of Chula Vista's "Modified GDP B" alternative. This is addressed in Section 3.1.5.4 of the Chula Vista Subarea Plan, which analyzes the effects on sensitive species and habitats for the proposed University Redesign. Although the proposed redesign results in the net loss of 10.3 acres of coastal sage scrub, there is an overall increase of 78.8 acres of habitat conserved, including 11.4 acres of maritime succulent scrub and 4.7 acres of disturbed coastal sage scrub. The redesign also results in the conservation of four cactus wren and three California gnatcatcher point locations. Therefore, the Chula Vista Subarea Plan exceeds the necessary conservation anticipated under the "Modified GDP B" alternative, and contributes 190 acres of maritime succulent scrub (65% of Subarea total) as potential habitat for the cactus wren. This species will further benefit from the system of large, interconnected blocks of habitat that the City's Subarea, which in conjunction with the MSCP Subregional Plan, will establish and preserve suitable habitat in perpetuity. The Preserve will be adaptively managed, which will further reduce indirect effects and benefit the species. No clearing of occupied cactus wren habitat may occur from February 15 through August 15.

The MSCP Subregional Plan considered this species adequately conserved because four of five major populations were conserved, including populations at Lake Hodges/San Pasqual Valley, Lake Jennings, south Sweetwater Reservoir/San Miguel Ranch, and Salt Creek/Otay Mesa, and 60 percent of potential habitat would be conserved, allowing for expansion of the population with management. Small clusters of cactus wrens at Black Mountain and Spring Valley were also to be conserved. The restoration of maritime succulent scrub habitat, as specified in the Otay Ranch Resource Management Plan and General Development Plan, must occur at the specified 1:1 ratio. The MSCP also notes that restoration of suitable cactus wren habitat and its management are important components of the MSCP Plan. The City of San Diego and the Wildlife Agencies have agreed to make restoration of maritime succulent scrub in Spring Canyon a high priority.

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ASMDs must include restoration of maritime succulent scrub habitat, including propagation of cactus patches, active/adaptive management of cactus wren habitat, monitoring of populations within Preserves, and specific measures to reduce or eliminate detrimental edge effects. The MSCP identified conservation of the cactus wren population along Salt Creek as critical to the persistence of cactus wrens in San Diego County, and conservation of this location was dependent upon implementation of the City of Chula Vista's "Modified GDP B" alternative. This is addressed in Section 3.1.5.4 of the Chula Vista Subarea Plan, which analyzes the effects on sensitive species and habitats for the proposed University Redesign. Although the proposed redesign results in the net loss of 10.3 acres of coastal sage scrub, there is an overall increase of 78.8 acres of habitat conserved, including 11.4 acres of maritime succulent scrub and 4.7 acres of disturbed coastal sage scrub. The redesign also results in the conservation of four cactus wren and three California gnatcatcher point locations. Therefore, the Chula Vista Subarea Plan exceeds the necessary conservation anticipated under the "Modified GDP B" alternative, and overall contributes 190 acres of maritime succulent scrub (65 percent of Subarea total) as potential habitat for the cactus wren. Additionally, 2,418 acres of coastal sage scrub will be conserved, some of which is expected to support suitable cactus habitat for cactus wrens. This species will further benefit from the system of large, interconnected blocks of habitat that the City's Subarea, which in conjunction with the MSCP Subregional Plan, will establish and preserve suitable habitat in perpetuity. The Preserve will be adaptively managed, which will further reduce indirect effects and benefit the species. No clearing of occupied cactus wren habitat may occur from February 15 through August 15.

<i>Poliophtila californica californica</i> California Gnatcatcher FT / SSC	The MSCP Subregional Plan will conserve 73,600 acres of coastal sage scrub and interdigitated habitats in an interconnected network of preserves. The Chula Vista Subarea Plan contributes 2,418 acres of coastal sage scrub (65% of total available), and 190 acres of maritime succulent scrub (65% of total available) as potential habitat for the California gnatcatcher.	The MSCP Subregional Plan estimated that 67,300 acres of coastal sage scrub and interdigitated habitats would be developed. The Chula Vista Subarea Plan expects 1,500 acres of combined coastal sage scrub and maritime succulent scrub to be developed.	This species is subject to the MSCP Monitoring Plan requirements. ASMDs must include measures to reduce edge effects and minimize disturbance during the nesting period, fire protection measures to reduce the potential for habitat degradation due to unplanned fire, and management measures to maintain or improve habitat quality including vegetation structure. No clearing of occupied California gnatcatcher habitat may occur in the MHPA from March 1 through August 15.	YES
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Rationale for Identifying Species as Covered: The MSCP Subregional Plan considered this species adequately conserved because over 73,300 of existing or potential gnatcatcher habitat would be conserved and linked together; over 81% of the core areas where this species occurs (Otay, San Miguel, Mission Trails, Santee, Kearny Mesa, Poway, San Pasqual, and Lake Hodges) will be conserved; and 65% (1,819 of the 2,814) of the known locations will be conserved. The Subregional Plan calculated 68% (57,874 acres) of habitat supporting core gnatcatcher populations, 70% (30,273 acres) of Very High value and 62% High value (4,609 acres) gnatcatcher coastal sage scrub habitat will be conserved. Critical habitat linkages between core areas will be conserved in a functional manner, with a minimum of 75% of the habitat within identified linkages conserved. The Chula Vista Subarea Plan contributes 2,418 acres of coastal sage scrub (65% of subarea total) and 190 acres of maritime succulent scrub (65% of subarea total) toward the conservation of the California gnatcatcher. This species will further benefit from the system of large, interconnected blocks of habitat that the City's Subarea, which in conjunction with the MSCP Subregional Plan, will establish and preserve suitable habitat in perpetuity. The Preserve will be adaptively managed, which will further reduce indirect effects and benefit the species.

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The California gnatcatcher is principally a resident of coastal sage scrub vegetation, which has been a focus of regional conservation planning and the MSCP. California gnatcatchers occupy both large and smaller tracts of suitable habitat, and implementation of the Chula Vista Subarea Plan is expected to directly remove occupied sage scrub habitat. USFWS estimates that approximately 808 acres of the total 2,060 acres of critical habitat located within the Subarea but outside of the Preserve, supports primary constituent elements for the California gnatcatcher (USFWS 2003). These 808 acres (13 percent of the critical habitat within the Subarea) are estimated to be the amount of direct take of potentially occupied gnatcatcher habitat. This take, "though not negligible, will be compensated by the preservation in perpetuity and management of the 87 percent of habitat on lands within the Preserve" (USFWS 2003). CDFG agrees with the USFWS position regarding potential impacts to the federally threatened California gnatcatcher.

<i>Sialia mexicana</i> Western Bluebird None / None	The MSCP Subregional Plan calculated conservation of 15,500 acres (59%) of potential habitat, consisting of oak riparian forest, oak woodland, and grassland. The Chula Vista Plan conserves 896 acres of grassland, but this grassland is not associated with oak woodland habitat.	The MSCP Subregional Plan expected that 12,100 acres of potential habitat for the western bluebird (41% of total) in the MSCP would be developed. The Chula Vista Subarea Plan will develop 2,229 acres of grassland habitat.	The Biological Monitoring Plan for the MSCP (Ogden 1996) relies on habitat-based monitoring for this species. No specific ASMDs were required under the MSCP.	YES
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Rationale for Identifying Species as Covered: The western bluebird was considered adequately conserved by the MSCP Subregional Plan because of the large number of acres of potential habitat (15,000 acres) which will be conserved. The Chula Vista Subarea contributes 896 acres of grassland toward conservation. However, the absence of a significant patch of oak woodland within the Subarea makes it unlikely this grassland will significantly benefit western bluebirds, nor is this species expected to be significantly impacted by implementation of the Chula Vista Plan. This species is considered adequately conserved due to contributions of other MSCP participants and the system of interconnected preserve areas within the greater MSCP.

<i>Vireo bellii pusillus</i> Least Bell's Vireo FE / CE	The MSCP Subregional Plan provides coverage for this species because 81% of potential habitat (approximately 1,700 acres) will be preserved. This includes preservation of 58% of the oak riparian forests and 93% of the riparian woodlands, as well as conservation of 82-100% of the major populations. The Chula Vista Subarea Plan contributes to the MSCP goals by preserving 10 acres of riparian forest. Preservation of 594 acres of riparian/tamarisk scrub in the Subarea is likely to provide additional benefit to this species.	The MSCP Subregional Plan anticipated impacts to approximately 400 acres of potential least Bell's vireo habitat (19%); however, impacts to these wetland communities are subject to no net loss policies and 404(b)(1) guidelines. The Chula Vista Subarea Plan anticipates impacts to 10 acres of riparian/tamarisk scrub, which could provide habitat to vireos.	The Biological Monitoring Plan for the MSCP (Ogden 1996) relies on habitat-based monitoring. ASMDs must address appropriate successional habitat, upland buffers for all known populations, cowbird control, and specific measures to protect against detrimental edge effects to this species. Clearing of habitat occupied by least Bell's vireo is restricted to the non-breeding season (Sep 15 - Mar 15). Jurisdictions must require new projects adjacent to preserve areas that create conditions favorable to cowbirds, to monitor and control cowbirds.	YES
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Rationale for Identifying Species as Covered: The least Bell's vireo was considered adequately conserved by the MSCP Subregional Plan because 81% of its potential habitat would be preserved, impacted habitat would be subject to no net loss and 404(b)(1) guidelines, and occupied habitat could not be cleared during the breeding season. The Chula Vista Plan contributes only 10 acres of riparian woodlands, but also provides 594 acres of riparian/tamarisk scrub, some of which is likely to support breeding vireos. Potential impacts to suitable wetland habitat under the Chula Vista Subarea Plan are extremely limited, and these habitats are subject to the Wetlands Protection Program which emphasizes avoidance, minimization, and mitigation to result in no net loss of wetland functions and values.

<i>Aimophila ruficeps canescens</i> California Rufous-crowned Sparrow FSC / SSC	The MSCP Subregional Plan will conserve 73,600 acres of potential habitat (59%). This is comprised of coastal sage scrub, maritime succulent scrub, and coastal sage/chaparral vegetation communities. Also, the MSCP conserves 71% of the known point locations. The Chula Vista Subarea Plan contributes 2,418 acres of coastal sage scrub (65% of total available), and 190 acres of maritime succulent scrub (65% of total available).	The MSCP Subregional Plan estimated that 41% of potential habitat and 29% of the known point locations would be developed. The Chula Vista Subarea Plan expects 1,500 acres of combined coastal sage scrub and maritime succulent scrub will be developed.	The Biological Monitoring Plan for the MSCP (Ogden 1996) relies on habitat-based monitoring for this species. ASMDs were required to include maintenance of dynamic processes, such as fire, to perpetuate some open phases of coastal sage scrub with herbaceous communities.	YES
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Rationale for Identifying Species as Covered: The MSCP Subregional Plan considered this species adequately conserved because 59% of the suitable habitat would be conserved. The rufous-crowned sparrow is expected to be relatively common and widespread within suitable habitat, both within the Subarea Plan area and the larger MSCP. The Subarea Plan contributes 2,418 acres of suitable habitat, which is approximately 65% of the available suitable habitat in the Plan area. This species will benefit from the system of large, interconnected blocks of habitat that the City's Subarea, in conjunction with the MSCP Subregional Plan, will establish and preserve in perpetuity. The Preserve will be adaptively managed, which will further reduce indirect effects and benefit the species.

<i>Passerculus sandwichensis beldingi</i> Belding's Savannah Sparrow FSC / CE	The MSCP Subregional Plan conserves approximately 1,700 acres of salt marsh habitat (93% of potential suitable habitat in the MSCP), and 71% of mapped locations of this species. The Chula Vista Plan contributes 202 acres of salt marsh (99% of Subarea total).	The MSCP Subregional Plan estimated that 7% of potential habitat (approximately 120 acres) could be impacted and/or developed. Impacted potential habitat is expected to be subject to state and federal no net loss policies. Under the Chula Vista Subarea Plan, potential impacts amount to only 2 acres of salt marsh.	The MSCP Monitoring Plan for this species is habitat based. ASMDs are required to provide measures to protect against detrimental edge effects.	YES
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Rationale for Identifying Species as Covered: Belding's savannah sparrow was considered adequately conserved by the MSCP Subregional Plan because 93% of its potential habitat would be preserved, and impacted habitat would be subject to state and federal no net loss of function and value policies. Approximately 71% of the mapped localities are within the MSCP preserve. The Chula Vista Subarea Plan calls for preservation of 202 of its 204 acres of coastal sage marsh. Potential impacts to suitable wetland habitat under the Chula Vista Subarea Plan are therefore extremely limited, and any impacts are subject to the Wetlands Protection Program which emphasizes avoidance, minimization, and mitigation to result in no net loss of wetland functions and values. Development projects in proximity to salt marsh areas are required to develop ASMDs to provide measures to protect against detrimental edge effects to this species.

<i>Passerculus sandwichensis rostratus</i> Large-billed Savannah Sparrow FSC / SSC	The MSCP Subregional Plan conserves approximately 1,700 acres (93%) of salt marsh habitat, and 50% of mapped locations of this species. The Chula Vista Plan contributes 202 acres of salt marsh (99% of Subarea total).	The MSCP Subregional Plan estimated that 7% of potential habitat (120 acres) could be developed. Impacted potential habitat is subject to no net loss policies. The Chula Vista Subarea Plan impacts up to 2 acres of salt marsh.	The MSCP Monitoring Plan for this species is habitat based. ASMDs are required to provide measures to protect against detrimental edge effects.	YES
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Rationale for Identifying Species as Covered: The large-billed savannah sparrow was considered adequately conserved by the MSCP Subregional Plan because 93% of its potential habitat would be preserved, and impacted habitat would be subject to state and federal no net loss of function and value policies. Fifty % of the mapped localities are within the MSCP preserve. The Chula Vista Subarea Plan calls for preservation of 202 of its 204 acres of coastal sage marsh. Potential impacts to suitable wetland habitat under the Chula Vista Subarea Plan are extremely limited, and any impacts are subject to the Wetlands Protection Program which emphasizes avoidance, minimization, and mitigation to result in no net loss of functions and values. Development projects in proximity to salt marsh are required to develop ASMDs to provide measures to protect against detrimental edge effects.

<i>Ammodramus savannarum</i> Grasshopper Sparrow None / None	Insufficient information was available in the MSCP Subregional analysis to determine if adequate habitat was being conserved, and additional analysis was not performed for the Chula Vista Subarea Plan. This is not a covered species for any of the participating MSCP jurisdictions.			NO
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<i>Agelaius tricolor</i> Tricolored Blackbird FSC / SSC	The MSCP Subregional Plan conserves 4, 800 acres (77%) of potential breeding habitat, comprised of freshwater marsh and riparian scrub. The MSCP preserve also encompasses 59% of known locations of this species. The Chula Vista Plan contributes 14 acres of freshwater/alkali marsh and 594 acres of riparian/tamarisk scrub.	The MSCP Subregional Plan estimated 23% of potential breeding habitat (1,400 acres) could be impacted. Under the Chula Vista Subarea Plan, potential impacts amount to 2 acres of freshwater/alkali marsh and 10 acres of riparian/tamarisk scrub. Impacts to potential foraging habitat in the Subarea include the loss of 2,229 acres of grassland and 6,130 acres of agriculture.	ASMDs must include measures to avoid impacts to breeding colonies and specific measures to protect against detrimental edge effects to this species.	YES
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COMMON NAME SCIENTIFIC NAME STATUS (Federal / State)	EXPECTED CONSERVATION	POTENTIAL IMPACTS	MONITORING AND/OR MANAGEMENT PLANS / DIRECTIVES	MEETS NCCP CONSERVATION STANDARDS ?
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Rationale for Identifying Species as Covered: The tricolored blackbird was considered adequately conserved by the MSCP Subregional Plan because 77% of its potential breeding habitat and 59% of mapped localities would be preserved. Locations of breeding colonies may change from year to year, but with a goal of no net loss of wetlands, most of the suitable breeding sites will continue to be available. Tricolored blackbirds typically forage in grasslands and agricultural fields near the breeding habitat. The MSCP Subregional Plan estimated that foraging habitat near the known nesting colonies will be conserved at 70-100%. Potential impacts to suitable wetland habitat under the Chula Vista Subarea Plan are extremely limited, and these habitats are subject to the Wetlands Protection Program which emphasizes avoidance, minimization, and mitigation to result in no net loss of wetland functions and values.

MAMMALS

<i>Corynorhinus townsendii pallescens</i> Townsend's Western Big-eared Bat FSC / SSC	Due to insufficient data on the distribution and life history, this is not a covered species for any participating jurisdiction of the MSCP.			NO
<i>Eumops perotis californicus</i> California Mastiff Bat FSC / SSC	Due to insufficient data on the distribution and life history, this is not a covered species for any participating jurisdiction of the MSCP.			NO
<i>Perognathus longimembris pacificus</i> Pacific Pocket Mouse FE / SSC	Due to insufficient data on the distribution and life history, only three or four known populations across southern California (none within MSCP), this is not a covered species for any participating jurisdiction of the MSCP.			NO
<i>Taxidea taxus</i> American Badger None / SSC	The MSCP Subregional Plan calculated the conservation of 82,500 acres of habitat suitable for badgers, consisting of grassland, coastal sage scrub, and coastal sage/chaparral scrub communities. The Chula Vista Subarea will contribute 3,504 acres of uplands potentially suitable for badgers, consisting of 2,418 acres (65%) of coastal sage scrub and 896 acres (29%) of grassland.	The MSCP Subregional Plan estimated that 58,300 acres of suitable habitat (42%) for badgers would be developed. The Chula Vista Subarea Plan anticipates the loss of 2,229 acres of grassland (71%) and 1,397 acres of coastal sage scrub (35%), as well as the loss of 103 acres of maritime succulent scrub (35%).	The Biological Monitoring Plan for the MSCP (Ogden 1996) relies on habitat-based monitoring for this species. ASMDs must include measures to avoid direct human impacts to this species if it is present or likely to be present.	YES

COMMON NAME SCIENTIFIC NAME STATUS (Federal / State)	EXPECTED CONSERVATION	POTENTIAL IMPACTS	MONITORING AND/OR MANAGEMENT PLANS / DIRECTIVES	MEETS NCCP CONSERVATION STANDARDS ?
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Rationale for Identifying Species as Covered: The badger has a broad distribution across western North America, and potential impacts to badger populations within the MSCP are not expected to adversely affect this species' long term survival. This species is considered to be adequately conserved under the MSCP by the preservation of approximately 82,500 acres of potential habitat. Chula Vista conserves 3,504 acres of potential habitat toward this goal. The MSCP notes that additional conservation of grassland habitat should be a priority and one of the primary factors in the design of preserves in the major amendment areas.

<i>Felis concolor</i> Mountain Lion None / Specially Protected	The MSCP Subregional Plan calculated the conservation of approximately 105,000 acres of habitat, consisting of 81% of core areas 5, 6, 7, 8, 9, 11, and 12, and connected by linkages C, D, and N. The Chula Vista Subarea anticipates the conservation of 3,532 acres of uplands suitable for use by mountain lion.	The MSCP Subregional Plan estimated up to 19% of core areas would be impacted, or approximately 24,000 acres of suitable habitat. Approximately 3,729 acres of suitable upland habitats are expected to be developed within the Chula Vista Subarea.	Monitoring of mountain lion presence in the MSCP is primarily achieved through a selected monitoring of animal movement through key linkage areas.	YES
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Rationale for Identifying Species as Covered: The mountain lion is a very wide ranging animal with a broad distribution across North and South America, and its aesthetic and intrinsic values make it an important animal to protect under the MSCP. The criteria used to define core and linkage areas involve ecosystem function and processes, including large animal movement. By connecting each core area to one or more other core areas, or to habitat areas outside of the MSCP, the balance in the ecosystem will be maintained. The Wildlife Agencies will implement a monitoring program to detect unanticipated changes in ecosystem function and allow for adaptive management of the preserve system. Each subarea will include specific design criteria for linkages and road crossings/undercrossings. The Chula Vista contributes core habitat in the northern reaches of the Subarea (i.e., southern slopes of San Miguel Mountain region) as well as along the Otay River Valley and Salt Creek.

<i>Odocoileus hemionus fuliginata</i> Southern Mule Deer None / None	The MSCP Subregional Plan calculated the conservation of 105,000 acres of habitat, consisting of 81% of core areas 5, 6, 7, 8, 9, 11, and 12, and connected by linkages C, D, and N. The Chula Vista Subarea conserves 3,532 acres of uplands suitable for use by mule deer.	The MSCP Subregional Plan estimated up to 19% of core areas would be impacted, or approximately 24,000 acres of suitable habitat. Approximately 3,729 acres of suitable upland habitats are expected to be developed within the Chula Vista Subarea.	Monitoring of mule deer populations is primarily achieved through a habitat-based conservation strategy and selected monitoring of animal movement through key linkage areas.	YES
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Rationale for Identifying Species as Covered: The mule deer is the only large native herbivore in the MSCP, and is broadly distributed with aesthetic and intrinsic values. It was therefore an important species to protect under the MSCP. The criteria used to define core and linkage areas involve ecosystem function and processes, including large animal movement. By connecting each core area to one or more other core areas, or to habitat areas outside of the MSCP, the balance in the ecosystem will be maintained. The Wildlife Agencies will implement a monitoring program to detect unanticipated changes in ecosystem function and allow for adaptive management of the preserve system. Each subarea will include specific design criteria for linkages and road crossings/undercrossings. The Chula Vista contributes core habitat in the northern reaches of the Subarea (i.e., southern slopes of San Miguel Mountain region) as well as along the Otay River Valley and Salt Creek.

FSC = Federal Species of Concern

FE = Federal Endangered

FT = Federal Threatened

FPT = Federal Proposed Threatened

CSC = California Species of Concern

CE = California Endangered

CT = California Threatened

CR = California Rare

BGEPA = Bald and Golden Eagle Protection Act