APPENDIX D

Biological Resources Technical Report

DRAFT

Biological Resources Technical Report for the SDSU New Student Housing Project

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SUMMARY OF FINDINGS

The San Diego State University (SDSU) New Student Housing Project (proposed project) is located at the northwest corner of the main SDSU campus, north of the campus athletic fields and Remington Road, west of 55th Street and east of privately owned residential properties. The proposed project includes the construction and operation of several multi-story residence halls and an associated stand-alone dining facility on an undeveloped 8.02-acre canyon site surrounded by on-campus student housing, institutional and recreational uses, and off-campus single-family residences.

The following report assesses the biological resources found within the project site and the resulting impacts that would occur following project implementation. The report has been prepared to provide supporting information for an environmental impact report (EIR) being prepared for the proposed project. The report first provides the local and regional setting followed by a detailed description of the proposed project. The report then identifies the methodology used to assess the biological resources found within the project area. A discussion of the existing biological resources, including vegetation communities, flora and fauna, wetlands and jurisdictional resources, and wildlife corridors, is presented following the methodology section. The report then provides the significance thresholds, analysis, results, and mitigation measure recommendations. The report concludes with a discussion of the level of significance after the proposed mitigation measures are included as part of the proposed project.

Vegetation mapping, focused botanical surveys, focused surveys for the coastal California gnatcatcher (*Polioptila californica californica*), and a jurisdictional delineation was conducted by Dudek from February through June 2014. Current surveys for California gnatcatcher and rare plants are ongoing and will be completed by June 2017. This report documents the results of Dudek's field work and provides an analysis of the impacts related to the proposed project.

Based on species composition and general physiognomy, one native plant community, Diegan coastal sage scrub, (including disturbed forms) was identified within the 8.02-acre project site. Two land cover types, ornamental and developed, were also mapped within the project site. No special-status wildlife or plant species were recorded during project surveys, and no federally listed coastal California gnatcatchers were observed, although there is potential habitat for several other special-status wildlife species.

Based on a jurisdictional delineation, one drainage onsite was identified as jurisdictional under the U.S Army Corps of Engineers (ACOE) and Regional Water Quality Control Board (RWQCB). Approximately 728 linear feet of non-wetland waters (ephemeral stream channels)

under the jurisdiction of ACOE and RWQCB are found within the project site. This drainage connects downstream with the San Diego River and, eventually, the Pacific Ocean.

The SDSU New Student Housing Project will result in permanent direct impacts to approximately 2.31 acres associated with Phase I, 1.02 acres associated with Phase II, and 2.76 acres associated with Phase III of upland vegetation communities and land covers. Potential significant impacts are limited to potential direct and indirect effects of construction on breeding birds and special-status plant species and California gnatcatcher if determined to be present. Mitigation to reduce this impact to a level less than significant, includes habitat preservation in a mitigation bank and/or onsite, avoidance of the breeding bird season or preconstruction surveys for nesting birds and implementation of construction noise limitations/setbacks, if necessary.

1 INTRODUCTION

1.1 Regional and Local Setting

The campus is situated along Interstate 8 (I-8) approximately 8 to 10 miles from downtown San Diego (see Figure 1, Regional Map; and Figure 2, Vicinity Map). The proposed project would be located on an 8.02-acre site at the northwest corner of the main San Diego State University (SDSU) campus. The campus is part of the College Area Community of the City of San Diego.

The proposed project would be developed west of the SDSU academic buildings and north of the campus athletic fields. The site is defined by Remington Road to the south, 55th Street to the east, and private properties to the north and west. The land on which the proposed project would be developed is owned by SDSU and is located within the existing campus boundary.

1.2 Project Description

The proposed project is the expansion of on-campus student housing facilities to be located adjacent to the existing Chapultepec Hall. Specifically, the proposed project would develop facilities to accommodate up to 2,700 student housing beds in a series of residential towers to be located on the existing Parking Lot 9 (formerly U Parking Lot) and centered on the existing Chapultepec Hall. The proposed project would be developed in three successive phases. See Figure 3, Preliminary Concept Design and Project Phasing.

- **Phase I**: Phase I will be constructed east of the existing Chapultepec Hall and will consist of a total of 850 beds and approximately 205,000 gross square feet (GSF) total. The resident rooms, shared bathrooms, and social spaces will be provided in up to four separate residence hall structures, which may be connected on all or several floors. These buildings vary in height from four to six stories. A separate two-story building of approximately 15,000 GSF (included in the 205,000 GSF above) containing food service facilities and a flexible use seating/gathering space will be located at the east end of the site. This building will serve residents of this on-campus housing community, residents of nearby student housing (such as the apartments on 55th Street), and students who may live elsewhere on or off campus but are in the area for classes in Peterson Gym or activities in the recreation facilities. The food service/social building will be located at the corner of Remington Road and 55th Avenue.
- **Phase II** Phase II will be constructed west of Chapultepec Hall and will consist of up to 850 beds in a single structure of up to 188,000 GSF. This building will be up to 14 stories total, with at least one of those 14 stories below the grade at Remington Road.

- **Phase III**: Phase III will consist of four buildings configured in a splayed arrangement around the north and west sides of the existing Chapultepec Hall. These buildings will contain up to 866 beds and will be up to 214,000 GSF in size and up to 11 stories in height, with two of those stories below grade.
- **Other Features:** Green roofs, courtyards, a park, terrace, and native plantings are planned as part of this project. It is anticipated that the proposed project would require new points of connection for some of the residence halls for domestic water, water for fire, and sewer from the existing utility lines within Remington Road. Improved walkway, fire land/service road, and drop-off zone are planned as part of this project.

2 METHODOLOGY

Data regarding biological and jurisdictional resources present within the project site were obtained through a review of pertinent literature and field reconnaissance; both are described in detail below.

2.1 Literature Review

The following data sources were reviewed to assist with the biological and jurisdiction efforts:

- Natural Resource Conservation Service Websoil Survey (U.S. Department of Agriculture (USDA 2016)),
- California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB; CDFW 2014, 2017a),
- California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants (CNPS 2014, 2017),
- U.S. Geological Survey National Hydrography Dataset (USGS 2016),
- U.S. Fish and Wildlife Service (USFWS) Species Occurrence Data (USFWS 2014, 2017), and
- San Diego Geographic Information Source (SanGIS) database (SanGIS 2016).

Native plant community classifications used in this report follow *Preliminary Descriptions of the Terrestrial Natural Communities of California* (Holland 1986) as modified by the County and noted in *Draft Vegetation Communities of San Diego County* (Oberbauer et al. 2008).

2.2 Field Reconnaissance

Between February and April 2014, Dudek conducted vegetation mapping, rare plant surveys, a jurisdictional delineation, and focused coastal California gnatcatcher surveys for the proposed project. An updated vegetation mapping and jurisdictional delineation was conducted in January 2017. Updated surveys for coastal California gnatcatcher began in March 2017 and are ongoing, and rare plant surveys are scheduled for spring and summer 2017. Table 1 lists the dates, conditions, and survey focus for each survey performed.

Table 1
Schedule of Surveys

Date	Hours	Personnel[1]	Focus[2]	Conditions
2/20/2014	0900–1100	AMH	CAGN Survey	64° – 68° Fahrenheit (°F); 0% cloud cover (% cc); 3–5 miles per hour (mph) winds
3/6/2014	0730–0945	AMH	CAGN Survey	61°–43 °F; 100% cc; 3–5 mph winds
3/17/2014	0730–0930	AMH	CAGN Survey	55°–61°F; 0% cc; 1–3 mph winds
3/19/14	1440-1650	VRJ, EAW	Jurisdictional Delineation and Vegetation Mapping	74ºF; 0% cloud cover; 7–10 mph winds
3/24/2014	0805–1100	AMH	CAGN Survey	58°–64°F; 100% cc; 1–3 mph winds
3/31/2014	0730–0905	AMH	CAGN Survey	58°–61°F; 100% cc; 1–3 mph winds
4/8/2043	0700–0930	AMH	CAGN Survey	58°–62°F; 100% cc; 3–5 mph winds
4/15/2014	0725–0930	AMH	CAGN Survey	61°–68°F; 0% cc; 3–5 mph winds
4/30/14	0940- NR[3]	ACT, KM	Rare Plant Survey	82°–95°F; 10% cc; 10–20 mph winds
1/4/2017	0945-1133	CJA	Jurisdictional Delineation and Vegetation Mapping	59°–66°F; 15–%20% cc; 0 mph winds
3/16/17	0815-1010	PL	CAGN Survey	61°–71°F; 0%–100% cc; 0-5 mph winds
3/24/17	0740-0945	PL	CAGN Survey	55°–61°F; 0% cc; 0-3 mph winds
3/31/17	0825-1015	PL	CAGN Survey	58°–63°F; 10-80% cc; 0-4 mph winds
4/2/17	0902-1258	EB	Rare Plant Survey – Spring Pass	62°–76°, 0% cc, 0-2 mph winds
4/8/17	0830-1010	PL	CAGN Survey	63°–66°F; 80-100% cc; 0-4 mph
4/17/17	0750-1000	PL	CAGN Survey	58°–70°F; 50-80% cc; 1-3 mph
4/24/17	TBD	TBD	CAGN Survey	TBD
June 2017	TBD	TBD	Rare Plant Survey	TBD

Notes :
1 AMH = Anita M. Hayworth ; ACT = Andy Thomson ; CJA = Callie J. Amoaku ; EB = Erin Bergman; EAW = Emily A. Wier ; KM = Kyle Matthews ; PL = Paul Lemons; VRJ = Vipul Joshi
2 CAGN = coastal California gnatcatcher
3 NR = Not Recorded

2.3 Resource Mapping

Vegetation communities and land uses on and within 100 feet of the site were mapped in the field directly onto a 200-foot-scale (1 inch = 200 feet), aerial photograph–based field map of the project site (Bing Maps 2014, 2017). Following completion of the fieldwork, all vegetation polygons were transferred to a topographic base and digitized using ArcGIS and a geographic information system (GIS) coverage was created by Senior GIS Analyst Lesley Terry. Once in ArcGIS, the acreage of each vegetation community and land cover present on site was determined.

Vegetation community classifications used in this report follow Holland (1986) and Oberbauer et al. (2008), where feasible, with modifications to accommodate the lack of conformity of the observed communities to those of Holland (1986) or Oberbauer et al. (2008).

2.4 Flora

Dudek conducted a focused plant survey within the 8.02-acre project site on April 30, 2014, to maximize detection of special-status plants (Table 1). An updated focused plant survey was completed in April 2017 and a second pass is scheduled for June 2017. All native and naturalized plant species encountered on the project site were identified and recorded. Latin and common names for plant species with a California Rare Plant Rank (CRPR) (formerly CNPS List) follow the California Native Plant Society On-Line Inventory of Rare, Threatened, and Endangered Plants of California (CNPS 2017). For plant species without a CRPR, Latin names follow the Jepson Interchange List of Currently Accepted Names of Native and Naturalized Plants of California (Jepson Flora Project 2017), and common names follow the List of Vegetation Alliances and Associations (CDFW 2010) or the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service Plants Database (USDA 2017).

The potential for special-status plant and wildlife species to occur on the project site was evaluated based on site location, elevation, vegetation condition, vegetation/land covers, and soils present. Land covers on site were mapped in the field directly onto a 200-scale (1 inch = 200 feet) aerial base (Bing Maps 2014, 2017). Species observed during field surveys are reported in Appendix A.

2.5 Fauna

All wildlife species detected during the field surveys by sight, calls, tracks, scat, or other signs were recorded. Binoculars (10×40 magnification) were used to aid in the identification of observed wildlife. In addition to species actually detected, expected wildlife use of the site was determined by known habitat preferences of local species and knowledge of their relative distributions in the area. Latin and common names of animals follow Crother (2012) for reptiles and amphibians, American Ornithologists' Union (AOU 2017) for birds, Wilson and Reeder (2005) for mammals, and North American Butterfly Association (NABA) (2001) or SDNHM (2002) for butterflies. Species observed during field surveys are reported in Appendix B.

2.5.1 Focused California Gnatcatcher Surveys

Surveys for the coastal California gnatcatcher (*Polioptila californica californica*) were conducted in 2014 under the authorization of permit TE-781084 (Dr. Anita M. Hayworth) according to the schedule provided in Table 1. The survey followed the most current protocol

established by the USFWS, *Coastal California Gnatcatcher (*Polioptila californica californica*) Presence/Absence Survey Protocol, July 28, 1997* (USFWS 1997). Updated coastal California gnatcatcher surveys are ongoing and will be completed in April 2017.

Per the protocol, suitable habitat within the project site was surveyed seven times in 2014 and six times in 2017 for the coastal California gnatcatcher and included coastal sage scrub, and disturbed forms, for a total survey acreage of approximately 3.48 acres. A topographic map of the site (scale 1 inch = 100 feet) overlain with vegetation polygons was used for the survey. Weather conditions during surveys are provided in Table 1. Binoculars were used to aid in detecting and identifying bird species. Taped gnatcatcher vocalizations were played frequently in order to elicit a response from the species, if present. The tape was played approximately every 50–100 feet within suitable habitat. When a gnatcatcher was detected, playing of the tape ceased in order to avoid harassment and the gnatcatcher location was recorded on the site map.

2.6 Jurisdictional Wetlands Delineation

A delineation of jurisdictional waters was conducted within the project area on March 19, 2014, and reviewed again on January 4, 2017. The entire project site was surveyed on foot for the following types of features:

- Waters of the United States, including wetlands, under the jurisdiction of the U.S. Army Corps of Engineers (ACOE), pursuant to Section 404 of the federal Clean Water Act
- Waters of the state under the jurisdiction of the California Regional Water Quality Control Board (RWQCB), pursuant to Section 401 of the federal Clean Water Act and the Porter–Cologne Water Quality Control Act as wetlands or drainages
- Streambeds under the jurisdiction of CDFW, pursuant to Section 1602 of the California Fish and Game Code.

Wetland waters of the United States are delineated based on methodology described in the 1987 ACOE *Corps of Engineers Wetlands Delineation Manual* (ACOE 1987) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (ACOE 2008). ACOE and RWQCB jurisdictional wetlands are determined based on the presence of all three wetlands criteria: hydrophytic vegetation, hydrology, and hydric soils.

Non-wetland waters of the United States are delineated based on the presence of an Ordinary High Water Mark (OHWM) as determined utilizing the methodology in *A Field Guide to the Identification of the Ordinary High Water Mark in the Arid West Region of the Western United States* (ACOE and EPA 2008).

In accordance with California Fish and Game Code, streambeds are determined based on the presence of a definable bed and bank and are delineated from top of bank to top of bank or the extent of associated riparian vegetation (CDFW jurisdiction). For shallow drainages and washes that do not support riparian vegetation, the top of bank measurement may be the same as the OHWM measurement.

County-regulated wetlands were identified where a predominance of hydrophytic vegetation was associated with a stream channel or where an area supported at least one of the three wetlands indicators (i.e., hydrology, hydric soils, or hydrophytic vegetation).

The jurisdictional delineation performed on site included two data stations at the locations shown on Figure 3 (Appendix C). Data stations were collected in pairs along a transect line with the first data point being located in the generally lower, more mesic area and the second point being located upslope, or above the OHWM and where the three jurisdictional criteria would likely no longer be met (based on elevation, vegetation, soil, and or, hydrological indicators).

2.7 Survey Limitations

Focused surveys for potentially occurring special-status plant species were conducted in April 2014 and 2017. Almost all of the potentially occurring special-status plant species have blooming periods that overlap with the survey date. An additional pass is scheduled for June 2017 to capture the summer-blooming species.

The nearest active weather station is located in San Diego Lindberg Field, southwest of the project site, and generally receives an average rainfall of approximately 9.93 inches per year (Western Regional Climate Center 2017). Average annual maximum temperatures are 67.55° Fahrenheit (°F), and average minimum temperatures are 61.27°F. Precipitation amounts for the water year (i.e. July 1 to June 30) for San Diego Lindberg Field from 2011 to 2012 were recorded at 8.03 inches, from 2012 to 2013 were recorded at 6.51 inches, and from 2013 to 2014 were recorded at 5.06 inches. Rainfall from July 1, 2016 to February 28, 2017, was recorded at 11.62 inches (Western Regional Climate Center 2017).

Focused surveys for special-status wildlife species other than coastal California gnatcatcher and reptile/small mammal trapping were not conducted for the project. Nocturnal surveys were not conducted for the project. Birds represent the largest component of the vertebrate fauna, and because most are active in the daytime, diurnal surveys maximize the number of observations of this portion of the fauna. In contrast, daytime surveys usually result in few observations of mammals, many of which may be active at night. In addition, many species of reptiles and amphibians are nocturnal or cryptic in their habits and are difficult to observe using standard meandering transects.

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3 EXISTING CONDITIONS

The SDSU campus is located within the College Area Community Planning Area in the City of San Diego. The College Area Community Planning Area consists of approximately 1,950 acres, most of which is developed with single-family residential uses. The SDSU campus can be accessed from the north by College Avenue, which also provides local access to I-8. The campus can be accessed from the south by Montezuma Road, an east–west roadway near the southern boundary of the campus. Montezuma Road also connects with I-8 via Fairmont Avenue to the west and El Cajon Boulevard to the east.

The project site is located on the U.S. Geological Survey 7.5-minute La Mesa quadrangle, in Section 15, Township 16 South, Range 2 West (Figure 2). The surrounding quadrangles include Del Mar, Poway, San Vicente Reservoir, La Jolla, El Cajon, Point Loma, National City, and Jamul Mountains. The approximate centroid of the project is 117°4′44.626″W, 32°46′32.968″N. The project site is located on Assessor's Parcel Numbers 462-130-07 and 462-130-06.

3.1 Existing Environmental Setting

Generally, land uses adjacent to the project site consist of SDSU athletic fields to the south, canyon and I-8 to the north, single-family residences to the west, and multifamily residences and institutional uses associated with SDSU to the east. From campus, the project site can be accessed via Remington Road, 55th Street, and Aztec Circle Drive.

The elevation ranges from approximately 300 feet above mean sea level (amsl) to 450 feet amsl. The project site is comprised of developed areas, ornamental plantings, and native habitat. The site slopes down into a canyon at the western side, where a drainage channel conveys runoff from rainfall and a storm drain. According to the USDA (2016), there are two soil types found within the project area, and descriptions based on the Web Soil Survey (USDA 2016) appear as follows. Olivenhain cobbly loam, 30% to 50% slopes and Olivenhain–Urban land complex, 2% to 9% slopes, are mapped within the project boundary. The Olivenhain series is a well-drained soil, with slow or medium runoff, and very slow permeability (USDA 2016). These soils are found on gently sloping to strongly sloping hillsides, and on marine terraces. Olivenhain soils are generally very cobbly (USDA 2016).

3.1.1 Vegetation Communities

Five vegetation communities/land covers were mapped by Dudek within the project site. Native vegetation communities within the project area include Diegan coastal sage scrub. Three non-native vegetation communities or land cover types, disturbed habitat, urban/developed and ornamental plantings, occur within the project area. An unvegetated channel is mapped on site. The

vegetation communities and land cover types listed above are described as follows; their acreages are presented in Table 2; and their spatial distributions are presented on Figure 4.

Table 2
Vegetation Communities/Land Cover Types in the Project Area

Habitat Types/Vegetation Communities	Existing Acres
Upland Scrub and Chaparral	
Diegan Coastal Sage Scrub (CSS)	3.31
Non-native Vegetation Community/Land Cover Types	
Ornamental Plantings (ORN)	1.47
Disturbed Habitat (DH)	0.29
Urban/Developed (DEV)	2.92
Non-vegetated Channel or Floodway (UVC)	0.04
Subtotal	*4.72*
Total	***8.02****

* Acreages may not sum due to rounding.

Diegan Coastal Sage Scrub

According to Holland (1986), Diegan coastal sage scrub is composed of a variety of soft, low shrubs, characteristically dominated by drought-deciduous species such as California sagebrush (*Artemisia californica*), flat-top buckwheat (*Eriogonum fasciculatum*), and sages (*Salvia* spp.), with scattered evergreen shrubs, including lemonadeberry (*Rhus integrifolia*) and laurel sumac (*Malosma laurina*). It typically develops on xeric (dry) slopes.

Diegan coastal sage scrub and all its variants generally are recognized as sensitive plant communities by local, state, and federal resource agencies. It supports a diversity of sensitive plants and animals, and it is estimated that it has been reduced by 75% to 80% of its historical coverage throughout Southern California. Diegan coastal sage scrub has a global rank of G3 and state rank of S3.1, meaning it is considered vulnerable[1] and is considered a sensitive biological resource by CDFW under the California Environmental Quality Act (CEQA; CDFG 2010). Diegan coastal sage scrub vegetation on site totals 3.31 acres, and is dominated by California sagebrush, coyotebrush (*Baccharis pilularis*), lemonadeberry, and laurel sumac.

Ornamental Plantings

Ornamental plantings are a land cover type that refers to areas where non-native ornamental species and landscaping schemes have been installed and maintained. Ornamental plantings is

[1] At moderate risk of extinction or elimination due to a restricted range, relatively few populations, recent and widespread declines, or other factors (NatureServe 2017).

not considered a sensitive biological resource by CDFW under CEQA (CDFG 2010). Impacts to these areas do not require mitigation.

A total of 1.47 acres of ornamental plantings associated with the landscaped yards of single-family residences and the existing SDSU buildings mapped in several locations throughout the project site. This habitat type supports myriad ornamental species, including, not limited to, pampas grass (*Cortaderia selloana*), hottentot fig (*Carpobrutus edulis*), jade plant (*Crassula argentea*), Brazilian pepper tree (*Schinus terebinthifolius*), and red apple iceplant (*Aptenia cordifolia*).

Disturbed Habitat

Disturbed habitat is a land cover type characterized by a predominance of non-native species, often introduced and established through human action. Oberbauer et al. (2008) describes disturbed land as areas that have been physically disturbed (by previous legal human activity) and are no longer recognizable as a native or naturalized vegetation association but continues to retain a soil substrate. Typically, vegetation, if present, is nearly exclusively composed of non-native plant species such as ornamentals or ruderal exotic species (i.e., weeds). Within the project site there is 0.29 acre of disturbed habitat that consists of a strip of bare ground with occasional weedy plants. This land cover is not considered a sensitive biological resource by CDFW under CEQA (CDFG 2010).

Urban/Developed

Urban/developed land refers to areas that have been constructed upon or disturbed so severely that native vegetation is no longer supported. Developed land includes areas with permanent or semi-permanent structures, pavement or hardscape, landscaped areas, and areas with a large amount of debris or other materials (Oberbauer et al. 2008). Developed areas are generally graded and compacted, sometimes covered with gravel road base, or built and have little to no vegetation present. Within the project site, developed land totals 2.92 acres, and includes the existing parking lot and residence hall (Figure 4). This land cover is not considered a sensitive biological resource by CDFW under CEQA (CDFG 2010).

Non-vegetated Channel or Floodway

According to Oberbauer et al. (2008), non-vegetated channel is the sandy, gravelly, or rocky fringe of waterways or flood channels that is unvegetated on a relatively permanent basis. Vegetation may be present but is usually less than 10% total cover and grows on the outer edge of the channel. Within the project site there is a 0.04-acre non-vegetated channel along the canyon bottom and an erosional feature caused from the City's storm drain outlet that connects

into the channel. This land cover is not considered a sensitive biological resource by CDFW under CEQA (CDFG 2010).

3.1.2 Flora

A total of 153 species of native or naturalized plants, 80 native (52%) and 73 non-native (48%), was recorded on the site (see Appendix A).

3.1.3 Fauna

The project area supports habitat for common upland species. Scrub and ornamental habitats within the project area provide foraging and nesting habitat for migratory and resident bird species and other wildlife species. Due to the urbanization in the surrounding area, the fauna composition represents many urban-adapted species.

A list of the wildlife species incidentally observed within and adjacent to the project area during surveys is provided in Appendix B. There were 34 species observed on the project site, including two non-native species. Species richness in the project area is low due to the small property size, presence of non-native and ornamental species, low habitat diversity, and urbanization in the surrounding area. Special-status wildlife species are addressed in Section 3.1.5.

No reptile or mammal species were detected within the project area. Common bird species detected included mourning dove (*Zenaida macroura*), California scrub-jay (*Aphelocoma californica*), bushtit (*Psaltriparus minimus*), and song sparrow (*Melospiza melodia*).

3.1.4 Sensitive Plant Species

Endangered, rare, or threatened plant species, as defined in CEQA Guidelines Section 15380(b) (14 CCR 15000 et seq.), are referred to as "special-status plant species" in this report and include (1) endangered or threatened plant species recognized in the context of the California Endangered Species Act (CESA) and the federal Endangered Species Act (FESA) (CDFW 2017b); and (2) plant species with a CRPR 1 through 3 (CNPS 2017).

Special-status plant surveys were conducted within the project site to determine the presence or absence of plant species that are considered endangered, rare, or threatened under CEQA Guidelines Section 15380 (14 CCR 15000 et seq). A list of potentially occurring plants was generated as part of the literature review (see Section 2). Each species' potential to occur on site was evaluated based on the elevation, habitat, and soils present on site and Dudek's knowledge of biological resources in the area and regional distribution of each species. A number of potentially occurring plant species are conspicuous (e.g., large, woody shrubs) and readily

observed if present within an open and largely disturbed site. Due to low rainfall levels during the 2014 survey year, many annuals with potential to occur would likely not have bloomed. Special-status plant species observed or with a moderate potential to occur within the project site are presented in Appendix D1. Based on the good rainfall season in 2017, updated surveys for special status plants will demonstrate the species on site. The April 2017 pass identified one special-status plant: San Diego goldenstar (*Bloomeria clevelandii*). A second pass in June 2017 is scheduled to determine if additional species are present on the site. There are two species that are considered to have a moderate potential to occur on site that were not detectable during the spring survey pass: San Diego sand aster (*Corethrogyne filaginifolia* var. *incana*) and Del Mar Mesa sand aster (*Corethrogyne filaginifolia* var. *linifolia*). Until the surveys are completed, these two species will be assumed to be present within suitable habitat and potential impacts will be mitigated accordingly.

Special-status plant species known to occur in the surrounding region that are not expected to occur or with low potential to occur on site are presented in Appendix D2.

Critical Habitat

There is no USFWS-designated critical habitat mapped within the project area. However, there is USFWS-designated critical habitat for two species located within 5 miles of the project area: San Diego ambrosia and spreading navarretia (*Navarretia fossalis*) (USFWS 2017).

San Diego Goldenstar (*Bloomeria clevelandii*)

San Diego goldenstar was observed during the April 2, 2017 rare plant survey. Approximately 88 individuals were observed in the northern portion of the project site in the coastal sage scrub. San Diego goldenstar is not federally or state-listed, but is a CRPR 1B.1, meaning it is considered rare, threatened, or endangered in California and elsewhere.

Special-Status Plant Species Observed On Site

3.1.5 Sensitive Wildlife Species

Endangered, rare, or threatened wildlife species, as defined in CEQA Guidelines Section 15380(b) (14 CCR 15000 et seq.), are referred to as "special-status wildlife species" and, as used in this report, include (1) endangered or threatened wildlife species recognized in the context of CESA and FESA (CDFW 2017c); (2) California Species of Special Concern (SSC), as designated by the CDFW (2017c); (3) mammals and birds that are fully protected (FP) species, as described in the California Fish and Game Code, Sections 4700 and 3511; and (4) Birds of Conservation Concern, as designated by the USFWS (2008).

Special-status wildlife species with moderate potential to occur are presented in Appendix E1. Special-status wildlife species known to occur in the surrounding region but absent or with low potential to occur on site are presented in Appendix E2. For each species listed, a determination is made regarding the potential for the species to occur on site based on information gathered during the literature review and site visits, including the location of the site, vegetation communities or land covers present, current site conditions, and past and present land use. No special-status wildlife species were detected within the project site. Additional determinations will be provided after the 2017 coastal California gnatcatcher surveys.

Critical Habitat

There is no USFWS-designated critical habitat mapped within the project area. However, there is USFWS-designated critical habitat for three species located within 5 miles of the project area: coastal California gnatcatcher, and least Bell's vireo (*Vireo bellii pusillus*) (USFWS 2017).

Species with Potential to Occur On Site

Reptiles

San Diego Tiger Whiptail (*Aspidoscelis tigris stejnegeri*)

San Diego tiger whiptail is a CDFW SSC and has moderate potential to occur on site. It is found in coastal Southern California, mostly west of the Peninsular Ranges and south of the Transverse Ranges, north into Ventura County, and south into Baja California, Mexico (Stebbins 2003).

The San Diego tiger whiptail is found in a variety of habitats, primarily in areas where plants are sparse and there are open areas for running. According to Stebbins (2003), the species ranges from deserts to montane pine forests where it prefers warmer and drier areas. The species is also found in woodland and streamside growth, and it avoids dense grassland and thick shrub growth. There is suitable arid coastal scrub habitat for this species to occur on site.

Northern Red-Diamond Rattlesnake (*Crotalus ruber ruber*)

The northern red-diamond rattlesnake is a CDFW SSC and has moderate potential to occur on site. It is found in a variety of habitats from the coast to the deserts, from San Bernardino County into Baja California, Mexico (below 5,000 feet in elevation). It commonly occurs in rocky areas within coastal sage scrub, chaparral, juniper woodlands, and desert habitats, but can also be found in areas devoid of rocks (Lemm 2006). There is suitable arid coastal scrub habitat for this species to occur on site.

Blainville's Horned Lizard (*Phrynosoma blainvillii*)

Blainville's horned lizard (previously coast horned lizard) is a CDFW SSC and has moderate potential to occur on site. It is found from the Sierra Nevada foothills and central California to coastal Southern California. It is often associated with coastal sage scrub, especially areas of level to gently sloping ground with well-drained loose or sandy soil, but it can also be found in annual grasslands, chaparral, oak woodland, riparian woodland, and coniferous forest between 30 and 7,030 feet amsl (Jennings and Hayes 1994). This reptile typically avoids dense vegetation, preferring 20% to 40% bare ground in its habitat. The Blainville's horned lizard can be locally abundant in areas where it occurs, with densities near 20 adults per acre. Adults are active from late March through late August, and young are active from August through November or December. Up to 90% of the diet of the Blainville's horned lizard consists of native harvester ants (*Pogonomyrmex* spp.). There is suitable arid coastal scrub habitat for this species to occur on site.

Coast Patch-Nosed Snake (*Salvadora hexalepis virgultea*)

The coast patch-nosed snake is a CDFW SSC and has moderate potential to occur on site. It ranges from west-central Nevada south to the tip of Baja California and northwestern Sonora, and from coastal Southern California to southwestern Utah and central Arizona. The coast patch-nosed snake is found at elevations from below sea level to around 2,130 meters (6,988 feet) amsl (Goldberg 1995).

The coast patch-nosed snake is diurnal (Stebbins 2003) and can be found throughout the day during the milder months of spring. Activity is restricted to the mornings and late afternoons during the summer months. As an active, diurnal snake, it will occasionally take refuge in rock crevices, in small mammal burrows, and under vegetation. May and June are the typical months of peak activity; however, in the southern part of its range, activity may extend all year during mild to warm weather. The subspecies is a broad generalist in its diet and an opportunistic feeder that probably preys on anything it can overpower including small mammals (*Dipodomys*), lizards (*Aspidoscelis*, *Coleonyx*), and the eggs of lizards and snakes (Stebbins 2003). Jennings and Hayes (1994) also found that the patch-nosed snake may adjust its activities around that of one of its prey, the whiptail lizard (*Aspidoscelis* spp.).

Birds

Coastal California Gnatcatcher (*Polioptila californica californica*)

The coastal California gnatcatcher is a federally listed threatened species and a CDFW SSC, and has moderate potential to occur on site. It is closely associated with coastal sage scrub habitat and

typically occurs below elevations of 950 feet amsl and on slopes less than 40%, but gnatcatchers have been observed at elevations greater than 2,000 feet amsl (Zeiner et al. 1990). The species is threatened primarily by loss, degradation, and fragmentation of coastal sage scrub habitat; it is also impacted by brown-headed cowbird (*Molothrus ater*) nest parasitism.

Focused surveys for this species were conducted in 2014 and were negative for this species. Additional surveys are currently ongoing for 2017. No California gnatcatchers have been observed during the four surveys conducted in March and April 2017.

Mammals

Special-Status Bats

There is suitable foraging habitat for special-status bats. There is moderate potential for pallid bat (*Antrozous pallidus*) and western mastiff bat (*Eumops perotis californicus*) to forage on site. There is no roosting habitat on site.

3.1.6 Wetlands/Jurisdictional Resources

The project site was surveyed to determine the presence of an OHWM along several potential drainage channels. An OHWM was identified along one stream channel based on an observed, defined bed and bank and other evidence of hydrology including standing water. The project site supports one non-wetland waters of the United States and state that conveys water along the canyon bottom in the project site. It likely supports flows of urban runoff, due to the proximity of the site to residential development and evidence of culverts upstream. There are no National Hydrographic Database blue-line stream channels within the project site.

This drainage is potentially regulated by the ACOE, RWQCB, and CDFW. It supports hydric soils and hydrology, but not hydrophytic vegetation. Thus, it does not qualify as a wetland or riparian habitat. The wetland determination data forms are included in Appendix C. Vegetation present along the drainage was predominantly ornamental species (e.g., pampas grass, peppertrees). The drainage observed on site had a defined bed and bank, evidence of an OHWM, a channel bed of 1 to 2 feet wide, and was continuous for greater than 250 linear feet; thus, it was determined to be a jurisdictional water. In total, there is approximately 728 linear feet of jurisdictional waters of the United States/state identified within the project site. Flows within this drainage are directed northward down the canyon and likely connect with the San Diego River. A surface connection to the river is unknown, and I-8 may disrupt any potential surface flows.

3.1.7 Habitat Connectivity and Wildlife Corridors

Wildlife corridors are linear features that connect large patches of natural open space and provide avenues for the migration of animals. Habitat linkages are small patches that join larger blocks of habitat and help reduce the adverse effects of habitat fragmentation; they may be continuous habitat or discrete habitat islands that function as steppingstones for wildlife dispersal. Natural features, such as canyon drainages, ridgelines, or areas with vegetation cover, provide corridors for wildlife travel. Wildlife corridors are important because they provide access to mates, food, and water; allow the dispersal of wildlife from high-density areas; and facilitate the exchange of genetic traits between populations (Beier and Loe 1992). Wildlife corridors are considered sensitive by resource and conservation agencies.

The project site vicinity includes existing residential development to the west and east; SDSU facilities including two baseball diamonds and tennis courts to the south; and I-8 to the north of the project site. Although much of the project site located within a north-trending canyon that feeds into Alvarado Canyon, the lower terraces of the canyon are constrained by existing development, principally I-8 and existing residential development north of I-8. However, there are other canyons located within the Alvarado Canyon system that are peripherally connected to the project site.Due to the nearby residential areas, I-8, and SDSU campus, wildlife that move through the north-trending canyon is largely limited to urban-adapted wildlife species such as brush rabbit, coyote, bobcat, lizards and snakes, and a variety of bird species and invertebrates. Thus, the site supports a linkage function within the canyon but would not be considered a wildlife corridor because it is cut off from connection to southern portions of the county and would have more of a cul-de-sac function of habitat for species that are tolerant of the urban interface.

Canyonlands in San Diego are rapidly disappearing and are largely the only habitat corridors that still remain within urbanized areas of San Diego. The largest open space areas within the vicinity of the project area is Mission Trails Regional Park, located 3.3 miles northeast of the project site; Marine Corps Air Station Miramar, located 4.5 miles north of the project site; and Otay Mesa, located 6.7 miles southeast of the project site.

3.2 Regulatory Setting

This section describes the applicable regulatory plans, policies, and ordinances for the proposed project.

3.2.1 Federal

Federal Endangered Species Act

The federal Endangered Species Act (FESA) of 1973 (16 U.S.C. 1531 et seq.), as amended, is administered by the USFWS) National Oceanic and Atmospheric Administration, and National Marine Fisheries Service. This legislation is intended to provide a means to conserve the ecosystems upon which endangered and threatened species depend and provide programs for the conservation of those species, thus preventing extinction of plants and wildlife. Under provisions of Section 9(a)(1)(B) of FESA, it is unlawful to "take" any listed species. "Take" is defined in Section 3(19) of FESA as, "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct."

FESA allows for the issuance of incidental take permits for listed species under Section 7, which is generally available for projects that also require other federal agency permits or other approvals, and under Section 10, which provides for the approval of habitat conservation plans (HCPs) on private property without any other federal agency involvement. Upon development of an HCP, USFWS can issue incidental take permits for listed species.

FESA provides for designation of Critical Habitat, defined in Section 3(5)(A) as specific areas within the geographical range occupied by a species where physical or biological features "essential to the conservation of the species" are found and "which may require special management considerations or protection." Critical Habitat may also include areas outside the current geographical area occupied by the species that are nonetheless "essential for the conservation of the species."

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) prohibits the take of any migratory bird or any part, nest, or eggs of any such bird. Under the MBTA, "take" is defined as pursue, hunt, shoot, wound, kill trap, capture, or collect, or any attempt to carry out these activities (16 U.S.C. 703 et seq.). Additionally, Executive Order 13186, "Responsibilities of Federal Agencies to Protect Migratory Birds," requires that any project with federal involvement address impacts of federal actions on migratory birds with the purpose of promoting conservation of migratory bird populations (66 FR 3853–3856). The Executive Order requires federal agencies to work with USFWS to develop a memorandum of understanding. USFWS reviews actions that might affect these species.

Currently, birds are considered to be nesting under the MBTA only when there are eggs or chicks, which are dependent on the nest.

U.S. Army Corps of Engineers

Pursuant to Section 404 of the Clean Water Act, the ACOE regulates the discharge of dredged and/or fill material into "waters of the United States." The term "wetlands" (a subset of waters) is defined in 33 CFR 328.3(b) as "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas." In the absence of wetlands, the limits of ACOE jurisdiction in non-tidal waters, such as intermittent streams, extend to the "ordinary high water mark," which is defined in 33 CFR 328.3(e).

Section 320.4(b)(2) of the ACOE General Regulatory Policies (33 CFR 320-330) list criteria for consideration when evaluating wetland functions and values. These include wildlife habitat (spawning, nesting, rearing, and resting), food chain productivity, water quality, ground water recharge, and areas for the protection from storm and floodwaters.

3.2.2 State

California Endangered Species Act

CDFW administers CESA (California Fish and Game Code, Section 2050 et seq.), which prohibits the "take" of plant and animal species designated by the Fish and Game Commission as endangered or threatened in the State of California. Under CESA Section 86, take is defined as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." CESA Section 2053 stipulates that state agencies may not approve projects that will "jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat essential to the continued existence of those species, if there are reasonable and prudent alternatives available consistent with conserving the species or its habitat which would prevent jeopardy."

CESA Sections 2080 through 2085 address the taking of threatened, endangered, or candidate species by stating, "No person shall import into this state, export out of this state, or take, possess, purchase, or sell within this state, any species, or any part or product thereof, that the Commission determines to be an endangered species or a threatened species, or attempt any of those acts, except as otherwise provided in this chapter, the Native Plant Protection Act (Fish and Game Code, Sections 1900–1913), or the California Desert Native Plants Act (Food and Agricultural Code, Section 80001)."

California Fish and Game Code

According to Sections 3511 and 4700 of the Fish and Game Code, which regulate birds and mammals, respectively, a "fully protected" species may not be taken or possessed without a permit from the Fish and Game Commission, and "incidental takes" of these species are not authorized.

According to Section 3503, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. Section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds of prey) or to take, possess or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto. Finally, Section 3513 states that is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

For the purposes of these state regulations, CDFW currently defines an active nest as one that is under construction or in use and includes existing nests that are being modified. For example, if a hawk is adding to or maintaining an existing stick nest in a transmission tower, then it would be considered to be active and covered under these Fish and Game Code sections.

CDFW Streambed and Riparian Habitat

Pursuant to Section 1602 of the Fish and Game Code, the CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake that supports fish or wildlife. A Streambed Alteration Agreement is required for impacts to jurisdictional wetlands in accordance with Section 1602 of the California Fish and Game Code.

State Water Resources Control Board and Regional Water Quality Control Boards

The intent of the Porter–Cologne Water Quality Control Act is to protect water quality and the beneficial uses of water, and it applies to both surface water and groundwater. Under this law, the State Water Resources Control Board develops statewide water quality plans, and the RWQCBs develop basin plans that identify beneficial uses, water quality objectives, and implementation plans. The RWQCBs have the primary responsibility to implement the provisions of both statewide and basin plans. Waters regulated under the Porter–Cologne Water Quality Control Act include isolated waters that are no longer regulated by the ACOE. Developments with impact to jurisdictional waters must demonstrate compliance with the goals of the act by developing Stormwater Pollution Prevention Plans, Standard Urban Storm Water Mitigation Plans, and other measures to obtain a Clean Water Act Section 401 certification.

California Environmental Quality Act

CEQA requires identification of a project's potentially significant impacts on biological resources and feasible mitigation measures and alternatives that could avoid or reduce significant impacts. CEQA Guidelines Section 15380(b)(1) defines endangered animals or plants as species or subspecies whose "survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, disease, or other factors" (14 CCR 15000 et seq.). A rare animal or plant is defined in CEQA Guidelines Section 15380(b)(2) as a species that, although not presently threatened with extinction, exists "in such small numbers throughout all or a significant portion of its range that it may become endangered if its environment worsens; or … [t]he species is likely to become endangered within the foreseeable future throughout all or a significant portion of its range and may be considered 'threatened' as that term is used in the federal Endangered Species Act." Additionally, an animal or plant may be presumed to be endangered, rare, or threatened if it meets the criteria for listing, as defined further in CEQA Guidelines Section 15380(c). CEQA also requires identification of a project's potentially significant impacts on riparian habitats (such as wetlands, bays, estuaries, and marshes) and other sensitive natural communities, including habitats occupied by endangered, rare, and threatened species.

Natural Community Conservation Plan

Section 2835 of the Fish and Game Code allows the Department to authorize incidental take in an natural community conservation plan 9NCCP). Take may be authorized for identified species whose conservation and management is provided for in the NCCP, whether or not the species is listed as threatened or endangered under FESA or CESA, provided that the NCCP complies with the conditions established in Section 2081 of the Fish and Game Code. The NCCP provides the framework for the San Diego Multiple Species Conservation Program (MSCP) Plans.

3.2.3 Regional

Multiple Species Conservation Program

The MSCP, a comprehensive, regional long-term habitat conservation program designed to provide permit issuance authority for take of covered species to the local regulatory agencies. The MSCP addresses habitat and species conservation within approximately 900 square miles in the southwestern portion of San Diego County (County of San Diego 1998). It serves as an approved HCP pursuant to an approved NCCP in accordance with the state Natural Communities Conservation Planning Act (County of San Diego 1998).

The MSCP establishes a preserve system designed to conserve large blocks of interconnected habitat having high biological value that are delineated as the Multi-Habitat Planning Area (MHPA). The City's MHPA is an area within which a "hard line" preserve will be established in cooperation with the wildlife agencies, property owners, developers, and environmental groups. The MHPA identifies biological core resource areas and corridors targeted for conservation, in which only limited development may occur (City of San Diego 1997).

The MSCP identifies 85 plants and animals to be "covered" under the plan ("Covered Species"). Many of these Covered Species are subject to one or more protective designations under state and/or federal law and some are endemic to San Diego. The MSCP seeks to provide adequate habitat in the preserve to maintain ecosystem functions and persistence of extant populations of the 85 Covered Species, while also allowing participating landowners "take" of Covered Species on lands located outside of the preserve. The purpose of the MSCP is to address species conservation on a regional level and thereby avoid project-by-project biological mitigation, which tends to fragment habitat.

Within the City of San Diego, the MSCP is implemented through the *City of San Diego MSCP Subarea Plan* (Subarea Plan) (City of San Diego 1997) as described below.

SDSU was not involved with the preparation of the MSCP program in the mid-1990s. SDSU is not signatory to the San Diego MSCP and is therefore not a "permittee" under this HCP. SDSU also would not benefit from the take coverage provided by the Implementing Agreement. Because SDSU is not a Permittee of this HCP and because SDSU does not need to obtain any entitlements that would constitute a discretionary action by the City, adherence to the restrictions typically placed on land within the MHPA as per the City's Biological Resource Guidelines does not apply to SDSU or SDSU-owned land. SDSU also is not subject to the City land use policies.

3.2.4 Local

City of San Diego MSCP Subarea Plan

The City of San Diego Subarea Plan (1997) encompasses 206,124 acres within the MSCP Subregional Plan area. The site is located within the Urban area of the Subarea Plan. Urban habitat areas within the MHPA include existing designated open space such as Mission Bay, Tecolote Canyon, Marian Bear Memorial Park, Rose Canyon, San Diego River, the southern slopes along Mission Valley, Carroll and Rattlesnake Canyons, Florida Canyon, Chollas Creek, and a variety of smaller canyon systems. The Eastern area of the Subarea Plan includes East Elliott and Mission Trails Regional Park.

The Subarea Plan is characterized by urban land uses with approximately three-quarters either built out or retained as open space/park system. The City MHPA is an area within which a "hard line" preserve will be developed by the City in cooperation with the wildlife agencies, property owners, developers, and environmental groups. The MHPA identifies biological core resource areas and corridors targeted for conservation, in which only limited development may occur (City of San Diego 1997). The MHPA is considered an urban preserve that is constrained by existing or approved development, and is comprised of habitat linkages connecting several large core areas of habitat (Figure 1-3, Multi-Habitat Planning Area and Figure 1-4, Core Areas and Habitat Linkages in City of San Diego 1997). The criteria used to define core and linkage areas involves maintaining ecosystem function and processes, including large animal movement. Each core area is connected to other core areas or to habitat areas outside of the MSCP either through common boundaries or through linkages. Core areas have multiple connections to help ensure that the balance in the ecosystem will be maintained (City of San Diego 1997). Critical habitat linkages between core areas are conserved in a functional manner with a minimum of 75% of the habitat within identified linkages conserved (City of San Diego 1997).

As discussed above, however, neither SDSU nor the CSU Board of Trustees is subject to the MSCP. For this reason, the project site also is not subject to the MSCP. However, further information is provided herein with regards to the MSCP. A portion of the proposed project site was designated as MHPA and described as conserved lands in HabiTrak. HabiTtrak is a GIS-based habitat-tracking tool created at the request of the wildlife agencies during initial implementation of the MSCP program. The City and County of San Diego use HabiTtrak to prepare their habitat tracking reports; areas that are removed from the MHPA are designated as a "habitat loss" and areas that are considered to be protected by a conservation mechanism such as a restrictive covenant are designated as "habitat gain." Inclusion of this project site within the MHPA and reflecting it as a "habitat gain" in the Habitrak system is incorrect. On March 23, 2017, representatives from SDSU and Dudek met with the City of San Diego Environmental Review Coordinator, Alyssa Muto, Senior Multiple Species Conservation Program Planner Kristy Forburger and Senior Planner Rebecca Malone to discuss the removal of the MHPA designation over the site and removal of the area as a "habitat gain" in the Habitrak database (see Appendix F which outlines the correspondence related to this mapping correction exercise). Based on review of a title report prepared in February 2017 for the project parcels and review of City records, the City concurred with SDSU that the designation of the portion of the property as a "habitat gain" is an error.

The MSCP Implementing Agreement does not provide direction for corrections to the MHPA designation, thus, the City will leave the designation of MHPA as is, recognizing that SDSU is not subject to the MSCP and so, in effect, designation of MHPA has no meaning on these

specific parcels. During the March 23, 2017 meeting, the City agreed that it was appropriate to remove the project parcels from the "habitat gain" database and upon receipt of SDSU's final impact footprint, will redesignate the areas planned for development as a "habitat loss." SDSU agreed to accompany the City to a meeting with the USFWS and CDFW, set for April 21, 2017, to discuss the process, if any, the City must go through to officially remove the SDSU-owned land from the "habitat gain" database designation over the site and to potentially remove the MHPA designation over the site. However, based on a more recent communication from the City (dated April 12, 2017), and the information provided to USFWS and CDFW, the City believes that a meeting is unnecessary. The City proposes to correct the Habitrak database and indicated that the removal of the minor acreage of the SDSU property from the MHPA would not affect the City's overall MHPA conservation goal.

City of San Diego Biology Guidelines

The City of San Diego Development Services Department developed the Biology Guidelines presented in the Land Development Manual "to aid in the implementation and interpretation of the Environmentally Sensitive Lands Regulations (ESL), San Diego Land Development Code (LDC), Chapter 14, Division 1, Section 143.0101 et seq, and the Open Space Residential (OR-1-2) Zone, Chapter 13, Division 2, Section 131.0201 et seq." (City of San Diego 2012). The guidelines also provide standards for the determination of impact and mitigation under CEQA. The State of California is the lead agency is not subject to the City of San Diego's guidelines; however, this biological resources technical report includes the same level of detail and analysis that is required by the City for a report that is within the jurisdiction of the City of San Diego.

4 THRESHOLDS OF SIGNIFICANCE

The following significance criteria included in Appendix G of the CEQA Guidelines (14 CCR 15000 et seq.) assist in determining the significance of a biological impact. Impacts would result if the project would:

1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
3. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.
7. Result in a cumulative impact when considered with other present and probable future projects in the region.

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5 IMPACT ANALYSIS

5.1 Threshold 1

Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

5.1.1 Direct Impacts

The proposed project and associated fuel management zones will impact five vegetation communities and land cover types, including up to 0.59 acre of coastal sage scrub from Phase II and 1.92 acres of coastal sage scrub from Phase III (Table 3; Figure 5).

Table 3
Impacts to Vegetation Communities/Land Cover Types by Phase

Habitat Types/Vegetation Communities	Existing Acres	No Impact/ Existing Chapultec Hall (Ac.)	Direct Impacts (Incl. Fuel Management Zones)			
			Phase I (Ac.)	*Phase II (Ac.)*	*Phase III (Ac.)*	*Total*
Upland Scrub and Chaparral						
Diegan Coastal Sage Scrub (CSS)	3.31	0.79	--	0.59	1.92	***2.51***
Non-native Vegetation Community/Land Cover Types						
Ornamental Plantings (ORN)	1.47	0.17	0.35	0.29	0.66	***1.30***
Disturbed Habitat (DH)	0.29	0.19	--	--	0.10	***0.10***
Urban/Developed (DEV)	2.92	0.74	1.96	0.14	0.08	***2.18***
Non-vegetated Channel or Floodway (UVC)	0.04	0.02	--	<0.01	--[1]	***<0.01***
Subtotal	*4.72*	*1.11*	*2.31*	*0.43*	*0.84*	***3.58***
Total	**8.02[2]**	**1.90**	**2.31**	**1.03**	**2.76**	**6.09**

1 There are fuel management activities; however, these activities include thinning upland vegetation and would not result in impacts to the drainage.
2 May not total due to rounding.

Special-Status Plants

San Diego goldenstar was observed in the project site (Figure 5). There are two additional special-status plants that have a moderate potential to occur on site including: San Diego sand aster and Del Mar Mesa sand aster. An additional summer pass for rare plants will be conducted

in June 2017. Until the surveys are completed, it will be assumed these species are present within areas of suitable habitat.

Phase I

The impacts associated with Phase I are limited to the ornamental plantings surrounding the building and the developed areas. No special-status plants would be impacted from this phase. Therefore, it would not have a substantially adverse effect on special-status plants and would not be considered a significant impact.

Phase II

The impacts associated with Phase II would impact 0.59 acre of coastal sage scrub, which has potential to support special-status plants. No San Diego goldenstar was observed in the Phase II development area. Potential impacts to other special-status plants would be considered a significant impact absent mitigation.

Phase III

The impacts associated with Phase III would approximately 88 individuals of San Diego goldenstar from the proposed development and associated fuel modification. Impacts to 1.92 acres of coastal sage scrub could result in potential impacts to additional special-status plants. Impacts to San Diego goldenstar and potential impacts to additional special-status plants would be considered a significant impact absent mitigation.

Coastal California Gnatcatcher

While the 2014 surveys for this species were negative, coastal California gnatcatcher has moderate potential to occur in the coastal sage scrub on site. Current surveys for the species are being conducted in 2017. Coastal California gnatcatcher is a federally listed threatened species and a CDFW SSC.

Phase I

The impacts associated with Phase I are limited to the ornamental plantings surrounding the building and the developed areas. No suitable habitat for coastal California gnatcatcher would be impacted from this phase. Therefore, it would not have a substantially adverse effect on coastal California gnatcatcher and would not be considered a significant impact.

Phase II

The impacts associated with Phase II would impact 0.59 acre of coastal sage scrub, which has potential to support coastal California gnatcatcher. Impacts to individual gnatcatchers and/or potentially occupied habitat would be considered a significant impact absent mitigation.

Phase III

The impacts associated with Phase III would impact 1.92 acres of coastal sage scrub, which has potential to support coastal California gnatcatcher. Impacts to individual gnatcatchers and/or potentially occupied habitat would be considered a significant impact absent mitigation.

Special-Status Reptiles

San Diegan tiger whiptail, northern red-diamond rattlesnake, Blainville's horned lizard, and coast patch-nosed snake have moderate potential to occur in the coastal sage scrub on site. These species are not federally or state-listed as threatened or endangered, but are CDFW SSC.

Phase I

The impacts associated with Phase I are limited to the ornamental plantings surrounding the building and the developed areas. No suitable habitat for special-status reptiles would be impacted from this phase. Therefore, it would not have a substantially adverse effect on special-status reptiles and would not be considered a significant impact.

Phase II

The impacts associated with Phase II would impact 0.59 acre of coastal sage scrub, which has potential to support special-status reptiles. Impacts to 0.59 acre of coastal sage scrub would be considered a significant impact absent mitigation.

Phase III

The impacts associated with Phase III would impact 1.92 acres of coastal sage scrub, which has potential to support special-status reptiles. Impacts to 1.92 acres of coastal sage scrub would be considered a significant impact absent mitigation.

Special-Status Mammals

Pallid bat and western mastiff bat have moderate potential to forage over the site, primarily in the coastal sage scrub and ornamental plantings. These species are not federally or state-listed as threatened or endangered, but are CDFW SSC. These species would not roost on site due to the lack rocky outcrops or buildings suitable for these species. While there are impacts to potential

suitable foraging habitat associated with Phases I through III, these impacts would not have a substantially adverse effect on these species and would not be considered a significant impact.

Birds Protected Under the MBTA

If construction activities associated with Phases I through III occur during the bird nesting season (typically February 1 through September 15), impacts to migratory birds or destruction of active migratory bird nests and/or eggs would be considered a significant impact because they are protected under the MBTA.

5.1.2 Indirect Impacts

Short-Term Indirect Impacts to Special-Status Plants (all Phases)

Potential short-term or temporary indirect impacts to special-status plants adjacent to the development site would primarily result from construction activities and include impacts related to or resulting from the generation of fugitive dust; changes in hydrology resulting from construction, including sedimentation and erosion; and the introduction of chemical pollutants (including herbicides). Potential short-term indirect impacts associated with Phases I through III could affect the special-status plants if they occur adjacent to the project site described in detail as follows.

Generation of Fugitive Dust. Excessive dust can decrease the vigor and productivity of vegetation through effects on light, penetration, photosynthesis, respiration, transpiration, increased penetration of phytotoxic gaseous pollutants, and increased incidence of pests and diseases.

Changes in Hydrology. Construction could result in hydrologic and water-quality-related impacts adjacent to and downstream of the limits of grading. Hydrologic alterations include changes in flow rates and patterns in drainages and dewatering, which may affect adjacent and downstream (off-site) aquatic, wetland, and riparian vegetation communities. Water-quality impacts include chemical-compound pollution (fuel, oil, lubricants, paints, release agents, and other construction materials), erosion, and excessive sedimentation. Direct impacts, as described previously, can also remove native vegetation and increase runoff from roads and other paved surfaces, resulting in increased erosion and transport of surface matter into vegetation communities. Altered erosion, increased surface flows, and underground seepage can allow for the establishment of non-native plants. Changed hydrologic conditions can also alter seed bank characteristics and modify habitat for ground-dwelling fauna that may disperse seed.

Chemical Pollutants. Erosion and chemical pollution (releases of fuel, oil, lubricants, paints, release agents, and other construction materials) may affect special-status plants. The use of chemical pollutants can decrease the number of plant pollinators, increase the existence of non-native plants, and cause damage to and destruction of native plants.

Potential short-term indirect impacts associated with Phases I through III could be significant absent mitigation.

Long-Term Indirect Impacts to Special-Status Plants

Long-term (operation-related) or permanent indirect impacts could result from the proximity of the proposed development to special-status plants adjacent to the project site after construction. Permanent indirect impacts associated with Phases I through III that could affect special-status plants include generation of fugitive dust, habitat fragmentation, chemical pollutants, altered hydrology, non-native invasive species, increased human activity, and alteration of the natural fire regime. Each of these potential indirect impacts is discussed as follows.

Generation of Fugitive Dust. The effects of fugitive dust on special-status plants are described above.
Chemical Pollutants. The effects of chemical pollutants on special-status plant species are described above. During landscaping activities, herbicides may be used to prevent certain types of vegetation from reoccurring around structures. However, weed control treatments shall include only legally permitted chemical, manual, and mechanical methods. Additionally, the herbicides used during landscaping activities will be contained within the project impact footprint.

Altered Hydrology. Water would be used for landscaping purposes that may alter the on-site hydrologic regime. These hydrologic alterations may affect special-status plant communities. Altered hydrology can allow for the establishment of non-native plants and invasion by Argentine ants (*Linepithema humile*), which can compete with native ant species that could be seed dispersers or plant pollinators. However, the water, and associated runoff, used during landscaping activities will be contained within the project impact footprint, and long-term indirect impacts associated with altered hydrology are not expected.

Non-native, Invasive Plant and Animal Species. Invasive plant species that thrive in edge habitats are a well-documented problem in Southern California and throughout the United States. Bossard et al. (2000) list several adverse effects of non-native species in natural open areas, including, but not limited to, exotic plant competition for light, water, and nutrients and the formation of thatches that block sunlight from reaching smaller native plants. The project site already contains invasive species (e.g., pampas grass). Exotic plant species may

establish adjacent to the project site, and alter habitats and displace native species over time, leading to extirpation of native plant species and unique vegetation communities. The introduction of non-native, invasive animal species could negatively affect native species that may be pollinators of or seed dispersal agents for plants within vegetation communities and special-status plant populations.

Increased Human Activity. The proposed project is to provide more on-campus student housing facilities. Increased human activity could result in the potential for trampling of vegetation outside of the impact footprint, as well as soil compaction, and could affect the viability of plant communities. Trampling can alter the ecosystem, creating gaps in vegetation and allow exotic, non-native plant species to become established, leading to soil erosion. Trampling may also affect the rate of rainfall interception and evapotranspiration, soil moisture, water penetration pathways, surface flows, and erosion. An increased human population increases the risk for damage to vegetation communities and special-status plants.

Alteration of the Natural Fire Regime. The proposed project could potentially increase the risk of fire in the canyon, including, but not limited to, fire associated with electrical shorts or electrical equipment malfunction. However, fire management analysis is provided by the Fire Protection Plan (Dudek 2017) and no fire suppression actions are proposed for the site that would modify fire intervals.

Potential long-term indirect impacts associated with Phases I through III could be significant absent mitigation.

Short-Term Indirect Impacts to Special-Status Wildlife Species

Short-term, construction-related, or temporary indirect impacts to special-status wildlife species that have moderate potential to occur (see Appendix E1) would primarily result from construction activities associated with Phases I through III. Potential temporary indirect impacts could occur as a result of generation of fugitive dust, noise, chemical pollutants, increased human activity, and non-native animal species.

Generation of Fugitive Dust. Dust and applications for fugitive dust control can impact vegetation surrounding the limits of grading, resulting in changes in the community structure and function. These changes could result in impacts to suitable habitat for special-status wildlife species.

Noise. Construction-related noise could occur from equipment used during vegetation clearing and construction of the school and associated infrastructure. Noise impacts can have a variety of indirect impacts on wildlife species, including increased stress, weakened immune systems, altered foraging behavior, displacement due to startle, degraded communication with

conspecifics (e.g., masking), damaged hearing from extremely loud noises, and increased vulnerability to predators (Lovich and Ennen 2011; Brattstrom and Bondello 1983, cited in Lovich and Ennen 2011).

Chemical Pollutants. Accidental spills of hazardous chemicals could contaminate nearby surface waters and groundwater and indirectly impact wildlife species through poisoning or altering suitable habitat.

Increased Human Activity. Construction activities adjacent to the canyon can deter wildlife from using already constrained habitat areas near the proposed project footprint.

Non-native Animal Species. Trash from construction-related activities could attract invasive predators, such as ravens (*Corvus corvax*) and coyotes (*Canis latrans*), that could impact the wildlife species in the project site.

Potential short-term indirect impacts associated with Phases I through III could be significant absent mitigation.

Long-Term Indirect Impacts to Special-Status Wildlife Species

Potential long-term or permanent indirect impacts associated with Phases I through III to special-status wildlife species that have high potential to occur (see Appendix E1) include generation of fugitive dust; non-native, invasive plant and animal species; habitat fragmentation; increased human activity; alteration of the natural fire regime; and altered hydrology.

Generation of Fugitive Dust. The effects of fugitive dust on special-status wildlife are described above.

Non-native, Invasive Plant and Animal Species. Invasive plant species that thrive in edge habitats are a well-documented problem in Southern California and throughout the United States. Bossard et al. (2000) list several adverse effects of non-native species in natural open areas, including, but not limited to, the fact that exotic plants compete for light, water, and nutrients, and can create a thatch that blocks sunlight from reaching smaller native plants. Exotic plant species may alter habitats and displace native species over time, leading to extirpation of native plant species and subsequently suitable habitat for special-status wildlife species. In addition, trash can attract invasive predators, such as ravens and coyotes, that could impact the wildlife species in the project area.

Increased Human Activity. The proposed project is to provide more on-campus student housing facilities. Increased human activity could result in the potential for trampling of

vegetation outside of the impacts footprint and soil compaction, and could affect the viability and function of suitable habitat for wildlife species. An increased human population increases the risk for damage to suitable habitat for wildlife species. In addition, increased human activity can deter wildlife from using habitat areas near the proposed project footprint.

Alteration of the Natural Fire Regime. The proposed project could potentially increase the risk of fire in the canyon, including, but not limited to, fire associated with infrastructures. However, fire management analysis is provided by the Fire Protection Plan (Dudek 2017) and no fire suppression actions are proposed for the site that would modify fire intervals.

Altered Hydrology. Water would be used for landscaping purposes that may alter the on-site hydrologic regime. These hydrologic alterations may affect special-status wildlife species. Altered hydrology can allow for the establishment of non-native plants and invasion by Argentine ants, which can compete with native ant species that could be seed dispersers or plant pollinators. Changes in plant composition could affect the native vegetation communities and wildlife habitat. However, the water, and associated runoff, used during landscaping activities will be contained within the project impact footprint, and long-term indirect impacts associated with altered hydrology are not expected.

Potential long-term indirect impacts associated with Phases I through III could be significant absent mitigation.

5.2 Threshold 2

Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

5.2.1 Direct Impacts

Diegan coastal sage scrub is considered a sensitive natural community by CDFW under CEQA (CDFG 2010). The project site does not support any riparian habitat. It is comprised entirely of upland habitat or urban areas. The project site does have a drainage channel on-site that is primarily fed from urban runoff and rain. The drainage channel likely connects to the San Diego River further downstream and is potentially regulated by ACOE, RWQCB, and CDFW.

Phase I

The impacts associated with Phase I are limited to the ornamental plantings surrounding the building and the developed areas. No sensitive natural communities or riparian habitat would be

impacted from this phase. Therefore, it would not have a substantially adverse effect on sensitive natural communities or riparian habitat and would not be considered a significant impact.

Phase II

The development and associated fuel management impacts associated with Phase II would impact 0.59 acre of coastal sage scrub, a sensitive natural community. These impacts would be considered a significant impact absent mitigation.

The proposed project quantifies impacts to less than 0.01 acre of the unvegetated drainage. The final project design would avoid this resource; therefore, it would not have a substantially adverse effect on the drainage and would not be considered a significant impact. There are fuel management activities that will occur near the drainage; however, these activities include thinning upland vegetation and would not result in impacts to the drainage.

Phase III

The development and associated fuel management impacts associated with Phase III would impact 1.92 acres of coastal sage scrub, a sensitive natural community. These impacts would be considered significant absent mitigation. There are fuel management activities that will occur near the drainage; however, these activities include thinning upland vegetation and would not result in impacts to the drainage.

5.2.2 Indirect Impacts

Sensitive Natural Communities

Potential short-term and long-term indirect impacts associated with Phases I through III would be the same as those described for special-status plants in Section 5.1.2. These potential impacts would be significant absent mitigation.

Jurisdictional Waters

Potential short-term and long-term indirect impacts are similar to those described for special-status plants in Section 5.1.2.

Short-Term Indirect Impacts to Jurisdictional Waters

Potential short-term or temporary indirect impacts to jurisdictional waters and wetlands adjacent to or downstream from the development site would primarily result from construction activities and include impacts related to or resulting from changes in hydrology resulting from

construction, including sedimentation and erosion, and the introduction of chemical pollutants (including herbicides). Potential short-term indirect impacts associated with Phases I through III that could affect jurisdictional waters and wetlands that occur adjacent to or downstream from project site are described in detail as follows.

Changes in Hydrology. Construction could result in hydrologic and water-quality-related impacts adjacent to and downstream of the construction area. The effects of changes in hydrology would be similar to those described in Section 5.1.2.

Chemical Pollutants. Erosion and chemical pollution (releases of fuel, oil, lubricants, paints, release agents, and other construction materials) may affect jurisdictional waters. The use of chemical pollutants can decrease the number of plant pollinators, increase the existence of non-native plants, and cause damage to and destruction of native plants.

Potential short-term indirect impacts associated with Phases I through III could be significant absent mitigation.

Long-Term Indirect Impacts to Jurisdictional Waters

Long-term (operation-related) or permanent indirect impacts could result from the proximity of the proposed development to jurisdictional waters and wetlands after construction, including impacts related to operation and maintenance. Operation and maintenance activities will occur within the impact footprint. Permanent indirect impacts associated with Phases I through III that could affect jurisdictional waters and wetlands include generation of fugitive dust, habitat fragmentation, chemical pollutants, altered hydrology, non-native invasive species, increased human activity, and alteration of the natural fire regime. Each of these potential indirect impacts is discussed as follows.

Generation of Fugitive Dust. The effects of fugitive dust on jurisdictional waters are described above.

Chemical Pollutants. The effects of chemical pollutants on jurisdictional waters and wetlands are described above.

Altered Hydrology. Water used for landscaping purposes may alter the on-site hydrologic regime. These hydrologic alterations may affect jurisdictional waters and wetlands. However, the water, and associated runoff, used during landscaping activities will be contained within the project impact footprint, and long-term indirect impacts associated with altered hydrology are not expected.

Non-native, Invasive Plant and Animal Species. The effects of chemical pollutants would be similar to those described in Section 5.1.2. The introduction of non-native, invasive animal species could negatively affect native species that may be pollinators of or seed dispersal agents for plants within jurisdictional waters and wetlands.

Increased Human Activity. The effects of increased human activity would be similar to those described in Section 5.1.2. An increased human population increases the risk for damage to jurisdictional waters and wetlands.

Potential long-term indirect impacts associated with Phases I through III could be significant absent mitigation.

5.3 Threshold 3

Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

There are no wetlands within or adjacent to the project site.

5.4 Threshold 4

Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

5.4.1 Direct Impacts

The proposed project site includes a portion of the canyon situated between the existing SDSU buildings/parking lot and the homes to the west/northwest along Hewlett Drive. While the site supports a linkage function within the canyon, it is not considered a wildlife corridor because it is cut off from connection to southern portions of the county and would have more of a cul-de-sac function of habitat for species that are tolerant of the urban interface. While coastal California gnatcatcher were not detected in the 2014 surveys, this species has potential to occur in the coastal sage scrub and surveys conducted in 2017 will provide current information on the species.

Phase I

The impacts associated with Phase I are limited to the ornamental plantings surrounding the building and the developed areas outside of the canyon. Therefore, it would not have a

substantially adverse effect on wildlife movement and would not be considered a significant impact.

Phase II

The development and associated fuel management impacts associated with Phase II would impact 0.59 acre of coastal sage scrub near Remington Road. This flatter portion of the project site is adjacent to ornamental plantings and the parking lot and is unlikely to support dispersal and movement between connected canyons. Therefore, it would not have a substantially adverse effect on wildlife movement and would not be considered a significant impact.

Phase III

The development and associated fuel management impacts associated with Phase III would impact1.92 acres of coastal sage scrub in portions of the canyon. If coastal California gnatcatcher occupy the coastal sage scrub on site, impacts to this site could interfere with gnatcatcher use of habitat in these canyons and would be considered a significant impact absent mitigation.

5.4.2 Indirect Impacts

Short-Term Indirect Impacts

Short-term indirect impacts associated with Phases I through III to habitat connectivity and wildlife corridors could result from increased human activity and lighting.

Increased Human Activity. Project construction would likely take place during the daytime and would not affect wildlife species such as mammals that are most active in evenings and nighttime. Wildlife species such as birds, rabbits, and lizards are active in the daytime. Some species use a variety of habitats and could continue using other areas within and adjacent to the project site for wildlife movement; however, the native habitat in the canyon is already constrained, and construction activities would further reduce wildlife use.

Lighting. No nighttime lighting will occur during construction of the proposed project.

Potential short-term indirect impacts associated with Phases I through III would be significant absent mitigation.

Long-Term Indirect Impacts

Long-term indirect impacts associated with Phases I through III include lighting and increased human activity.

Lighting. The buildings and parking areas would include security lighting, which could affect the wildlife species in the adjacent canyon.

Increased Human Activity. Increased human activity could result in increased noise, potentially affecting the remaining canyon and suitable habitat for wildlife species. An increased human population increases the risk for damage to suitable habitat for wildlife species. In addition, increased human activity can deter wildlife from using habitat areas near the proposed project footprint.

Potential long-term indirect impacts associated with Phases I through III would be significant absent mitigation.

5.5 Threshold 5

Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The lead agency, the State of California, is a state agency; therefore, it is not subject to the policies and ordinances set forth by local agencies such as the City or County of San Diego, which might maintain a local tree preservation policy or ordinance. Therefore no impact would occur.

5.6 Threshold 6

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

5.6.1 Direct Impacts

SDSU is not a signatory to the San Diego MSCP and thus is not a "permittee" under this HCP. As such, SDSU is not subject to the MSCP and need not comply with its provisions. Because SDSU is not subject to the policies and ordinances set forth by the MSCP, the project will not impact this regional HCP.

5.6.2 Indirect Impacts

SDSU reviewed Chapter 1.4, Land Use Considerations, 1.4.2, General Planning and Design Guidelines of the City of San Diego's MSCP Subarea Plan (City of San Diego 1997) to determine if construction of the project adjacent to an area designated as MHPA which is intended to support an element of the eventual MSCP preserve, would affect the City's ability to

comply with the provisions of their Subarea Plan. Based on this review, SDSU determined that the proposed project would not involve construction of roads or utility lines within undeveloped habitat; any roadway and utility extensions would be contained within the development footprint of the proposed project, therefore the project wouldn't result in an indirect impact to habitat areas as a result of utility and roadway infrastructure. SDSU would fence both the construction site and student housing community once constructed, to prevent student, staff and visitors from entering the canyon areas to the north of the proposed buildings. SDSU will utilize chain link or cattle wire or similar fencing to ensure that human access to the canyon from SDSU's land is avoided.

Other than lighting in the residence hall rooms and security lighting at entrances (which generally face west, south and east, as opposed to northward toward sensitive habitat areas), the buildings will not be affixed with exterior lighting, therefore the project would avoid conflicts with the Subarea Plan's lighting and fencing adjacency guidelines. SDSU would store and utilize all hazardous materials, chemicals and substances (ie, janitorial supplies) consistent with their use and storage recommendations; all such materials and substances would be stored within the building or appropriate enclosures consistent with Occupational Health and Safety and SDSU Environmental Health and Safety protocol. No storage of these chemicals and substances would occur within the canyon area to the north of the proposed project site; therefore the project would not be inconsistent with the Subarea Plan's guidelines regarding hazardous substance storage in sensitive habitat areas. The project would not involve any type of mining or extraction activity, so no inconsistency with the Subarea Plan's mining and extraction policies would occur. No portion of the project would involve affects to drainages that could alter the areas natural flood control characteristics, therefore no inconsistency with flood control provisions would occur.

SDSU also reviewed Section 1.4.3, Land Use Adjacency Guidelines, of Chapter 1.4, Land Use Considerations of the City's Subarea Plan. Similar to the guidelines above, Section 1.4.3 outlines the City's policies related to eight land development considerations: drainage, toxics, lighting, noise, barriers, invasives, brush management and grading/land development. Although SDSU is not subject to these guidelines, an analysis of consistency with each provision is provided to ensure that the proposed project does not hinder the City's ability to meet the requirements of their Subarea Plan.

Drainage. The proposed project's drainage system would mirror existing conditions. All drainage would be captured onsite and filtered/treated before being released into the existing stormdrain system. Therefore, the proposed project would not be inconsistent with the City's drainage guidelines in Section 1.4.3 of the Subarea Plan.

Toxics. Any onsite landscaped areas (which would not directly abut the sensitive habitat area to the north) would be treated with standard fertilizers as per SDSU's typical landscaping protocols and schedules. Any runoff from these areas would be directed to the onsite drainage/filtration system which would treat all runoff before it is directed to the existing storm drain system. Therefore the project would not be inconsistent with the City's provision for use/filtration of landscape fertilizers and chemicals.

Lighting. As indicated above, lighting of the proposed buildings on the north side of structures would be limited to lights from residence hall rooms. All security lighting on the west, south and east sides of the building will be affixed with motion detectors so as to prevent excess light of the surrounding areas.

Noise. During construction, preconstruction surveys (see Mitigation Measures below), will be conducted in order to determine presence of sensitive wildlife. Construction will follow the guidelines outlined in these mitigation measures in order to minimize impacts to sensitive wildlife that may be in the canyon to a level below significance. All outdoor congregation areas or plazas will be on the south side of the buildings, oriented toward Remington Road and 55th Street as opposed to along the north of the project site. Therefore the proposed project would not result in a significant noise impact to sensitive canyon resources.

Barriers. As indicated above, the proposed construction site would be fenced to prevent wildlife intrusion into work areas and to prevent human intrusion into adjacent canyon areas. Once constructed, the proposed buildings would be fenced to prevent SDSU students, staff and visitors from accessing canyon areas from the project site.

Invasives. Any replanting of hillside areas that have been affected during construction will consist of native plants that are drought tolerant and adhere to the City's brush management guidelines. Therefore, the project would be consistent with the Subarea Plan's objectives for invasive species avoidance.

Brush Management. The proposed project's brush management program (described in the March 2017 Hazards Technical Report for the proposed project) would be consistent with the City's provisions for set-backs and vegetation use. Further, any planting would consist of drought tolerant and native plant species. Any vegetation clearing shall occur consistent with mitigation described below to avoid impacts to potential special status plant species. Therefore, the proposed project would be consistent with this provision of the City's Subarea Plan.

Grading/Land Development. All grading and land development work that is necessary for the project would be contained within the project impact footprint as described above in the impact

evaluation for biological resources. Therefore, the project would be consistent with this provision of the City's Subarea Plan.

5.7 Threshold 7

Would the project result in a cumulative impact when considered with other present and probable future projects in the region?

The proposed project, when combined with existing and probable future projects within the City could contribute to cumulative impacts on biological resources. The proposed project has potentially significant direct and indirect impacts to special-status plants; coastal California gnatcatcher; special-status reptiles; special-status mammals; birds protected under the MBTA; a sensitive natural community; and wildlife movement if the coastal California gnatcatcher is present. Absent mitigation, these impacts would make a cumulatively considerable contribution to a significant cumulative effect on the species in question. Of the projects described in Section 3, the City's on-going or proposed projects would likely contribute to indirect impacts to biological resources from increased human activity, fugitive dust, pollutants, altered hydrology, and introduction of non-native species. Specifically, the Friar's Road Residential Mixed Use project proposes impacts to 0.92 acres of Diegan coastal sage scrub (including disturbed) and indirect impacts on nesting raptors; mitigation for impacts to coastal sage scrub are through the payment into the City's Habitat Acquisition Fund (City of San Diego 2016). In addition, future SDSU projects may have a direct and/or indirect impact on these biological resources. These include the 120-room hotel, Adobe Falls Phase 1, Adobe Falls Phase 2, the Education Building Replacement, and Alvarado Creek Drainage Restoration/City of San Diego Access Road Relocation. Based on the available information for Adobe Falls Phase 1, this project may have significant impacts to coastal sage scrub, coastal California gnatcatcher, and jurisdictional resources.

SDSU will reduce impacts associated with the New Student Housing Project to less than significant through implementation of mitigation measures. Direct impacts to sensitive natural communities, special-status species, or wildlife movement if coastal California gnatcatcher is present would be mitigated through MM-BIO-1 (nesting bird survey), MM-BIO-7 and MM-BIO-9 (coastal California gnatcatcher), and MM-BIO-8 and MM-BIO-10 (habitat mitigation); potential indirect impacts would be mitigated through MM-BIO-2 (construction monitoring and reporting), MM-BIO-3 (construction fencing), MM-BIO-4 (invasive species prohibition), MM-BIO-5 (lighting plan), and MM-BIO-6 (noise). These measures will reduce cumulative impacts to **less than significant**.

6 MITIGATION MEASURES

The following mitigation measure(s) would reduce the potential for direct and indirect impacts on special-status plant and wildlife species, sensitive natural communities, jurisdictional waters, and wildlife corridors by ensuring that special-status resources would be avoided to the extent possible and compensatory mitigation provided to address unavoidable significant impacts. Implementation of the following mitigation measures (MMs) would reduce impacts to a **less-than-significant level.**

Phase I**MM-BIO-1 NESTING BIRD SURVEY:** If construction activity occurs during the breeding season (typically February 1 through September 15), a one-time biological survey for nesting bird species shall be conducted within the proposed impact area and a 300-foot buffer within 72 hours prior to construction. This survey is necessary to assure avoidance of impacts to nesting raptors (e.g., Cooper's hawk (*Accipter cooperii*) and red-tailed hawk (*Buteo jamaicensis*) and/or birds protected by the federal Migratory Bird Treaty Act. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum of a 25-foot buffer and up to a maximum of 300 feet for raptors, as determined by the project biologist, and will be avoided until the nesting cycle is complete.

MM-BIO-2 CONSTRUCTION MONITORING AND REPORTING: To prevent inadvertent disturbance to areas outside the limits of grading for each phase, all grading shall be monitored by a biologist. The biological monitor shall be contracted to perform biological monitoring during all grading, clearing, grubbing, and construction activities.

The following shall be completed:

1. The project biologist also shall perform the following duties:
    a. Attend the preconstruction meeting with the contractor and other key construction personnel prior to clearing, grubbing, or grading to reduce conflict between the timing and location of construction activities with other mitigation requirements (e.g., seasonal surveys for nesting birds).
    b. Conduct meetings with the contractor and other key construction personnel describing the importance of restricting work to designated areas and of minimizing harm to or harassment of wildlife prior to clearing, grubbing, or grading.

c. Review and/or designate the construction area in the field with the contractor in accordance with the final grading plan prior to clearing, grubbing, or grading.

d. Supervise and monitor vegetation clearing, grubbing, and grading weekly to ensure against direct and indirect impacts to biological resources that are intended to be protected and preserved and to document that protective fencing is intact.

e. Flush special-status species (i.e., avian or other mobile species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities.

f. Verify that the construction site is implementing the following stormwater pollution prevention plan best management practices: dust-control, silt fencing, removal of construction debris and a clean work area, covered trash receptacles that are animal-proof and weather-proof, prohibition of pets on the construction site, and a speed limit of 15 miles per hour during the daylight and 10 miles per hour during dark hours.

g. Periodically monitor the construction site after grading is completed and during the construction phase to see that artificial security light fixtures are directed away from open space and are shielded and to document that no unauthorized impacts have occurred.

h. Keep monitoring notes for the duration of the project for submittal in a final report to substantiate the biological supervision of the vegetation clearing and grading activities and the protection of the biological resources.

i. Prepare a monitoring report after the construction activities are completed, which describes the biological monitoring activities, including a monitoring log; photos of the site before, during, and after the grading and clearing activities; and a list of special-status species observed.

MM-BIO-3 **FENCING:** To prevent inadvertent disturbance to sensitive vegetation and species within or adjacent to the project area, fencing shall be installed prior to construction activities associated with each phase of development. The fencing shall be placed to protect from inadvertent disturbance outside of the limits of grading as well as to prevent unauthorized access into the canyon.

MM-BIO-4 **INVASIVE SPECIES PROHIBITION:** The final landscape plans shall comply with the following: (1) no invasive plant species as included on the most recent version of the California Invasive Plant Council (Cal-IPC) California Invasive Plant Inventory for the project region shall be included, and (2) the plant palette shall be composed of native species that do not require high irrigation rates. The project biologist shall periodically check landscape products for compliance with this requirement.

MM-BIO-5 **LIGHTING PLAN:** The lighting shall be designed to minimize light pollution within native habitat areas, while enhancing safety, security, and functionality. All artificial outdoor light fixtures shall be installed so they are directed away from the undeveloped canyon. Light fixtures shall be installed in conformance with the County Light Pollution Code, the Building Code, the Electrical Code, and any other related state and federal regulations such as California Title 24.

MM-BIO-6 **NOISE**: For any work proposed between February 1 and September 15, prior to start of construction activities, a qualified biologist shall conduct a pre-construction survey for the coastal California gnatcatcher to document the presence/absence and extent of occupied habitat. The pre-construction survey area for the coastal California gnatcatcher shall encompass all habitats within the impact area, as well as within a 300-foot buffer. If a coastal California gnatcatcher nest is detected, on-site noise reduction techniques shall be implemented to ensure that construction noise levels do not exceed 60 A-weighted decibels L_{eq-h} at the nest location.

Phase II

Impacts associated with Phase II are subject to mitigation measures MM-BIO-1 through MM-BIO-6, described above, as well as the following mitigation measures:

MM-BIO-7 **COASTAL CALIFORNIA GNATCATCHER:** If surveys determine the California gnatcatcher is present on-site, impacts to 0.59 acre of Diegan coastal sage scrub associated with development of Phase II shall be mitigated through conservation of California gnatcatcher-occupied Diegan coastal sage scrub. Mitigation shall be at a 2:1 ratio by onsite preservation or by purchase of appropriate credits at an approved mitigation bank in San Diego County. Additionally, if coastal California gnatcatcher are present in the impact area, SDSU shall obtain an Incidental Take Permit from the U.S. Fish and Wildlife Service (USFWS) prior to the commencement of construction activities within

suitable gnatcatcher habitat. If coastal California gnatcatcher is determined to be absent from the site, no mitigation for the species is required.

MM-BIO-8 **HABITAT MITIGATION:** If California gnatcatcher is determined to be present onsite, impacts to 0.59 acre of Diegan coastal sage scrub associated with development of Phase II will be mitigated according to MM-BIO-7 . If California gnatcatcher is determined to be absent, impacts to Diegan coastal sage scrub associated with Phase II shall be mitigated by the conservation of non-occupied habitat at a 1:1 ratio. Conservation of habitat shall be by onsite preservation or by purchase of appropriate credits at an approved mitigation bank in San Diego County.

The mitigation habitat shall include appropriate habitat for special status reptiles with potential to occur onsite. The mitigation habitat shall also support special-status plants, if found to occur on site, or be suitable for enhancement and planting of special-status plants. A plant mitigation and monitoring plan may be required to ensure the success of any enhancement or restoration.

Phase III

Impacts associated with Phase III are subject to mitigation measures MM-BIO-1 through MM-BIO-6, described above, as well as the following mitigation measures:

MM-BIO-9 **COASTAL CALIFORNIA GNATCATCHER:** If the California gnatcatcher is determined to be present onsite, impacts to 1.92 acres of Diegan coastal sage scrub associated with Phase III will be mitigated through conservation of California gnatcatcher-occupied Diegan coastal sage scrub. Mitigation shall be at a 2:1 ratio by onsite preservation or by purchase of appropriate credits at an approved mitigation bank in San Diego County. Additionally, if coastal California gnatcatcher are present in the impact area, SDSU shall obtain an Incidental Take Permit from the U.S. Fish and Wildlife Service (USFWS) prior to the commencement of construction activities within suitable gnatcatcher habitat. If coastal California gnatcatcher is determined to be absent from the site, no mitigation for the species is required.

MM-BIO-10 **HABITAT MITIGATION:** If California gnatcatcher is determined to be present onsite, impacts to 1.92 acre of Diegan coastal sage scrub associated with Phase III will be mitigated according to MM-BIO-9. If California gnatcatcher is determined to be absent, impacts to Diegan coastal sage scrub associated with Phase III shall be mitigated by the conservation of non-occupied habitat at a 1:1 ratio. Conservation

of habitat shall be by onsite preservation or by purchase of appropriate credits at an approved mitigation bank in San Diego County.

The mitigation habitat shall include appropriate habitat for special status reptiles with potential to occur onsite. A plant mitigation and monitoring plan shall be prepared to include translocation of the impacted San Diego goldenstar to the mitigation site. The mitigation habitat shall also support additional special-status plants, if found to occur on site, or be suitable for enhancement and planting of special-status plants.

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7 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Implementation of the above mitigation measures would reduce potential impacts to biological resources to **less-than-significant levels.**

Phase I

Nesting Birds

The significant direct impacts to nesting birds protected under the MBTA will be reduced to less than significant through implementation of mitigation measure **MM-BIO-1**, which requires nesting bird surveys when construction activities occur during the bird nesting season and avoidance buffers if active nests are found.**Short-Term Indirect Impacts (Plants)**

The potential significant short-term indirect impacts to special-status plants and vegetation communities will be reduced to less than significant through implementation of mitigation measures **MM-BIO-2** and **MM-BIO-3**, which require biological monitoring and a monitoring report and fencing.

Long-Term Indirect Impacts (Plants)

The potential significant long-term indirect impacts to special-status plants and vegetation communities will be reduced to less than significant through implementation of mitigation measures **MM-BIO-3** and **MM-BIO-4**, which require fencing around the buildings and restrictions on landscape planting.

Short-Term Indirect Impacts (Wildlife)

The potential significant short-term indirect impacts to special-status wildlife species will be reduced to less than significant through implementation of mitigation measures **MM-BIO-2** and **MM-BIO-3**, which require biological monitoring and a monitoring report and fencing.

Long-Term Indirect Impacts (Wildlife)

The potential significant long-term indirect impacts to special-status wildlife species will be reduced to less than significant through implementation of mitigation measures **MM-BIO-3**, **MM-BIO-4** and **MM-BIO-5,** which require fencing around the buildings, restrictions on landscape planting and a lighting plan.

Short-Term Indirect Impacts (Non-Wetland Waters)

The potential significant short-term indirect impacts to non-wetland waters will be reduced to less than significant through implementation of mitigation measures **MM-BIO-2** and **MM-BIO-3**, which require biological monitoring, compliance with the stormwater pollution prevention plan, best management practices, and a monitoring report; and fencing.

Long-Term Indirect Impacts (Non-Wetland Waters)

The potential significant long-term indirect impacts to non-wetland waters will be reduced to less than significant through implementation of mitigation measures **MM-BIO-3** and **MM-BIO-4**, which require fencing around the buildings and restrictions on landscape planting.

Short-Term Indirect Impacts (Wildlife Movement)

The potential significant short-term indirect impacts to the native habitat in the canyon that serves as a potential corridor for coastal California gnatcatcher will be reduced to less than significant through implementation of mitigation measures **MM-BIO-2** and **MM-BIO-3**, which require biological monitoring and a monitoring report, and fencing.

Long-Term Indirect Impacts (Wildlife Movement)

The potential significant long-term indirect impacts to the native habitat in the canyon that serves as a potential corridor for coastal California gnatcatcher will be reduced to less than significant through implementation of mitigation measures **MM-BIO-3, MM-BIO-4** and **MM-BIO-5**, which require fencing around the buildings, restrictions on landscape planting and a lighting plan.

Phase II

Direct Impacts to Special-Status Plants

The significant direct impacts to special-status plants will be reduced to less than significant through implementation of mitigation measure **MM-BIO-7**, which requires habitat preservation through a mitigation bank. The conserved land shall also support special-status plants or be suitable for enhancement and planting of special-status plants. **MM-BIO-7** also requires a plant mitigation and monitoring plan if needed to ensure the success of any enhancement or restoration.

Direct Impacts to Coastal California Gnatcatcher

The significant direct impacts to coastal California gnatcatcher will be reduced to less than significant through implementation of mitigation measure **MM-**

BIO-7 and **MM-BIO-8**, which requires habitat preservation through a mitigation bank of suitable gnatcatcher habitat and obtaining take authorization from the USFWS.

Direct Impacts to Special-Status Reptiles

The significant direct impacts to habitat for special-status reptiles will be reduced to less than significant through implementation of mitigation measure **MM-BIO-8**, which requires habitat preservation through a mitigation bank of suitable coastal sage scrub habitat.

Nesting Birds

The significant direct impacts to nesting birds protected under the MBTA will be reduced to less than significant through implementation of mitigation measure **MM-BIO-1**, which requires nesting bird surveys when construction activities occur during the bird nesting season and avoidance buffers if active nests are found.

Short-Term Indirect Impacts (Plants)

The potential significant short-term indirect impacts to special-status plants and vegetation communities will be reduced to less than significant through implementation of mitigation measures **MM-BIO-2** and **MM-BIO-3**, which require biological monitoring and a monitoring report and fencing.

Long-Term Indirect Impacts (Plants)

The potential significant long-term indirect impacts to special-status plants and vegetation communities will be reduced to less than significant through implementation of mitigation measures **MM-BIO-3** and **MM-BIO-4,** which require fencing around the buildings and restrictions on landscape planting.

Short-Term Indirect Impacts (Wildlife)

The potential significant short-term indirect impacts to special-status wildlife species will be reduced to less than significant through implementation of mitigation measures **MM-BIO-2** and **MM-BIO-3**, which require biological monitoring and a monitoring report and fencing.

Long-Term Indirect Impacts (Wildlife)

The potential significant long-term indirect impacts to special-status wildlife species will be reduced to less than significant through implementation of mitigation measures **MM-BIO-3**,

MM-BIO-4 and **MM-BIO-5**, which require fencing around the buildings, restrictions on landscape planting and a lighting plan.

Direct Impacts to Coastal Sage Scrub

The significant direct impacts to 0.59 acre of coastal sage scrub will be reduced to less than significant through implementation of mitigation measure **MM-BIO-7**, which requires habitat preservation through a mitigation bank of suitable coastal sage scrub habitat.

Short-Term Indirect Impacts (Non-Wetland Waters)

The potential significant short-term indirect impacts to non-wetland waters will be reduced to less than significant through implementation of mitigation measures **MM-BIO-2** and **MM-BIO-3**, which require biological monitoring, compliance with the stormwater pollution prevention plan, best management practices, and a monitoring report; and fencing.

Long-Term Indirect Impacts (Non-Wetland Waters)

The potential significant long-term indirect impacts to non-wetland waters will be reduced to less than significant through implementation of mitigation measures **MM-BIO-3** and **MM-BIO-4**, which require fencing around the buildings and restrictions on landscape planting.

Short-Term Indirect Impacts (Wildlife Movement)

The potential significant short-term indirect impacts to the native habitat in the canyon that serves as a potential corridor for coastal California gnatcatcher will be reduced to less than significant through implementation of mitigation measures **MM-BIO-2** and **MM-BIO-3**, which require biological monitoring and a monitoring report, and fencing.

Long-Term Indirect Impacts (Wildlife Movement)

The potential significant long-term indirect impacts to the native habitat in the canyon that serves as a potential corridor for coastal California gnatcatcher will be reduced to less than significant through implementation of mitigation measures **MM-BIO-3, MM-BIO-4** and **MM-BIO-5**, which require fencing around the buildings, restrictions on landscape planting and a lighting plan.

Phase III

Direct Impacts to Special-Status Plants

The significant direct impacts to special-status plants will be reduced to less than significant through implementation of mitigation measure **MM-BIO-10**, which requires habitat preservation through a mitigation bank and translocation of San Diego goldenstar. The conserved land shall also support special-status plants or be suitable for enhancement and planting of special-status plants. **MM-BIO-10** also requires a plant mitigation and monitoring plan if needed to ensure the success of any enhancement or restoration.

Direct Impacts to Coastal California Gnatcatcher

The significant direct impacts to coastal California gnatcatcher will be reduced to less than significant through implementation of mitigation measure **MM-BIO-9** and **MM-BIO-10**, which require habitat preservation through a mitigation bank of suitable gnatcatcher habitat and obtaining take authorization from the USFWS.

Direct Impacts to Special-Status Reptiles

The significant direct impacts to habitat for special-status reptiles will be reduced to less than significant through implementation of mitigation measure **MM-BIO-10**, which requires habitat preservation through a mitigation bank of suitable coastal sage scrub habitat.

Nesting Birds

The significant direct impacts to nesting birds protected under the MBTA will be reduced to less than significant through implementation of mitigation measure **MM-BIO-1**, which requires nesting bird surveys when construction activities occur during the bird nesting season and avoidance buffers if active nests are found.

Short-Term Indirect Impacts (Plants)

The potential significant short-term indirect impacts to special-status plants and vegetation communities will be reduced to less than significant through implementation of mitigation measures **MM-BIO-2** and **MM-BIO-3**, which require biological monitoring and a monitoring report and fencing.

Long-Term Indirect Impacts (Plants)

The potential significant long-term indirect impacts to special-status plants and vegetation communities will be reduced to less than significant through implementation of mitigation measures **MM-BIO-3** and **MM-BIO-4**, which require fencing around the buildings and restrictions on landscape planting.

Short-Term Indirect Impacts (Wildlife)

The potential significant short-term indirect impacts to special-status wildlife species will be reduced to less than significant through implementation of mitigation measures **MM-BIO-2** and **MM-BIO-3**, which require biological monitoring and a monitoring report and fencing.

Long-Term Indirect Impacts (Wildlife)

The potential significant long-term indirect impacts to special-status wildlife species will be reduced to less than significant through implementation of mitigation measures **MM-BIO-3**, **MM-BIO-4** and **MM-BIO-5**, which require fencing around the buildings, restrictions on landscape planting, and a lighting plan.

Direct Impacts to Coastal Sage Scrub

The significant direct impacts to 1.92 acres of coastal sage scrub will be reduced to less than significant through implementation of mitigation measure **MM-BIO-10**, which requires habitat preservation through a mitigation bank of suitable coastal sage scrub habitat.

Short-Term Indirect Impacts (Non-Wetland Waters)

The potential significant short-term indirect impacts to non-wetland waters will be reduced to less than significant through implementation of mitigation measures **MM-BIO-2** and **MM-BIO-3**, which require biological monitoring, compliance with the stormwater pollution prevention plan, best management practices, and a monitoring report; and fencing.

Long-Term Indirect Impacts (Non-Wetland Waters)

The potential significant long-term indirect impacts to non-wetland waters will be reduced to less than significant through implementation of mitigation measures **MM-BIO-3** and **MM-BIO-4**, which require fencing around the buildings and restrictions on landscape planting.

Direct Impacts (Wildlife Movement)

The significant direct impacts associated with Phase III to the native habitat in the canyon that serves as a potential corridor for coastal California gnatcatcher will be reduced to less than significant through implementation of mitigation measure **MM-BIO-10**, which requires habitat preservation through a mitigation bank of suitable coastal sage scrub habitat.

Short-Term Indirect Impacts (Wildlife Movement)

The potential significant short-term indirect impacts to the native habitat in the canyon that serves as a potential corridor for coastal California gnatcatcher will be reduced to less than significant through implementation of mitigation measures **MM-BIO-2** and **MM-BIO-3**, which require biological monitoring and a monitoring report, and fencing.

Long-Term Indirect Impacts (Wildlife Movement)

The potential significant long-term indirect impacts to the native habitat in the canyon that serves as a potential corridor for coastal California gnatcatcher will be reduced to less than significant through implementation of mitigation measures **MM-BIO-3**, **MM-BIO-4** and **MM-BIO-5**, which require fencing around the buildings, restrictions on landscape planting and a lighting plan.

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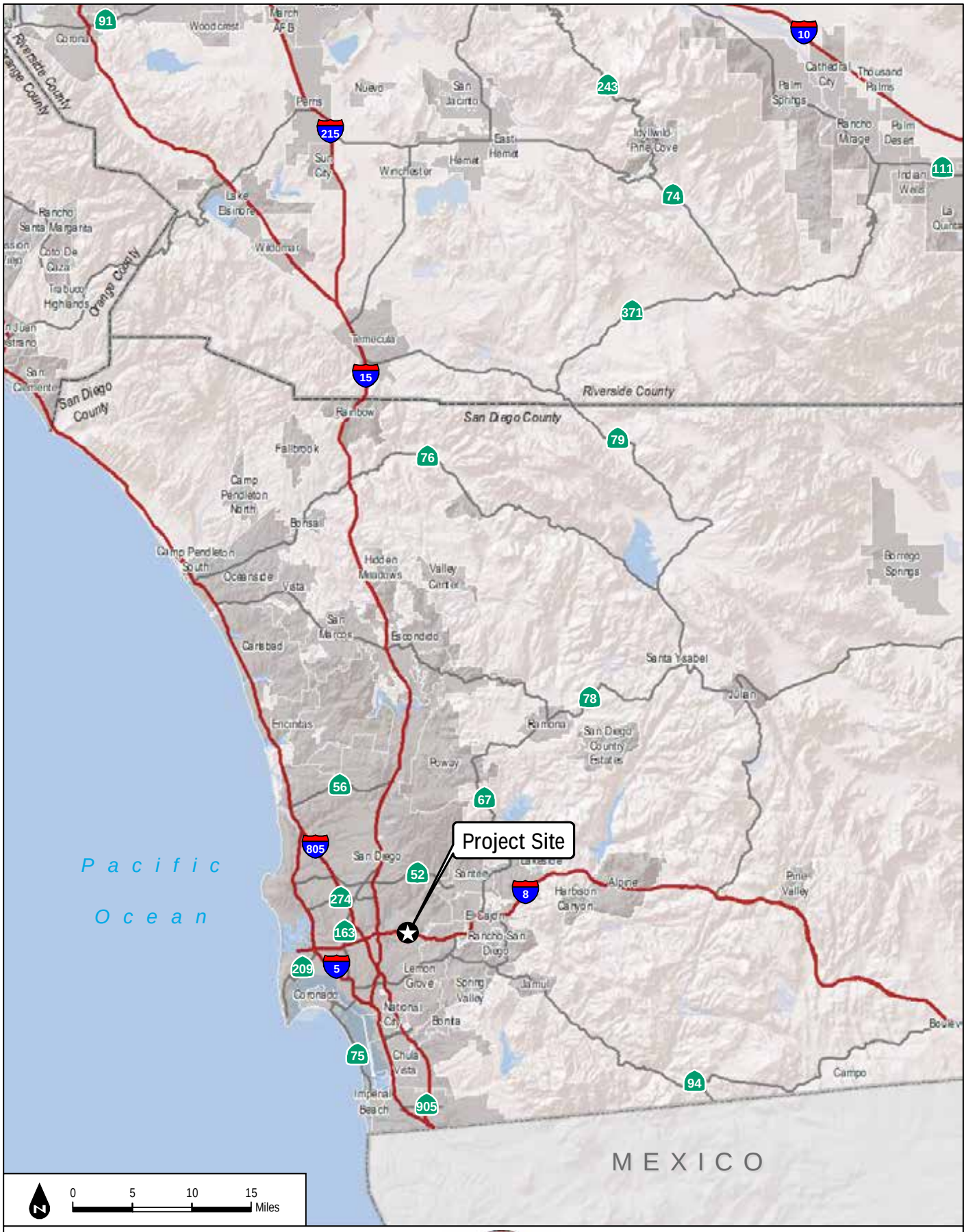

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Biological Resources Technical Report

SAN DIEGO STATE UNIVERSITY

Figure 1
Regional Map

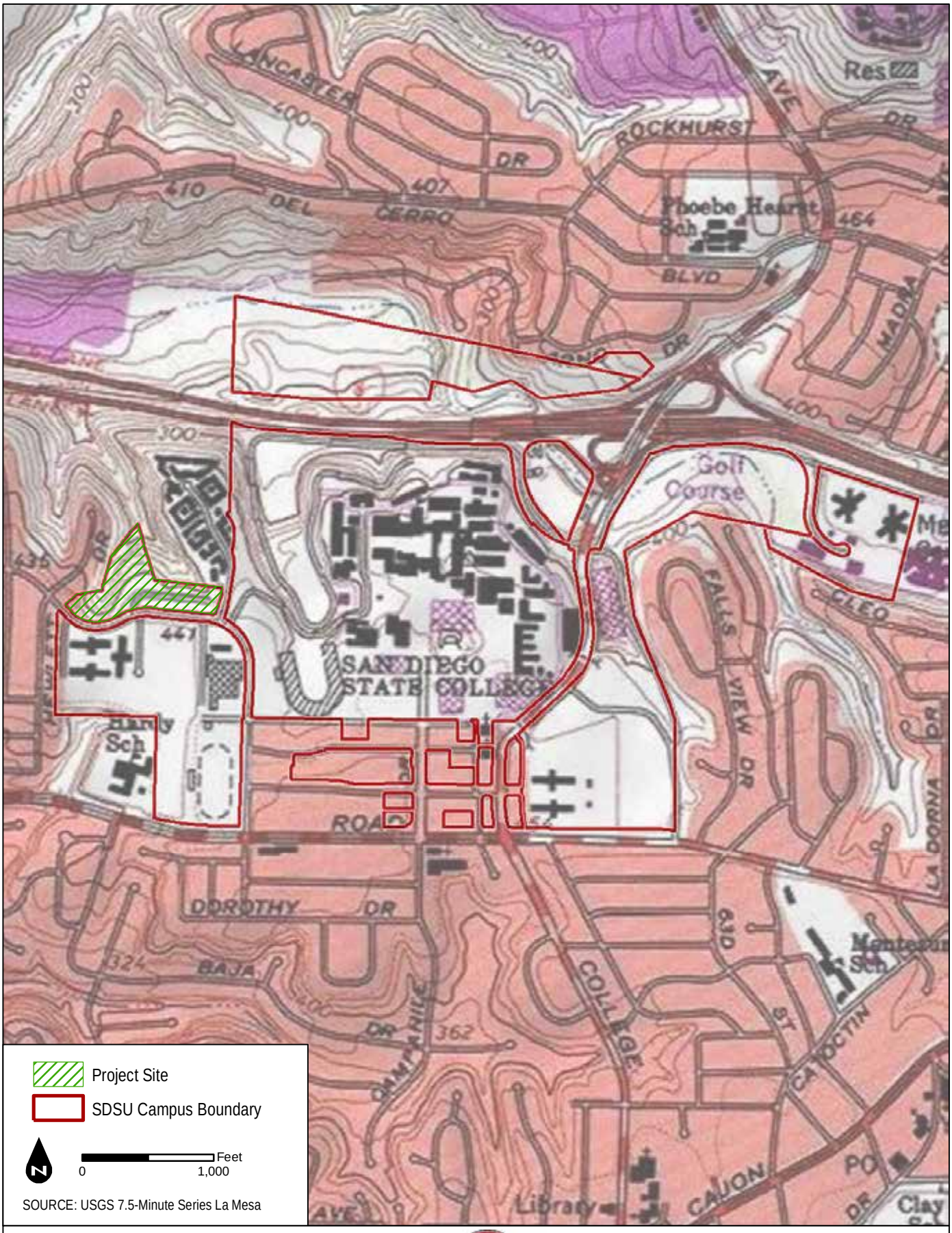

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Figure 2
Vicinity Map

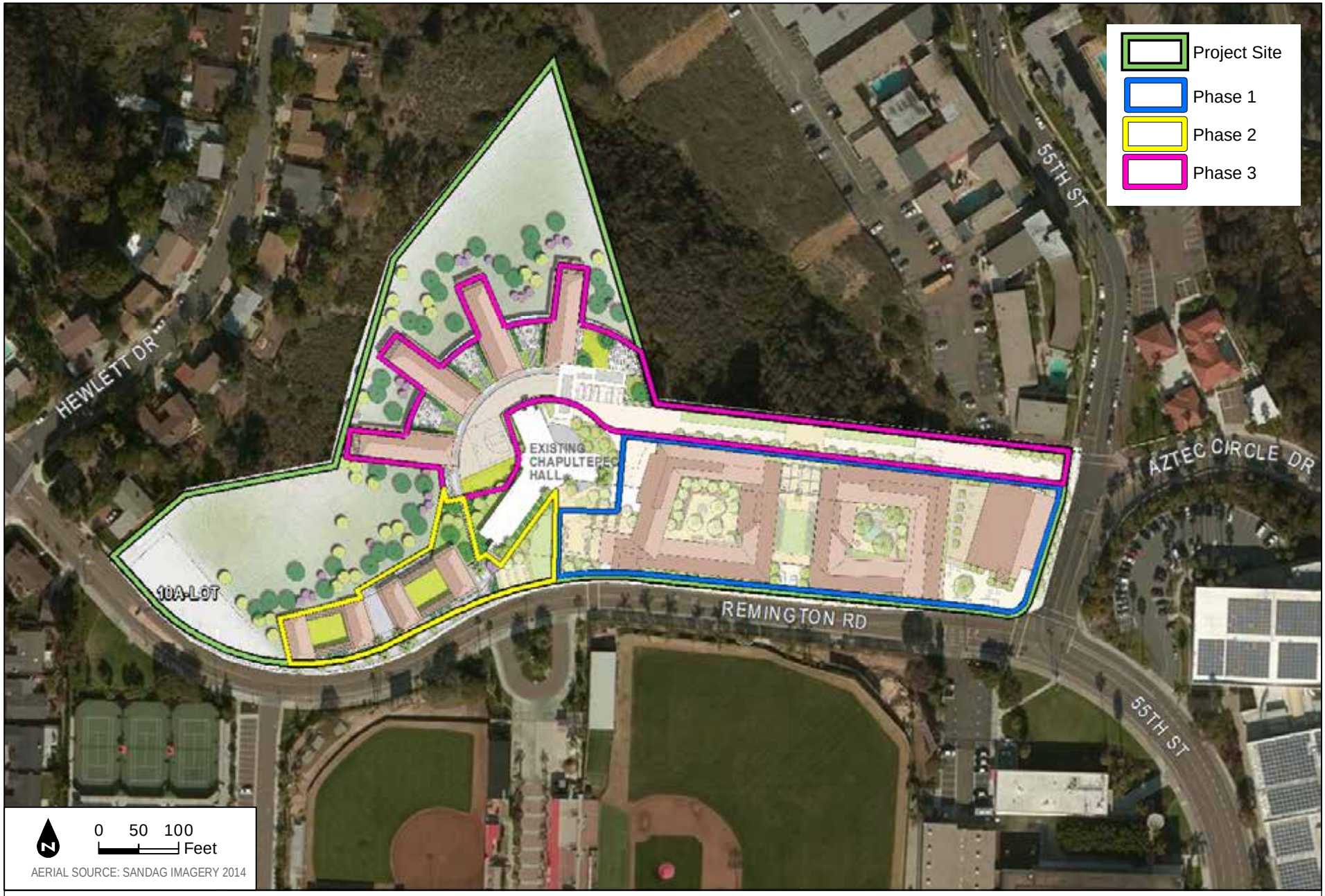

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Figure 3
Proposed Site Design

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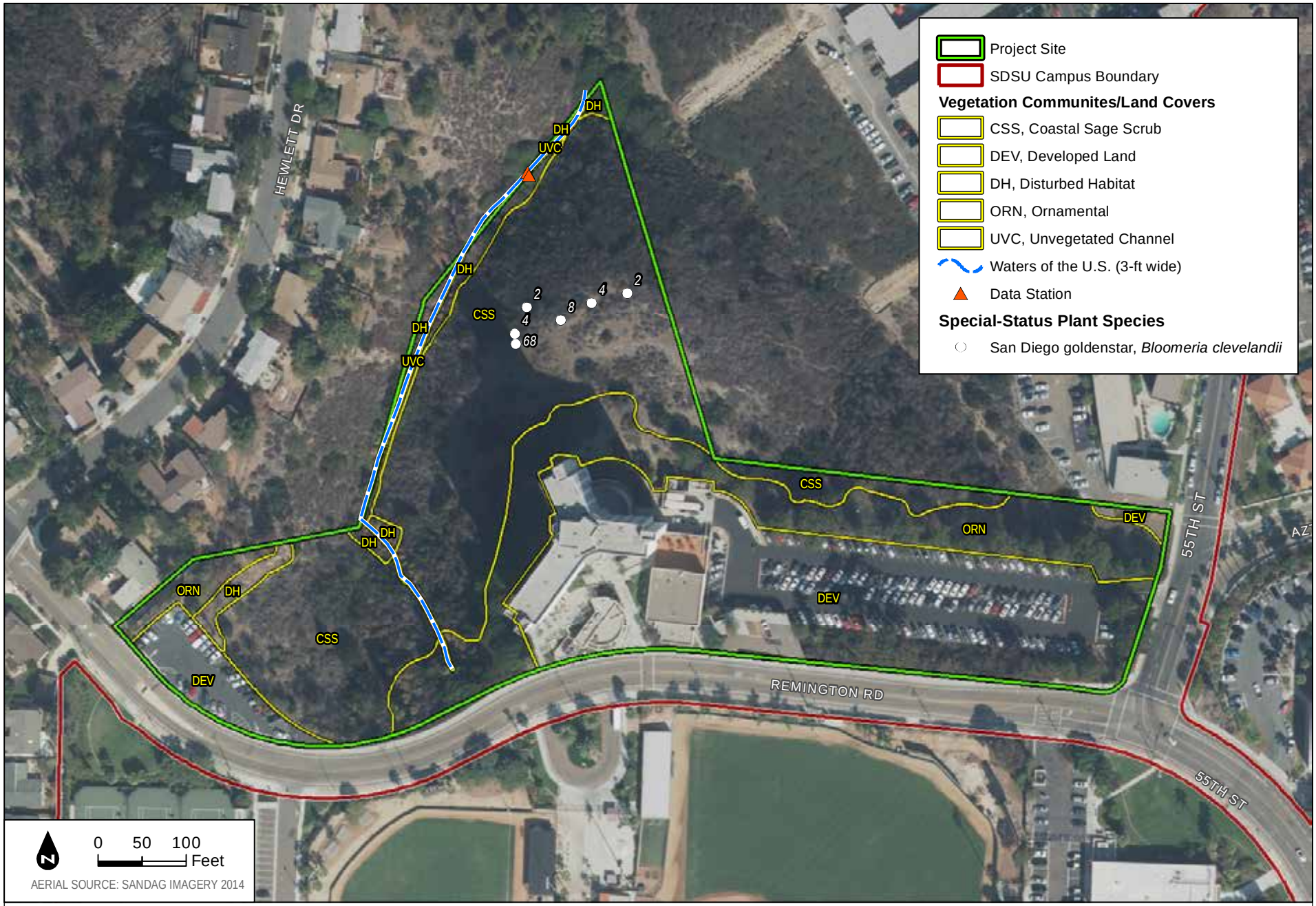

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Figure 4
Biological Resources Map

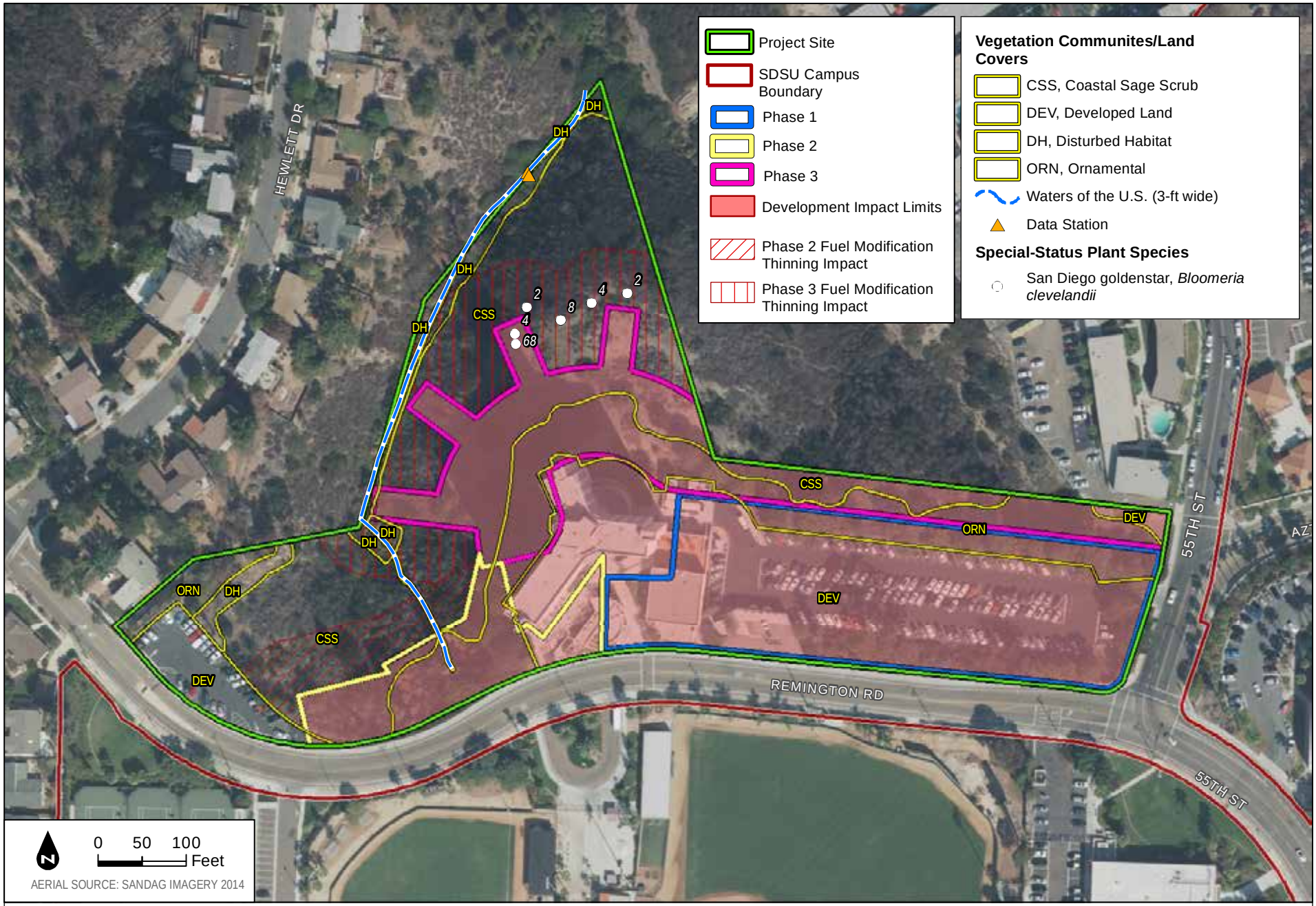

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Figure 5
Impacts to Biological Resources Map

APPENDIX A

Plant Compendium

APPENDIX A
Plant Compendium

VASCULAR SPECIES

GYMNOSPERMS AND GNETOPHYTES

PINACEAE—PINE FAMILY

Pinus albicaulis—whitebark pine

MONOCOTS

AGAVACEAE—AGAVE FAMILY

Chlorogalum parviflorum—smallflower soap plant
Yucca schidigera—Mojave yucca

ARECACEAE—PALM FAMILY

Washingtonia filifera—California fan palm
* *Phoenix canariensis*—Canary Island date palm
* *Washingtonia robusta*—Washington fan palm

ASPARAGACEAE—ASPARAGUS FAMILY

* *Asparagus asparagoides*—African asparagus fern

IRIDACEAE—IRIS FAMILY

Sisyrinchium bellum—western blue-eyed grass

LILIACEAE—LILY FAMILY

Calochortus splendens—splendid mariposa lily

POACEAE—GRASS FAMILY

* *Avena barbata*—slender oat
* *Brachypodium distachyon*—purple false brome
* *Bromus diandrus*—ripgut brome
* *Bromus madritensis* ssp. *rubens*—red brome
* *Cortaderia selloana*—Uruguayan pampas grass
* *Cynodon dactylon*—Bermudagrass
* *Hordeum murinum*—mouse barley
* *Stipa miliacea*—no common name
Stipa lepida—foothill needle grass
* *Pennisetum setaceum*—fountain grass swards

THEMIDACEAE—BRODIAEA FAMILY

Bloomeria crocea—common goldenstar

EUDICOTS

ADOXACEAE—MUSKROOT FAMILY

Sambucus nigra ssp. *caerulea*—blue elderberry

AIZOACEAE—FIG-MARIGOLD FAMILY

* *Aptenia cordifolia*—heartleaf iceplant

* *Carpobrotus edulis*—ice plant

ANACARDIACEAE—SUMAC OR CASHEW FAMILY

Malosma laurina—laurel sumac

* *Schinus terebinthifolius*—Brazilian peppertree

Rhus integrifolia—lemonade berry

APIACEAE—CARROT FAMILY

Apiastrum angustifolium—mock parsley

Lomatium dasycarpum—woollyfruit desertparsley

Sanicula arctopoides—footsteps of spring

* *Foeniculum vulgare*—fennel

APOCYNACEAE—DOGBANE FAMILY

* *Nerium oleander*—oleander

ASTERACEAE—SUNFLOWER FAMILY

* *Sonchus oleraceus*—common sowthistle

Baccharis sarothroides—desertbroom

Brickellia californica—California brickellbush

Cirsium occidentale—cobwebby thistle

Corethrogyne filaginifolia—common sandaster

Deinandra fasciculata—clustered tarweed

Erigeron canadensis—Canadian horseweed

Eriophyllum confertiflorum—golden-yarrow

Pseudognaphalium biolettii—two-color rabbit-tobacco

* *Carduus pycnocephalus*—Italian plumeless thistle

* *Centaurea melitensis*—Maltese star-thistle

* *Hedypnois rhagadioloides*—crete weed

* *Helminthotheca echioides*—bristly oxtongue

* *Logfia gallica*—narrowleaf cottonrose

* *Sonchus asper*—spiny sowthistle
Pentachaeta aurea ssp. *aurea*—golden-rayed pentachaeta
Artemisia californica—California sagebrush
Baccharis pilularis—coyote brush
Isocoma menziesii—Menzies's golden bush

BORAGINACEAE—BORAGE FAMILY
Cryptantha affinis—quill cryptantha
Emmenanthe penduliflora—whisperingbells
Phacelia ramosissima—branching phacelia
Plagiobothrys acanthocarpus—adobe popcornflower

BRASSICACEAE—MUSTARD FAMILY
* *Hirschfeldia incana*—shortpod mustard

CACTACEAE—CACTUS FAMILY
Cylindropuntia prolifera—coastal cholla
Opuntia littoralis—coast prickly pear

CHENOPODIACEAE—GOOSEFOOT FAMILY
* *Chenopodium murale*—nettleleaf goosefoot

CLEOMACEAE—CLEOME FAMILY
Peritoma arborea—bladderpod spiderflower

CRASSULACEAE—STONECROP FAMILY
Dudleya pulverulenta—chalk dudleya
* *Aeonium arboreum*—tree aenium

CUCURBITACEAE—GOURD FAMILY
Marah macrocarpa—Cucamonga manroot

ERICACEAE—HEATH FAMILY
Xylococcus bicolor—mission manzanita

EUPHORBIACEAE—SPURGE FAMILY
* *Euphorbia maculata*—spotted sandmat
* *Euphorbia peplus*—petty spurge

FABACEAE—LEGUME FAMILY

Acmispon glaber var. *glaber*—common deerweed

* *Acacia redolens*—bank catclaw

* *Medicago arabica*—spotted medick

FAGACEAE—OAK FAMILY

Quercus agrifolia var. *agrifolia*—California live oak

Quercus berberidifolia—scrub oak

GERANIACEAE—GERANIUM FAMILY

* *Erodium cicutarium*—redstem stork's bill

* *Erodium botrys*—longbeak stork's bill

GROSSULARIACEAE—GOOSEBERRY FAMILY

Ribes speciosum—fuchsiaflower gooseberry

LAMIACEAE—MINT FAMILY

Salvia mellifera—black sage

* *Marrubium vulgare*—horehound

MYRSINACEAE—MYRSINE FAMILY

* *Lysimachia arvensis*—scarlet pimpernel

MYRTACEAE—MYRTLE FAMILY

* *Eucalyptus camaldulensis*—river redgum

* *Eucalyptus globulus*—Tasmanian bluegum

NYCTAGINACEAE—FOUR O'CLOCK FAMILY

Mirabilis laevis—desert wishbone-bush

OLEACEAE—OLIVE FAMILY

* *Olea europaea*—olive

OXALIDACEAE—OXALIS FAMILY

* *Oxalis pes-caprae*—Bermuda buttercup

PHRYMACEAE—LOPSEED FAMILY

Mimulus aurantiacus var. *puniceus*—orange bush monkeyflower

PLANTAGINACEAE—PLANTAIN FAMILY

Plantago erecta—dwarf plantain

POLEMONIACEAE—PHLOX FAMILY

Navarretia hamata—hooked pincushionplant

POLYGONACEAE—BUCKWHEAT FAMILY

Eriogonum fasciculatum var. *fasciculatum*—Eastern Mojave buckwheat

PORTULACACEAE—PURSLANE FAMILY

* *Portulaca oleracea*—little hogweed

RANUNCULACEAE—BUTTERCUP FAMILY

Clematis pauciflora—ropevine clematis

RHAMNACEAE—BUCKTHORN FAMILY

Rhamnus crocea—redberry buckthorn

ROSACEAE—ROSE FAMILY

Adenostoma fasciculatum—chamise

Heteromeles arbutifolia—toyon

RUBIACEAE—MADDER FAMILY

Galium angustifolium—narrowleaf bedstraw

SCROPHULARIACEAE—FIGWORT FAMILY

Scrophularia californica—California figwort

* *Myoporum laetum*—myoporum

SOLANACEAE—NIGHTSHADE FAMILY

Solanum xanti—chaparral nightshade

* *Nicotiana glauca*—tree tobacco

TROPAEOLACEAE—NASTURTIUM FAMILY

* *Tropaeolum majus*—nasturtium

* signifies introduced (non-native) species

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APPENDIX B

Wildlife Compendium

APPENDIX B
Wildlife Compendium

BIRD

BLACKBIRDS, ORIOLES AND ALLIES

ICTERIDAE—BLACKBIRDS

Icterus bullockii—Bullock's oriole
Icterus cucullatus—hooded oriole

BUSHTITS

AEGITHALIDAE—LONG-TAILED TITS AND BUSHTITS

Psaltriparus minimus—bushtit

CARDINALS, GROSBEAKS AND ALLIES

CARDINALIDAE—CARDINALS AND ALLIES

Pheucticus melanocephalus—black-headed grosbeak

EMBERIZINES

EMBERIZIDAE—EMBERIZIDS

Melospiza melodia—song sparrow
Melozone crissalis—California towhee
Pipilo maculatus—spotted towhee
Zonotrichia leucophrys—white-crowned sparrow

FINCHES

FRINGILLIDAE—FRINGILLINE AND CARDUELINE FINCHES AND ALLIES

Spinus psaltria—lesser goldfinch

FLYCATCHERS

TYRANNIDAE—TYRANT FLYCATCHERS

Empidonax difficilis—Pacific-slope flycatcher
Sayornis nigricans—black phoebe
Tyrannus vociferans—Cassin's kingbird

HAWKS

ACCIPITRIDAE—HAWKS, KITES, EAGLES, AND ALLIES

Buteo jamaicensis—red-tailed hawk

HUMMINGBIRDS

TROCHILIDAE—HUMMINGBIRDS

Calypte anna—Anna's hummingbird
Selasphorus sasin—Allen's hummingbird

JAYS, MAGPIES AND CROWS

CORVIDAE—CROWS AND JAYS

Aphelocoma californica—California scrub-jay
Corvus brachyrhynchos—American crow
Corvus corax—common raven

MOCKINGBIRDS AND THRASHERS

MIMIDAE—MOCKINGBIRDS AND THRASHERS

Mimus polyglottos—northern mockingbird
Toxostoma redivivum—California thrasher

PIGEONS AND DOVES

COLUMBIDAE—PIGEONS AND DOVES

* *Columba livia*—rock pigeon (rock dove)
Zenaida macroura—mourning dove

SHOREBIRDS

CHARADRIIDAE—LAPWINGS AND PLOVERS

Charadrius vociferus—killdeer

STARLINGS AND ALLIES

STURNIDAE—STARLINGS

* *Sturnus vulgaris*—European starling

SWIFTS

APODIDAE—SWIFTS

Aeronautes saxatalis—white-throated swift

TERNS AND GULLS

LARIDAE—GULLS, TERNS, AND SKIMMERS

Sternula antillarum browni—California least tern

WOOD WARBLERS AND ALLIES

PARULIDAE—WOOD-WARBLERS

Oreothlypis celata—orange-crowned warbler

Setophaga coronata—yellow-rumped warbler

WOODPECKERS

PICIDAE—WOODPECKERS AND ALLIES

Colaptes auratus—northern flicker

Picoides nuttallii—Nuttall's woodpecker

WRENS

TROGLODYTIDAE—WRENS

Thryomanes bewickii—Bewick's wren

Troglodytes aedon—house wren

WRENTITS

TIMALIIDAE—BABBLERS

Chamaea fasciata—wrentit

* signifies introduced (non-native) species

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APPENDIX C

Data Station Forms

WETLAND DETERMINATION DATA FORM - Arid West Region

Project/Site: SDSU W Campus Student Housing Complex Proj City/County: San Diego Sampling Date: 3/19/14

Applicant/Owner: SDSU State: CA Sampling Point: DS-1a

Investigator(s): Vipul Joshi, Emily Wier Section, Township, Range: Section 15, Township 16S, Range 2W

Landform (hillslope, terrace, etc.): Drainage Local relief (concave, convex, none): convex Slope (%): 1%

Subregion (LRR): C - Mediterranean California Lat: 117 4'45.23"W Long: 32 46'36.51"N Datum: NAD 83

Soil Map Unit Name: NWI classification:

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ◉ No ○ (If no, explain in Remarks.)

Are Vegetation ☐ Soil ☐ or Hydrology ☐ significantly disturbed? Are "Normal Circumstances" present? Yes ◉ No ○

Are Vegetation ☐ Soil ☐ or Hydrology ☐ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ○	No ◉	
Hydric Soil Present?	Yes ◉	No ○	**Is the Sampled Area within a Wetland?** Yes ○ No ◉
Wetland Hydrology Present?	Yes ◉	No ○	

Remarks: Data station located next to a drainage fed by urban runoff, at the base of a canyon. Standing water is present next to the data station, and the depth to the water table is 6 inches.

VEGETATION

Tree Stratum (Use scientific names.)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Schinus terebinthus*	100	Yes	Not Listed
2.			
3.			
4.			
Total Cover:	100%		
Sapling/Shrub Stratum			
1. *Cortaderia selloana*	30	Yes	Not Listed
2.			
3.			
4.			
5.			
Total Cover:	30 %		
Herb Stratum			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
Total Cover:	%		
Woody Vine Stratum			
1.			
2.			
Total Cover:	%		

% Bare Ground in Herb Stratum 5 % % Cover of Biotic Crust %

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0 % (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species		x 1 =	0
FACW species		x 2 =	0
FAC species		x 3 =	0
FACU species		x 4 =	0
UPL species	130	x 5 =	650
Column Totals:	130 (A)		650 (B)

Prevalence Index = B/A = 5.00

Hydrophytic Vegetation Indicators:

- ◉ Dominance Test is >50%
- ◉ Prevalence Index is ≤3.0[1]
- ☐ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- ☐ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present.

Hydrophytic Vegetation Present? Yes ○ No ◉

Remarks: Proximity to urban development and encroachment of ornamentals has likely converted vegetation to non-native ornamental species. No species observed in herb stratum.

SOIL

Sampling Point: DS-1a

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture[3]	Remarks
0-9	10YR 2/1	100					Loam	Many cobbles

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix. [2]Location: PL=Pore Lining, RC=Root Channel, M=Matrix.

[3]Soil Textures: Clay, Silty Clay, Sandy Clay, Loam, Sandy Clay Loam, Sandy Loam, Clay Loam, Silty Clay Loam, Silt Loam, Silt, Loamy Sand, Sand.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Stratified Layers (A5) (**LRR C**)
- ☐ 1 cm Muck (A9) (**LRR D**)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Sandy Mucky Mineral (S1)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Loamy Mucky Mineral (F1)
- ☐ Loamy Gleyed Matrix (F2)
- ☒ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)
- ☐ Vernal Pools (F9)

Indicators for Problematic Hydric Soils:[4]

- ☐ 1 cm Muck (A9) (**LRR C**)
- ☐ 2 cm Muck (A10) (**LRR B**)
- ☐ Reduced Vertic (F18)
- ☐ Red Parent Material (TF2)
- ☐ Other (Explain in Remarks)

[4]Indicators of hydrophytic vegetation and wetland hydrology must be present.

Restrictive Layer (if present):

Type:

Depth (inches):

Hydric Soil Present? Yes ◉ No ○

Remarks: Lots of cobbles located within the soil profile.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (any one indicator is sufficient)

- ☐ Surface Water (A1)
- ☒ High Water Table (A2)
- ☐ Saturation (A3)
- ☐ Water Marks (B1) (**Nonriverine**)
- ☐ Sediment Deposits (B2) (**Nonriverine**)
- ☐ Drift Deposits (B3) (**Nonriverine**)
- ☐ Surface Soil Cracks (B6)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Water-Stained Leaves (B9)
- ☐ Salt Crust (B11)
- ☐ Biotic Crust (B12)
- ☐ Aquatic Invertebrates (B13)
- ☐ Hydrogen Sulfide Odor (C1)
- ☐ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Plowed Soils (C6)
- ☐ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ☐ Water Marks (B1) (**Riverine**)
- ☐ Sediment Deposits (B2) (**Riverine**)
- ☒ Drift Deposits (B3) (**Riverine**)
- ☒ Drainage Patterns (B10)
- ☐ Dry-Season Water Table (C2)
- ☐ Thin Muck Surface (C7)
- ☐ Crayfish Burrows (C8)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☐ Shallow Aquitard (D3)
- ☐ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ○ No ◉ Depth (inches):

Water Table Present? Yes ◉ No ○ Depth (inches): 6 inches

Saturation Present? (includes capillary fringe) Yes ○ No ◉ Depth (inches):

Wetland Hydrology Present? Yes ◉ No ○

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Approximately 2 inches of surface water is present within drainage, which is approximately 12 inches from data station. Algae is also present in the standing water. Located within urban watershed so source of water is likely urban runoff. Water is not flowing, is at a pretty flat grade. There could be a restrictive layer present to restrict percolation.

WETLAND DETERMINATION DATA FORM - Arid West Region

Project/Site: SDSU W Campus Student Housing Complex Proj City/County: San Diego Sampling Date: 3/19/14

Applicant/Owner: SDSU State: CA Sampling Point: DS-1b

Investigator(s): Vipul Joshi, Emily Wier Section, Township, Range: Section 15, Township 16S, Range 2W

Landform (hillslope, terrace, etc.): Embankment Local relief (concave, convex, none): convex Slope (%): 0

Subregion (LRR): C - Mediterranean California Lat: 117 4'45.251"W Long: 32 46'36.464"N Datum: NAD 83

Soil Map Unit Name: NWI classification:

Are climatic / hydrologic conditions on the site typical for this time of year? Yes (•) No ( ) (If no, explain in Remarks.)

Are Vegetation [ ] Soil [ ] or Hydrology [ ] significantly disturbed? Are "Normal Circumstances" present? Yes (•) No ( )

Are Vegetation [ ] Soil [ ] or Hydrology [ ] naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ( )	No (•)	
Hydric Soil Present?	Yes (•)	No ( )	**Is the Sampled Area**
Wetland Hydrology Present?	Yes ( )	No (•)	**within a Wetland?** Yes ( ) No (•)

Remarks: Data station located adjacent to drainage but no hydrology is present.

VEGETATION

Tree Stratum (Use scientific names.)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Schinus terebinthus*	100	Yes	Not Listed
2.			
3.			
4.			
Total Cover:	100%		
Sapling/Shrub Stratum			
1. *Cortaderia selloana*	30	Yes	Not Listed
2.			
3.			
4.			
5.			
Total Cover:	30 %		
Herb Stratum			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
Total Cover:	%		
Woody Vine Stratum			
1.			
2.			
Total Cover:	%		

% Bare Ground in Herb Stratum 5 % % Cover of Biotic Crust %

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0 % (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species		x 1 =	0
FACW species		x 2 =	0
FAC species		x 3 =	0
FACU species		x 4 =	0
UPL species	130	x 5 =	650
Column Totals:	130 (A)		650 (B)

Prevalence Index = B/A = 5.00

Hydrophytic Vegetation Indicators:

- [ ] Dominance Test is >50%
- [ ] Prevalence Index is ≤3.0[1]
- [ ] Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- [ ] Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present.

Hydrophytic Vegetation Present? Yes ( ) No (•)

Remarks: No vegetation present within herbaceous layer or woody vine stratum. Located within same vegetation community as DS-1a.

SOIL

Sampling Point: DS-1b

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture[3]	Remarks
0-9	7.5YR 3/1	100					clay loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix. [2]Location: PL=Pore Lining, RC=Root Channel, M=Matrix.

[3]Soil Textures: Clay, Silty Clay, Sandy Clay, Loam, Sandy Clay Loam, Sandy Loam, Clay Loam, Silty Clay Loam, Silt Loam, Silt, Loamy Sand, Sand.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ☐ Histosol (A1)
- ☐ Histic Epipedon (A2)
- ☐ Black Histic (A3)
- ☐ Hydrogen Sulfide (A4)
- ☐ Stratified Layers (A5) (**LRR C**)
- ☐ 1 cm Muck (A9) (**LRR D**)
- ☐ Depleted Below Dark Surface (A11)
- ☐ Thick Dark Surface (A12)
- ☐ Sandy Mucky Mineral (S1)
- ☐ Sandy Gleyed Matrix (S4)
- ☐ Sandy Redox (S5)
- ☐ Stripped Matrix (S6)
- ☐ Loamy Mucky Mineral (F1)
- ☐ Loamy Gleyed Matrix (F2)
- ☒ Depleted Matrix (F3)
- ☐ Redox Dark Surface (F6)
- ☐ Depleted Dark Surface (F7)
- ☐ Redox Depressions (F8)
- ☐ Vernal Pools (F9)

Indicators for Problematic Hydric Soils:[4]

- ☐ 1 cm Muck (A9) (**LRR C**)
- ☐ 2 cm Muck (A10) (**LRR B**)
- ☐ Reduced Vertic (F18)
- ☐ Red Parent Material (TF2)
- ☐ Other (Explain in Remarks)

[4]Indicators of hydrophytic vegetation and wetland hydrology must be present.

Restrictive Layer (if present):

Type:

Depth (inches):

Hydric Soil Present? Yes ◉ No ○

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (any one indicator is sufficient)

- ☐ Surface Water (A1)
- ☐ High Water Table (A2)
- ☐ Saturation (A3)
- ☐ Water Marks (B1) (**Nonriverine**)
- ☐ Sediment Deposits (B2) (**Nonriverine**)
- ☐ Drift Deposits (B3) (**Nonriverine**)
- ☐ Surface Soil Cracks (B6)
- ☐ Inundation Visible on Aerial Imagery (B7)
- ☐ Water-Stained Leaves (B9)
- ☐ Salt Crust (B11)
- ☐ Biotic Crust (B12)
- ☐ Aquatic Invertebrates (B13)
- ☐ Hydrogen Sulfide Odor (C1)
- ☐ Oxidized Rhizospheres along Living Roots (C3)
- ☐ Presence of Reduced Iron (C4)
- ☐ Recent Iron Reduction in Plowed Soils (C6)
- ☐ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ☐ Water Marks (B1) (**Riverine**)
- ☐ Sediment Deposits (B2) (**Riverine**)
- ☐ Drift Deposits (B3) (**Riverine**)
- ☐ Drainage Patterns (B10)
- ☐ Dry-Season Water Table (C2)
- ☐ Thin Muck Surface (C7)
- ☐ Crayfish Burrows (C8)
- ☐ Saturation Visible on Aerial Imagery (C9)
- ☐ Shallow Aquitard (D3)
- ☐ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ○ No ◉ Depth (inches):

Water Table Present? Yes ○ No ◉ Depth (inches):

Saturation Present? (includes capillary fringe) Yes ○ No ◉ Depth (inches):

Wetland Hydrology Present? Yes ○ No ◉

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: No hydrology present. Located approximately 6 feet from the stream, and is about 1 foot higher than the streambed in elevation. No evidence of overbank flow.

APPENDIX D1

Special-Status Plants – Observed or Moderate Potential to Occur

APPENDIX D1
Special-Status Plants – Observed or Moderate Potential to Occur

Scientific Name	Common Name	Status (Federal/State/ CRPR)	City of San Diego MSCP	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (feet)	Potential to Occur
Bloomeria clevelandii	San Diego goldenstar	None/None/1B.1	Covered	Chaparral, coastal scrub, valley and foothill grassland, vernal pools; clay/perennial bulbiferous herb/Apr–May/164–1526	Observed during the April 2017 survey. Suitable coastal scrub habitat on site but clay soils are only composed of small inclusions. There are CNDDB occurrences within 1 mile of the project site (CDFW 2017).
Corethrogyne filaginifolia var. *incana*	San Diego sand aster	None/None/1B.1	None	Coastal bluff scrub, chaparral, coastal scrub/perennial herb/June–Sep/10–377	Moderate potential to occur. Suitable coastal scrub habitat on site.
Corethrogyne filaginifolia var. *linifolia*	Del Mar Mesa sand aster	None/None/1B.1	Covered	Coastal bluff scrub, chaparral (maritime, openings), coastal scrub; sandy/perennial herb/May–Sep/49–492	Moderate potential to occur. Suitable coastal scrub habitat on site and site is within the elevation range for this species.

[1] **Status Legend:**
FE: Federally-listed as endangered
FT: Federally-listed as threatened
FC: Federal Candidate
MSCP: Covered Species under MSCP
MSCP NE: Narrow endemic species covered under MSCP
SE: State-listed as endangered
ST: State-listed as threatened
SR: State-listed as rare
CRPR 1A: Plants presumed extinct in California
CRPR List 1B: Plants rare, threatened, or endangered in California and elsewhere
CRPR List 2: Plants rare, threatened, or endangered in California but more common elsewhere
CRPR List 3: Plants about which more information is needed – a review list
.1 Seriously endangered in California (over 80% of occurrences threatened/high degree and immediacy of threat)
.2 Fairly endangered in California (20% to 80% of occurrences threatened)

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APPENDIX D2

Special-Status Plants – Low Potential or Not Expected to Occur

Appendix D2
Special-Status Plants – Low Potential or Not Expected to Occur

Scientific Name	Common Name	Status (Federal/State/CRPR)	City of San Diego MSCP	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (feet)	Potential to Occur
Acanthomintha ilicifolia	San Diego thorn-mint	FT/CE/1B.1	Narrow Endemic	Chaparral, coastal scrub, valley and foothill grassland, vernal pools; clay, openings/annual herb/Apr–June/33–3150	Low potential to occur. There are CNDDB occurrences within 1 mile of the project site (CDFW 2017). Suitable habitat present but no suitable soils on site.
Acmispon prostratus	Nuttall's acmispon	None/None/1B.1	Covered	Coastal dunes, coastal scrub (sandy)/annual herb/Mar–June (July)/0–33	Not expected to occur. Suitable habitat present but no suitable soils on site. Site is located within known elevation range for this species.
Adolphia californica	California adolphia	None/None/2B.1	None	Chaparral, coastal scrub, valley and foothill grassland; clay/perennial deciduous shrub/Dec–May/33–2428	Low potential to occur. Suitable habitat present on site. There is a CNDDB occurrence within 1 mile of the project site (CDFW 2017) and approximately 45 plants have been observed on an adjacent project (Dudek 2005). However, this species would have been observed if present.
Agave shawii var. *shawii*	Shaw's agave	None/None/2B.1	Narrow Endemic	Coastal bluff scrub, coastal scrub/perennial leaf succulent/Sep–May/10–394	Not expected to occur. Suitable habitat present on site. Would have been observed if present.
Ambrosia chenopodiifolia	San Diego bur-sage	None/None/2B.1	None	Coastal scrub/perennial shrub/Apr–June/180–509	Low potential to occur. Suitable habitat present on site and site is located within elevation range for this species. However, this species would have been observed if present.
Ambrosia monogyra	singlewhorl burrobrush	None/None/2B.2	None	Chaparral, Sonoran desert scrub; sandy/perennial shrub/Aug–Nov/33–1640	Not expected to occur. No suitable vegetation present.
Ambrosia pumila	San Diego ambrosia	FE/None/1B.1	Narrow Endemic	Chaparral, coastal scrub, valley and foothill grassland, vernal pools; sandy loam or clay, often in disturbed areas, sometimes alkaline/perennial rhizomatous herb/Apr–Oct/66–1362	Low potential to occur. Suitable habitat present on site and site is located within elevation range for this species; however, this species was not detected during the 2014 or 2017 surveys when it would have been detectable.

Scientific Name	Common Name	Status (Federal/State/CRPR)	City of San Diego MSCP	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (feet)	Potential to Occur
Aphanisma blitoides	aphanisma	None/None/1B.2	Narrow Endemic	Coastal bluff scrub, coastal dunes, coastal scrub; sandy or gravelly/annual herb/Mar–June/3–1001	Low potential to occur. Suitable habitat present on site and site is located within elevation range for this species; however, this species was not detected during the 2014 or 2017 surveys when it would have been detectable.
Arctostaphylos glandulosa ssp. *crassifolia*	Del Mar manzanita	FE/None/1B.1	Covered	Chaparral (maritime, sandy)/perennial evergreen shrub/Dec–June/0–1198	Not expected to occur. No suitable habitat on site. Would have been observed if present.
Arctostaphylos otayensis	Otay manzanita	None/None/1B.2	Covered	Chaparral, cismontane woodland; metavolcanic/perennial evergreen shrub/Jan–Apr/902–5577	Not expected to occur. No suitable habitat or soils on site. Would have been observed if present.
Astragalus deanei	Dean's milk-vetch	None/None/1B.1	None	Chaparral, cismontane woodland, coastal scrub, riparian forest/perennial herb/Feb–May/246–2280	Low potential to occur. Suitable habitat present on site and site is located within elevation range for this species; however, this species was not detected during the 2014 or 2017 surveys when it would have been detectable.
Astragalus tener var. *titi*	coastal dunes milk-vetch	FE/CE/1B.1	Narrow Endemic	Coastal bluff scrub (sandy), coastal dunes, coastal prairie (mesic); often vernally mesic areas/annual herb/Mar–May/3–164	Not expected to occur. No suitable habitat on site. Site is located outside known elevation range for this species.
Atriplex coulteri	Coulter's saltbush	None/None/1B.2	None	Coastal bluff scrub, coastal dunes, coastal scrub, valley and foothill grassland; alkaline or clay/perennial herb/Mar–Oct/10–1509	Low potential to occur. Suitable habitat on site and site is located within elevation range for this species, but there are no alkaline or clay soils on site.
Atriplex pacifica	South Coast saltscale	None/None/1B.2	None	Coastal bluff scrub, coastal dunes, coastal scrub, playas/annual herb/Mar–Oct/0–459	Low potential to occur. No suitable bluff or dunes habitat on site.
Baccharis vanessae	Encinitas baccharis	FT/CE/1B.1	Covered	Chaparral (maritime), cismontane woodland; sandstone/perennial deciduous shrub/Aug–Nov/197–2362	Not expected to occur. No suitable habitat on site. Would have been observed if present.
Berberis nevinii	Nevin's barberry	FE/CE/1B.1	Covered	Chaparral, cismontane woodland, coastal scrub, riparian scrub; sandy or gravelly/perennial evergreen shrub/Mar–June/230–2707	Not expected to occur. Suitable coastal scrub habitat on site and species has been Would have been observed if present.

Scientific Name	Common Name	Status (Federal/State/CRPR)	City of San Diego MSCP	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (feet)	Potential to Occur
Bergerocactus emoryi	golden-spined cereus	None/None/2B.2	None	Closed-cone coniferous forest, chaparral, coastal scrub; sandy/perennial stem succulent/May–June/10–1296	Not expected to occur. Suitable coastal scrub habitat on site and species has been Would have been observed if present.
Brodiaea filifolia	thread-leaved brodiaea	FT/CE/1B.1	Covered	Chaparral (openings), cismontane woodland, coastal scrub, playas, valley and foothill grassland, vernal pools; often clay/perennial bulbiferous herb/Mar–June/82–3675	Low potential to occur. Suitable coastal scrub habitat on site but no clay soils.
Brodiaea orcuttii	Orcutt's brodiaea	None/None/1B.1	Covered	Closed-cone coniferous forest, chaparral, cismontane woodland, meadows and seeps, valley and foothill grassland, vernal pools; mesic, clay, sometimes serpentinite/perennial bulbiferous herb/May–July/98–5551	Low potential to occur. No suitable vegetation present.
California macrophylla	round-leaved filaree	None/None/1B.2	None	Cismontane woodland, valley and foothill grassland; clay/annual herb/Mar–May/49–3937	Not expected to occur. No suitable vegetation present.
Calochortus dunnii	Dunn's mariposa lily	None/CR/1B.2	Covered	Closed-cone coniferous forest, chaparral, valley and foothill grassland; gabbroic or metavolcanic, rocky/perennial bulbiferous herb/(Feb) Apr–June/607–6004	Not expected to occur. The site is outside of the species' known elevation range and there is no suitable vegetation present.
Camissoniopsis lewisii	Lewis' evening-primrose	None/None/3	None	Coastal bluff scrub, cismontane woodland, coastal dunes, coastal scrub, valley and foothill grassland; sandy or clay/annual herb/Mar–May (June)/0–984	Low potential to occur. Suitable coastal scrub habitat on site, but no sandy or clay soils mapped.
Ceanothus cyaneus	Lakeside ceanothus	None/None/1B.2	Covered	Closed-cone coniferous forest, chaparral/perennial evergreen shrub/Apr–June/771–2477	Not expected to occur. No suitable habitat on site and site is located outside the elevation range for this species. Would have been observed if present.
Ceanothus otayensis	Otay Mountain ceanothus	None/None/1B.2	None	Chaparral (metavolcanic or gabbroic)/perennial evergreen shrub/Jan–Apr/1969–3609	Not expected to occur. No suitable habitat on site and site is located outside the elevation range for this species. Would have been observed if present.
Ceanothus verrucosus	wart-stemmed ceanothus	None/None/2B.2	Covered	Chaparral/perennial evergreen shrub/Dec–May/3–1247	Not expected to occur. No suitable habitat on site. Would have been observed if present.

Scientific Name	Common Name	Status (Federal/State/CRPR)	City of San Diego MSCP	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (feet)	Potential to Occur
Centromadia parryi ssp. *australis*	southern tarplant	None/None/1B.1	None	Marshes and swamps (margins), valley and foothill grassland (vernally mesic), vernal pools/annual herb/May–Nov/0–1575	Not expected to occur. No suitable habitat on site although site is located within the elevation range for this species.
Centromadia pungens ssp. *laevis*	smooth tarplant	None/None/1B.1	None	Chenopod scrub, meadows and seeps, playas, riparian woodland, valley and foothill grassland; alkaline/annual herb/Apr–Sep/0–2100	Not expected to occur. No suitable habitat on site although site is located within the elevation range for this species.
Chaenactis glabriuscula var. *orcuttiana*	Orcutt's pincushion	None/None/1B.1	None	Coastal bluff scrub (sandy), coastal dunes/annual herb/Jan–Aug/0–328	Not expected to occur. No suitable habitat on site although site is located within the elevation range for this species.
Chloropyron maritimum ssp. *maritimum*	salt marsh bird's-beak	FE/CE/1B.2	Covered	Coastal dunes, marshes and swamps (coastal salt)/annual herb (hemiparasitic)/May–Oct/0–98	Not expected to occur. No suitable habitat on site and site is outside the elevation range for this species.
Chorizanthe orcuttiana	Orcutt's spineflower	FE/CE/1B.1	None	Closed-cone coniferous forest, chaparral (maritime), coastal scrub; sandy openings/annual herb/Mar–May/10–410	Low potential to occur. Suitable coastal scrub habitat on site, but there are no sandy soils on site.
Chorizanthe polygonoides var. *longispina*	long-spined spineflower	None/None/1B.2	None	Chaparral, coastal scrub, meadows and seeps, valley and foothill grassland, vernal pools; often clay/annual herb/Apr–July/98–5020	Low potential to occur. Suitable coastal scrub habitat on site, but there are no clay soils on site.
Clarkia delicata	delicate clarkia	None/None/1B.2	None	Chaparral, cismontane woodland; often gabbroic/annual herb/Apr–June/771–3281	Not expected to occur. No suitable habitat on site and site is outside the elevation range for this species. No gabbroic soils on site.
Clinopodium chandleri	San Miguel savory	None/None/1B.2	Covered	Chaparral, cismontane woodland, coastal scrub, riparian woodland, valley and foothill grassland; rocky, gabbroic, or metavolcanic/perennial shrub/Mar–July/394–3527	Not expected to occur. No suitable soils on site. Would have been observed if present.
Comarostaphylis diversifolia ssp. *diversifolia*	summer holly	None/None/1B.2	None	Chaparral, cismontane woodland/perennial evergreen shrub/Apr–June/98–2592	Not expected to occur. No suitable habitat on site. Would have been observed if present.
Cylindropuntia californica var. *californica*	snake cholla	None/None/1B.1	Narrow Endemic	Chaparral, coastal scrub/perennial stem succulent/Apr–May/98–492	Not expected to occur. Suitable habitat on site, but this species would have been observed if present.

Scientific Name	Common Name	Status (Federal/State/CRPR)	City of San Diego MSCP	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (feet)	Potential to Occur
Deinandra conjugens	Otay tarplant	FT/CE/1B.1	Narrow Endemic	Coastal scrub, valley and foothill grassland; clay/annual herb/May–June/82–984	Low potential to occur on site. The site is outside of the range of this species
Dicranostegia orcuttiana	Orcutt's bird's-beak	None/None/2B.1	Covered	Coastal scrub/annual herb (hemiparasitic)/(Mar) Apr–July (Sep)/33–1148	Low potential to occur on site. The site is outside of the range of this species.
Dudleya blochmaniae ssp. *blochmaniae*	Blochman's dudleya	None/None/1B.1	None	Coastal bluff scrub, chaparral, coastal scrub, valley and foothill grassland; rocky, often clay or serpentinite/perennial herb/Apr–June/16–1476	Low potential to occur. Suitable habitat on site and site is within the elevation range for this species. Would have been observed during surveys if present.
Dudleya brevifolia	short-leaved dudleya	None/CE/1B.1	Narrow Endemic	Chaparral (maritime, openings), coastal scrub; Torrey sandstone/perennial herb/Apr–May/98–820	Low potential to occur. The species occurs in coastal areas thus the site is outside of the range of the species.
Dudleya variegata	variegated dudleya	None/None/1B.2	Narrow Endemic	Chaparral, cismontane woodland, coastal scrub, valley and foothill grassland, vernal pools; clay/perennial herb/Apr–June/10–1903	Low potential to occur. Suitable habitat present on site and site is located within elevation range for this species; however, this species was not detected during the 2014 or 2017 surveys when it would have been detectable. There are CNDDB occurrences within 1 mile of the project site (CDFW 2017).
Dudleya viscida	sticky dudleya	None/None/1B.2	Covered	Coastal bluff scrub, chaparral, cismontane woodland, coastal scrub; rocky/perennial herb/May–June/33–1804	Low potential to occur. Suitable habitat required for the species (rocky slopes and cliffs) is not present within the site.
Ericameria palmeri var. *palmeri*	Palmer's goldenbush	None/None/1B.1	Covered	Chaparral, coastal scrub; mesic/perennial evergreen shrub/(July) Sep–Nov/98–1969	Not expected to occur. Although recorded within 1 mile of the project site (CDFW 2017) and there is suitable coastal scrub habitat on site, this species would have been observed if present.
Eryngium aristulatum var. *parishii*	San Diego button-celery	FE/CE/1B.1	Covered	Coastal scrub, valley and foothill grassland, vernal pools; mesic/annual / perennial herb/Apr–June/66–2034	Low potential to occur. The species occurs predominately in or in association with vernal pools. There is no suitable habitat for the species on the site.
Euphorbia misera	cliff spurge	None/None/2B.2	None	Coastal bluff scrub, coastal scrub, Mojavean desert scrub; rocky/perennial shrub/Dec–Aug (Oct)/33–1640	Not expected to occur. Suitable coastal scrub habitat on site, but species would have been observed if present.

Scientific Name	Common Name	Status (Federal/State/CRPR)	City of San Diego MSCP	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (feet)	Potential to Occur
Ferocactus viridescens	San Diego barrel cactus	None/None/2B.1	Covered	Chaparral, coastal scrub, valley and foothill grassland, vernal pools/perennial stem succulent/May–June/10–1476	Low potential to occur. Observed directly outside the project boundary. Suitable habitat on site and site is within the elevation range for this species. Would have been observed if present.
Frankenia palmeri	Palmer's frankenia	None/None/2B.1	None	Coastal dunes, marshes and swamps (coastal salt), playas/perennial herb/May–July/0–33	Not expected to occur. No suitable habitat on site and site is outside the elevation range for this species.
Fremontodendron mexicanum	Mexican flannelbush	FE/CR/1B.1	None	Closed-cone coniferous forest, chaparral, cismontane woodland; gabbroic, metavolcanic, or serpentinite/perennial evergreen shrub/Mar–June/33–2349	Not expected to occur. No suitable habitat on site. No suitable soils on site. Would have been observed if present.
Galium proliferum	desert bedstraw	None/None/2B.2	None	Joshua tree woodland, Mojavean desert scrub, pinyon and juniper woodland; rocky, carbonate/annual herb/Mar–June/3904–5348	Not expected to occur. No suitable habitat on site and site is within the elevation range for this species. No suitable soils present on site.
Geothallus tuberosus	Campbell's liverwort	None/None/1B.1	None	Coastal scrub (mesic), vernal pools; soil/ephemeral liverwort/N.A./33–1969	Low potential to occur. Suitable habitat present on site and site is located within elevation range for this species; however, this species was not detected during the 2014 or 2017 surveys when it would have been detectable.
Githopsis diffusa ssp. *filicaulis*	Mission Canyon bluecup	None/None/3.1	None	Chaparral (mesic, disturbed areas)/annual herb/Apr–June/1476–2297	Not expected to occur. No suitable habitat on site and site is outside the elevation range for this species.
Grindelia hallii	San Diego gumplant	None/None/1B.2	None	Chaparral, lower montane coniferous forest, meadows and seeps, valley and foothill grassland/perennial herb/May–Oct/607–5725	Not expected to occur. No suitable habitat on site and site is outside the elevation range for this species.
Hesperocyparis forbesii	Tecate cypress	None/None/1B.1	Covered	Closed-cone coniferous forest, chaparral; clay, gabbroic or metavolcanic/perennial evergreen tree/N.A./262–4921	Not expected to occur. No suitable habitat on site. Would have been observed if present.

Scientific Name	Common Name	Status (Federal/State/CRPR)	City of San Diego MSCP	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (feet)	Potential to Occur
Heterotheca sessiliflora ssp. *sessiliflora*	beach goldenaster	None/None/1B.1	None	Chaparral (coastal), coastal dunes, coastal scrub/perennial herb/Mar–Dec/0–4019	Low potential to occur. Suitable habitat present on site and site is located within elevation range for this species; however, this species was not detected during the 2014 or 2017 surveys when it would have been detectable.
Hordeum intercedens	vernal barley	None/None/3.2	None	Coastal dunes, coastal scrub, valley and foothill grassland (saline flats and depressions), vernal pools/annual herb/Mar–June/16–3281	Not expected to occur. No vernally mesic habitat present.
Horkelia truncata	Ramona horkelia	None/None/1B.3	None	Chaparral, cismontane woodland; clay, gabbroic/perennial herb/May–June/1312–4265	Not expected to occur. No suitable habitat on site and site is outside the elevation range of this species.
Isocoma menziesii var. *decumbens*	decumbent goldenbush	None/None/1B.2	None	Chaparral, coastal scrub (sandy, often in disturbed areas)/perennial shrub/Apr–Nov/33–443	Low potential to occur. Suitable habitat present on site and site is located within elevation range for this species; however, this species was not detected during the 2014 or 2017 surveys when it would have been detectable.
Iva hayesiana	San Diego marsh-elder	None/None/2B.2	None	Marshes and swamps, playas/perennial herb/Apr–Oct/33–1640	Not expected to occur. No suitable habitat on site although site is within the elevation range for this species. Approximately 100 plants observed on adjacent project (Dudek 2005). Would have been observed if present.
Lasthenia glabrata ssp. *coulteri*	Coulter's goldfields	None/None/1B.1	None	Marshes and swamps (coastal salt), playas, vernal pools/annual herb/Feb–June/3–4003	Not expected to occur. No suitable vegetation present.
Lepechinia cardiophylla	heart-leaved pitcher sage	None/None/1B.2	Covered	Closed-cone coniferous forest, chaparral, cismontane woodland/perennial shrub/Apr–July/1706–4495	Not expected to occur. No suitable habitat on site and site is outside the elevation range for this species. Would have been observed if present.
Lepechinia ganderi	Gander's pitcher sage	None/None/1B.3	Covered	Closed-cone coniferous forest, chaparral, coastal scrub, valley and foothill grassland; gabbroic or metavolcanic/perennial shrub/June–July/1001–3297	Not expected to occur. No suitable habitat on site and site is outside the elevation range for this species. Would have been observed if present.

Scientific Name	Common Name	Status (Federal/State/CRPR)	City of San Diego MSCP	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (feet)	Potential to Occur
Leptosyne maritima	sea dahlia	None/None/2B.2	None	Coastal bluff scrub, coastal scrub/perennial herb/Mar–May/16–492	Low potential to occur. Suitable coastal location is not present at this site..
Mobergia calculiformis	light gray lichen	None/None/3	None	Coastal scrub (?); on rocks/crustose lichen (saxicolous)/N.A./33–33	Not expected to occur. The site is outside of the species' known elevation range.
Monardella hypoleuca ssp. *lanata*	felt-leaved monardella	None/None/1B.2	Covered	Chaparral, cismontane woodland/perennial rhizomatous herb/June–Aug/984–5167	Not expected to occur. No suitable habitat on site and site is outside the elevation range for this species.
Monardella viminea	willowy monardella	FE/CE/1B.1	Covered	Chaparral, coastal scrub, riparian forest, riparian scrub, riparian woodland; alluvial ephemeral washes/perennial herb/June–Aug/164–738	Low potential to occur. No suitable alluvial ephemeral washes on site.
Myosurus minimus ssp. *apus*	little mousetail	None/None/3.1	None	Valley and foothill grassland, vernal pools (alkaline)/annual herb/Mar–June/66–2100	Not expected to occur. No suitable vegetation present.
Nama stenocarpa	mud nama	None/None/2B.2	None	Marshes and swamps (lake margins, riverbanks)/annual / perennial herb/Jan–July/16–1640	Not expected to occur. No suitable habitat on site although site is within the elevation range for this species.
Navarretia fossalis	spreading navarretia	FT/None/1B.1	Narrow Endemic	Chenopod scrub, marshes and swamps (assorted shallow freshwater), playas, vernal pools/annual herb/Apr–June/98–2149	Not expected to occur. No suitable habitat on site although site is within the elevation range for this species.
Navarretia prostrata	prostrate vernal pool navarretia	None/None/1B.1	None	Coastal scrub, meadows and seeps, valley and foothill grassland (alkaline), vernal pools; mesic/annual herb/Apr–July/10–3970	Not expected to occur. No vernally mesic habitat present.
Nemacaulis denudata var. *denudata*	coast woolly-heads	None/None/1B.2	None	Coastal dunes/annual herb/Apr–Sep/0–328	Not expected to occur. No suitable habitat on site although site is barely within the elevation range for this species.
Nemacaulis denudata var. *gracilis*	slender cottonheads	None/None/2B.2	None	Coastal dunes, desert dunes, Sonoran desert scrub/annual herb/(Mar) Apr–May/-164–1312	Not expected to occur. No suitable habitat on site although site is within the elevation range for this species.
Orcuttia californica	California Orcutt grass	FE/CE/1B.1	Narrow Endemic	Vernal pools/annual herb/Apr–Aug/49–2165	Not expected to occur. No suitable habitat on site.
Packera ganderi	Gander's ragwort	None/CR/1B.2	Covered	Chaparral (burns, gabbroic outcrops)/perennial herb/Apr–June/1312–3937	Not expected to occur. No suitable habitat and site is outside the elevation range for this species.

Scientific Name	Common Name	Status (Federal/State/CRPR)	City of San Diego MSCP	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (feet)	Potential to Occur
Phacelia ramosissima var. *austrolitoralis*	south coast branching phacelia	None/None/3.2	None	Chaparral, coastal dunes, coastal scrub, marshes and swamps (coastal salt); sandy, sometimes rocky/perennial herb/Mar–Aug/16–984	Low potential to occur. The site is outside of the range of this species.
Phacelia stellaris	Brand's star phacelia	None/None/1B.1	None	Coastal dunes, coastal scrub/annual herb/Mar–June/3–1312	Low potential to occur. Suitable habitat coastal habitat or dunes are not present on site..
Pinus torreyana ssp. *torreyana*	Torrey pine	None/None/1B.2	Covered	Closed-cone coniferous forest, chaparral; sandstone/perennial evergreen tree/N.A./98–525	Not expected to occur. No suitable habitat on site. Would have been observed if present.
Pogogyne abramsii	San Diego mesa mint	FE/CE/1B.1	Narrow Endemic	Vernal pools/annual herb/Mar–July/295–656	Not expected to occur. Although there are CNDDB occurrences within 1 mile of the project site (CDFW 2017), there is no suitable habitat present.
Pogogyne nudiuscula	Otay Mesa mint	FE/CE/1B.1	Narrow Endemic	Vernal pools/annual herb/May–July/295–820	Not expected to occur. Although there are CNDDB occurrences within 1 mile of the project site (CDFW 2017), there is no suitable habitat present.
Pseudognaphalium leucocephalum	white rabbit-tobacco	None/None/2B.2	None	Chaparral, cismontane woodland, coastal scrub, riparian woodland; sandy, gravelly/perennial herb/(July) Aug–Nov (Dec)/0–6890	Low potential to occur. Suitable coastal scrub habitat present, but species would have been observed if present.
Quercus cedrosensis	Cedros Island oak	None/None/2B.2	None	Closed-cone coniferous forest, chaparral, coastal scrub/perennial evergreen tree/Apr–May/837–3150	Not expected to occur. Site is outside the elevation range for this species. Would have been observed if present.
Quercus dumosa	Nuttall's scrub oak	None/None/1B.1	None	Closed-cone coniferous forest, chaparral, coastal scrub; sandy, clay loam/perennial evergreen shrub/Feb–Apr (Aug)/49–1312	Not expected to occur. Suitable habitat on site and site is within the elevation range for this species, but this species would have been observed if present.
Rosa minutifolia	small-leaved rose	None/CE/2B.1	Covered	Chaparral, coastal scrub/perennial deciduous shrub/Jan–June/492–525	Low potential to occur. The site is outside of the range of this species.
Salvia munzii	Munz's sage	None/None/2B.2	None	Chaparral, coastal scrub/perennial evergreen shrub/Feb–Apr/377–3494	Not expected to occur. Suitable habitat on site and site is within the elevation range for this species, but this species would have been observed if present.

Scientific Name	Common Name	Status (Federal/State/CRPR)	City of San Diego MSCP	Primary Habitat Associations/ Life Form/ Blooming Period/ Elevation Range (feet)	Potential to Occur
Senecio aphanactis	chaparral ragwort	None/None/2B.2	None	Chaparral, cismontane woodland, coastal scrub; sometimes alkaline/annual herb/Jan–Apr/49–2625	Low potential to occur. Suitable habitat present on site and site is located within elevation range for this species; however, this species was not detected during the 2014 or 2017 surveys when it would have been detectable.
Sphaerocarpos drewei	bottle liverwort	None/None/1B.1	None	Chaparral, coastal scrub; openings, soil/ephemeral liverwort/N.A./295–1969	Low potential to occur. Suitable habitat present on site and site is located within elevation range for this species; however, this species was not detected during the 2014 or 2017 surveys when it would have been detectable.
Stemodia durantifolia	purple stemodia	None/None/2B.1	None	Sonoran desert scrub (often mesic, sandy)/perennial herb/Jan–Dec/591–984	Not expected to occur. No suitable habitat on site.
Stylocline citroleum	oil neststraw	None/None/1B.1	None	Chenopod scrub, coastal scrub, valley and foothill grassland; clay/annual herb/Mar–Apr/164–1312	Low potential to occur. Suitable habitat present on site and site is located within elevation range for this species; however, this species was not detected during the 2014 or 2017 surveys when it would have been detectable. There is a CNDDB occurrence within 1 mile of the project site (CDFW 2017).
Suaeda esteroa	estuary seablite	None/None/1B.2	None	Marshes and swamps (coastal salt)/perennial herb/May–Oct (Jan)/0–16	Not expected to occur. No suitable habitat on site and site is outside the elevation range for this species.
Tetracoccus dioicus	Parry's tetracoccus	None/None/1B.2	Covered	Chaparral, coastal scrub/perennial deciduous shrub/Apr–May/541–3281	Not expected to occur. Site is outside the elevation range for this species. Would have been observed if present.
Texosporium sancti-jacobi	woven-spored lichen	None/None/3	None	Chaparral (openings); on soil, small mammal pellets, dead twigs, and on Selaginella spp./crustose lichen (terricolous)/N.A./951–2165	Not expected to occur. The site is outside of the species' known elevation range and there is no suitable vegetation present.
Triquetrella californica	coastal triquetrella	None/None/1B.2	None	Coastal bluff scrub, coastal scrub; soil/moss/N.A./33–328	Low potential to occur. Site is barely within the elevation range for this species and not observed during surveys.

[1]**Status Legend**:

FE: Federally-listed as endangered
FT: Federally-listed as threatened
FC: Federal Candidate
MSCP: Covered Species under MSCP
MSCP NE: Narrow endemic species covered under MSCP
SE: State-listed as endangered
ST: State-listed as threatened
SR: State-listed as rare
CRPR 1A: Plants presumed extinct in California
CRPR List 1B: Plants rare, threatened, or endangered in California and elsewhere
CRPR List 2: Plants rare, threatened, or endangered in California but more common elsewhere
CRPR List 3: Plants about which more information is needed – a review list
.1 Seriously endangered in California (over 80% of occurrences threatened/high degree and immediacy of threat)
.2 Fairly endangered in California (20% to 80% of occurrences threatened)
.3 Not very endangered in California (less than 20% of occurrences threatened or no current threats known).

APPENDIX E1

Special-Status Wildlife – Observed, High or Moderate Potential to Occur

Appendix E1
Special-Status Wildlife – Observed, High or Moderate Potential to Occur

Row Labels	Status (Federal/State)	Common Name	Habitat	Potential to Occur
Reptiles				
Aspidoscelis tigris stejnegeri	None/SSC	San Diegan tiger whiptail	Hot and dry areas with sparse foliage, including chaparral, woodland, and riparian areas.	Moderate potential to occur. Suitable coastal sage scrub habitat onsite and ample open areas within coastal sage scrub, particularly on the terrace, however the areas of suitable habitat are relatively disturbed by human activity.
Crotalus ruber	None/SSC	red diamondback rattlesnake	Coastal scrub, chaparral, oak and pine woodlands, rocky grasslands, cultivated areas, and desert flats	Moderate potential to occur. Suitable coastal sage scrub habitat found onsite. Habitat may be too close to urban development to support this species.
Phrynosoma blainvillii	None/SSC	Blainville's horned lizard	Open areas of sandy soil in valleys, foothills, and semi-arid mountains including coastal scrub, chaparral, valley–foothill hardwood, conifer, riparian, pine–cypress, juniper, and annual grassland habitats	Moderate potential to occur. Suitable coastal sage scrub habitat present but sandy soils are not present. CNDDB records indicate that this species has been recorded in the immediate vicinity.
Salvadora hexalepis virgultea	None/SSC	coast patch-nosed snake	Brushy or shrubby vegetation; requires small mammal burrows for refuge and overwintering sites	Moderate potential to occur. Suitable coastal sage scrub located onsite although habitat may be too close to urban development to support this species.
Birds				
Polioptila californica californica	FT/SSC	coastal California gnatcatcher	Nests and forages in various sage scrub communities, often dominated by California sagebrush and buckwheat; generally avoids nesting in areas with a slope of greater than 40%; majority of nesting at less than 1,000 feet above mean sea level	Moderate potential to occur. Focused surveys in 2014 for gnatcatcher were negative within the project site. Coastal sage scrub habitat onsite is relatively isolated and located within an urbanized and disturbed environment.

Row Labels	Status (Federal/State)	Common Name	Habitat	Potential to Occur
Mammals				
Antrozous pallidus	None/SSC	pallid bat	Grasslands, shrublands, woodlands, forests; most common in open, dry habitats with rocky outcrops for roosting, but also roosts in man-made structures and trees	Moderate potential to forage onsite over coastal sage scrub habitat. However, limited roosting potential onsite in natural habitats due to lack of rocky outcrops.
Eumops perotis californicus	None/SSC	western mastiff bat	Chaparral, coastal and desert scrub, coniferous and deciduous forest and woodland; roosts in crevices in rocky canyons and cliffs where the canyon or cliff is vertical or nearly vertical, trees, and tunnels	Moderate potential to forage onsite over coastal scrub habitats but no suitable roosts found onsite.

APPENDIX E2

Special-Status Wildlife – Low Potential or Not Expected to Occur

APPENDIX E2
Special-Status Wildlife – Low Potential or Not Expected to Occur

Scientific Name	Status (Federal/State)	Common Name	Habitat	Potential to Occur
			Amphibians	
Anaxyrus californicus	FE/SSC	arroyo toad	Semi-arid areas near washes, sandy riverbanks, riparian areas, palm oasis, Joshua tree, mixed chaparral and sagebrush; stream channels for breeding (typically third order); adjacent stream terraces and uplands for foraging and wintering	Not expected to occur. No suitable vegetation present. No suitable habitat onsite. Drainages onsite are fed by urban runoff, covered in thick non-native vegetation, and there are no suitable pools for breeding.
Spea hammondii	None/SSC	western spadefoot	Primarily grassland and vernal pools, but also in ephemeral wetlands that persist at least 3 weeks in chaparral, coastal scrub, valley–foothill woodlands, pastures, and other agriculture	Not expected to occur. No suitable habitat onsite. Drainages onsite are fed by urban runoff, covered in thick non-native vegetation, and there are no suitable pools for breeding.
			Reptiles	
Anniella pulchra	None/SSC	California legless lizard	Coastal dunes, stabilized dunes, beaches, dry washes, valley–foothill, chaparral, and scrubs; pine, oak, and riparian woodlands; associated with sparse vegetation and sandy or loose, loamy soils	Low potential to occur. Suitable moist habitats onsite are dominated by non-native species, fed by urban runoff, and are generally unsuitable for this species. No suitable surface objects to hide underneath.
Chelonia mydas	FT/None	green sea turtle	Shallow waters of lagoons, bays, estuaries, mangroves, eelgrass, and seaweed beds	Not expected to occur. No suitable habitat present.
Diadophis punctatus similis	None/None	San Diego ringneck snake	Moist habitats including wet meadows, rocky hillsides, gardens, farmland grassland, chaparral, mixed-conifer forest, and woodland habitats	Low potential to occur. No suitable moist habitats onsite. Limited drainages are dominated by non-native species.
Thamnophis hammondii	None/SSC	two-striped gartersnake	Streams, creeks, pools, streams with rocky beds, ponds, lakes, vernal pools	Not expected to occur. No suitable vegetation present. No suitable water bodies found onsite; all drainages are ephemeral and fed by urban runoff.

Scientific Name	Status (Federal/State)	Common Name	Habitat	Potential to Occur
			Birds	
Agelaius tricolor (nesting colony)	None/PSE, SSC	tricolored blackbird	Nests near freshwater, emergent wetland with cattails or tules, but also in Himalayan blackberry; forages in grasslands, woodland, and agriculture	Not expected to occur. No suitable vegetation present. No suitable emergent wetland habitat onsite.
Ammodramus savannarum (nesting)	None/SSC	grasshopper sparrow	Nests and forages in moderately open grassland with tall forbs or scattered shrubs used for perches	Very low potential to occur. No suitable grassland habitat onsite.
Aquila chrysaetos (nesting & wintering)	None/FP, WL	golden eagle	Nests and winters in hilly, open/semi-open areas, including shrublands, grasslands, pastures, riparian areas, mountainous canyon land, open desert rimrock terrain; nests in large trees and on cliffs in open areas and forages in open habitats	Not expected to occur. No suitable nesting habitat onsite. Habitat too urbanized to provide suitable foraging habitat this species.
Athene cunicularia (burrow sites & some wintering sites)	None/SSC	burrowing owl	Nests and forages in grassland, open scrub, and agriculture, particularly with ground squirrel burrows	Not expected to occur. No suitable open habitats onsite. Site generally too hilly and steep to support this species.
Buteo swainsoni (nesting)	None/ST	Swainson's hawk	Nests in open woodland and savanna, riparian, and in isolated large trees; forages in nearby grasslands and agricultural areas such as wheat and alfalfa fields and pasture	Not expected to occur. No suitable grassland habitat for foraging. Does not nest in the region.
Campylorhynchus brunneicapillus sandiegensis (San Diego & Orange Counties only)	None/SSC	coastal cactus wren	Southern cactus scrub patches	Low potential to occur. Site supports cactus patches although likely not dense enough to support this species. Site also located in an urbanized setting which may preclude this species' presence.
Charadrius alexandrinus nivosus (nesting)	FT, BCC/SSC	western snowy plover	On coasts nests on sandy marine and estuarine shores; in the interior nests on sandy, barren or sparsely vegetated flats near saline or alkaline lakes, reservoirs, and ponds	Not expected to occur. No suitable marine or estuarine habitat.
Coccyzus americanus occidentalis (nesting)	FT, BCC/SE	western yellow-billed cuckoo	Nests in dense, wide riparian woodlands and forest with well-developed understories	Not expected to occur. No suitable riparian woodland or forest habitats found onsite.

Scientific Name	Status (Federal/State)	Common Name	Habitat	Potential to Occur
Elanus leucurus (nesting)	None/FP	white-tailed kite	Nests in woodland, riparian, and individual trees near open lands; forages opportunistically in grassland, meadows, scrubs, agriculture, emergent wetland, savanna, and disturbed lands	Low potential to forage onsite. No suitable open grassland habitats to support foraging or oak stands to support breeding or roosting.
Empidonax traillii extimus (nesting)	FT/SE	southwestern willow flycatcher	Nests in dense riparian habitats along streams, reservoirs, or wetlands; uses variety of riparian and shrubland habitats during migration	Not expected to occur. No suitable riparian woodland or forest habitats found onsite.
Falco peregrinus anatum (nesting)	FDL, BCC/SDL, FP	American peregrine falcon	Nests on cliffs, buildings, and bridges; forages in wetlands, riparian, meadows, croplands, especially where waterfowl are present	Very low potential to occur. No suitable woodland/forest or coastal habitats found onsite. Site generally too urbanized to support this species.
Icteria virens (nesting)	None/SSC	yellow-breasted chat	Nests and forages in dense, relatively wide riparian woodlands and thickets of willows, vine tangles, and dense brush	Very low potential to occur. No suitable riparian woodlands or thickets found onsite. Species would likely be found downstream from the project site in the San Diego River and would likely not be found in project area.
Ixobrychus exilis (nesting)	None/SSC	least bittern	Nests in freshwater and brackish marshes with dense, tall growth of aquatic and semi-aquatic vegetation	Not expected to occur. No suitable wetland vegetation found onsite.
Laterallus jamaicensis coturniculus	None/ST, FP	California black rail	Tidal marshes, shallow freshwater margins, wet meadows, and flooded grassy vegetation; suitable habitats are often supplied by canal leakage in Sierra Nevada foothill populations	Not expected to occur. No suitable emergent wetlands found onsite.
Passerculus sandwichensis beldingi	None/SE	Belding's savannah sparrow	Nests and forages in coastal saltmarsh dominated by pickleweed (Salicornia spp.)	Not expected to occur. No suitable coastal wetlands found onsite.
Pelecanus occidentalis californicus (nesting colonies & communal roosts)	FDL/SDL, FP	California brown pelican	Forages in warm coastal marine and estuarine environments; in California, nests on dry, rocky offshore islands	Not expected to occur. No suitable large water bodies found onsite.
Rallus obsoletus levipes	FE/SE, FP	Ridgway's rail	Coastal wetlands, brackish areas, coastal saline emergent wetlands	Not expected to occur. No suitable emergent wetlands found onsite.

Scientific Name	Status (Federal/State)	Common Name	Habitat	Potential to Occur
Setophaga petechia (nesting)	None/SSC	yellow warbler	Nests and forages in riparian and oak woodlands, montane chaparral, open ponderosa pine, and mixed-conifer habitats	Not expected to occur. No suitable riparian woodlands found onsite.
Sternula antillarum browni (nesting colony)	FE/SE, FP	California least tern	Forages in shallow estuaries and lagoons; nests on sandy beaches or exposed tidal flats	Not expected to occur. No suitable salt ponds or estuarine shores found onsite.
Vireo bellii pusillus (nesting)	FT/SE	least Bell's vireo	Nests and forages in low, dense riparian thickets along water or along dry parts of intermittent streams; forages in riparian and adjacent shrubland late in nesting season	Not expected to occur. No suitable willow or riparian habitats found onsite. Drainages from the project site drain into the San Diego River, where this species is known to occur.
Mammals				
Chaetodipus californicus femoralis	None/SSC	Dulzura pocket mouse	Open habitat, coastal scrub, chaparral, oak woodland, chamise chaparral, mixed-conifer habitats; disturbance specialist; 0 to 3,000 feet above mean sea level	Low potential to occur. Suitable coastal sage scrub habitat onsite but proximity to urbanization likely excludes this species. Urban-adapted predators are likely abundant throughout the site.
Chaetodipus fallax fallax	None/SSC	northwestern San Diego pocket mouse	Coastal scrub, mixed chaparral, sagebrush, desert wash, desert scrub, desert succulent shrub, pinyon–juniper, and annual grassland	Low potential to occur. Suitable coastal sage scrub habitat onsite but proximity to urbanization likely excludes this species. Urban-adapted predators are likely abundant throughout the site.
Choeronycteris mexicana	None/SSC	Mexican long-tongued bat	Desert and montane riparian, desert succulent scrub, desert scrub, and pinyon–juniper woodland; roosts in caves, mines, and buildings	Not expected to occur. No suitable habitat for foraging and no suitable caves, mines, abandoned buildings for roosting.
Corynorhinus townsendii	None/SSC	Townsend's big-eared bat	Mesic habitats characterized by coniferous and deciduous forests and riparian habitat, but also xeric areas; roosts in limestone caves and lava tubes, man-made structures, and tunnels	Low potential to occur. No suitable habitat for foraging and no suitable areas for roosting onsite.
Euderma maculatum	None/SSC	spotted bat	Foothills, mountains, desert regions of southern California, including arid deserts, grasslands, and mixed-conifer forests; roosts in rock crevices and cliffs; feeds over water and along washes	Low potential to occur. No suitable habitat for foraging onsite. No rock crevices or cliffs for roosting found onsite.

Scientific Name	Status (Federal/State)	Common Name	Habitat	Potential to Occur
Lasiurus blossevillii	None/SSC	western red bat	Forest, woodland, riparian, mesquite bosque, and orchards, including fig, apricot, peach, pear, almond, walnut, and orange; roosts in tree canopy	Low potential to forage onsite over coastal scrub habitats but no preferred forested habitats or roosts found onsite.
Lasiurus xanthinus	None/SSC	western yellow bat	Valley–foothill riparian, desert riparian, desert wash, and palm oasis habitats; below 2,000 feet above mean sea level; roosts in riparian and palms	Not expected to occur. No suitable vegetation present.
Lepus californicus bennettii	None/SSC	San Diego black-tailed jackrabbit	Arid habitats with open ground; grasslands, coastal scrub, agriculture, disturbed areas, and rangelands	Low potential to occur. No suitable open arid habitats found onsite. Presence of urban-adapted predators within project area and the urbanized setting likely excludes this species' presence.
Neotoma lepida intermedia	None/SSC	San Diego desert woodrat	Coastal scrub, desert scrub, chaparral, cacti, rocky areas	Low potential to occur. No suitable habitats found onsite and proximity to urban development and urban-adapted predators likely exclude this species from the site.
Nyctinomops femorosaccus	None/SSC	pocketed free-tailed bat	Pinyon–juniper woodlands, desert scrub, desert succulent shrub, desert riparian, desert wash, alkali desert scrub, Joshua tree, and palm oases; roosts in high cliffs or rock outcrops with drop-offs, caverns, and buildings	Not expected to occur. No suitable habitats found onsite and no suitable high cliffs or rock outcrops for roosting.
Nyctinomops macrotis	None/SSC	big free-tailed bat	Rocky areas; roosts in caves, holes in trees, buildings, and crevices on cliffs and rocky outcrops; forages over water	Not expected to occur. No suitable rugged, rocky canyons onsite. Very few records in San Diego.
Perognathus longimembris pacificus	FE/SSC	Pacific pocket mouse	fine-grained sandy substrates in open coastal strand, coastal dunes, and river alluvium	Not expected to occur. No suitable sandy soils for burrowing (soils too cobbly) and no suitable habitat. Project site is located too inland for this species to occur.
Taxidea taxus	None/SSC	American badger	Dry, open, treeless areas; grasslands, coastal scrub, agriculture, and pastures, especially with friable soils	Low potential to occur. No suitable sandy soils for burrowing (soils too cobbly) and no suitable open habitats.
Invertebrates				
Branchinecta sandiegonensis	FE/None	San Diego fairy shrimp	Vernal pools, non-vegetated ephemeral pools	Not expected to occur. No vernal pools found onsite and no clay duripan soils detected onsite.

Scientific Name	Status (Federal/State)	Common Name	Habitat	Potential to Occur
Euphydryas editha quino	FE/None	quino checkerspot butterfly	Annual forblands, grassland, open coastal scrub and chaparral; often soils with cryptogamic crusts and fine-textured clay; host plants include *Plantago erecta*, *Antirrhinum coulterianum*, and *Plantago patagonica* (Silverado Occurrence Complex)	Not expected to occur. The project site is located outside of the Recommended Quino Survey Area (USFWS 2014).
Lycaena hermes	FC/None	Hermes copper	Mixed woodlands, chaparral, and coastal scrub	Very low potential to occur. Although a few individuals of *Rhamnus crocea* were observed within the project site, no *Eriogonum fasciculatum* or *Helianthus gracilentus* were observed within 15' of this plant. Lack of host plants precludes this species' presence.
Streptocephalus woottoni	FE/None	Riverside fairy shrimp	Vernal pools, non-vegetated ephemeral pools	Not expected to occur. No vernal pools found onsite and no clay duripan soils detected onsite.

USFWS (U.S. Fish and Wildlife Service). 2014. Quino Checkerspot Butterfly Survey Guidelines. December 15, 2014.
https://www.fws.gov/carlsbad/TEspecies/Documents/QuinoDocs/Quino%20Survey%20Guidelines_version%2015DEC2014.pdf

APPENDIX F

City of San Diego MSCP Subarea Plan Information

From: Sarah Lozano
Sent: Friday, March 10, 2017 12:18 PM
To: 'amuto@sandiego.gov' <amuto@sandiego.gov>; 'kforburger@sandiego.gov' <kforburger@sandiego.gov>
Cc: Anita Hayworth <ahayworth@dudek.com>; Katie Laybourn <klaybourn@dudek.com>; Callie Ford <cford@dudek.com>; 'Laura Shinn' <lshinn@mail.sdsu.edu>
Subject: SDSU New Student Housing EIR - City of SD NOP Comment Letter Follow-up

Hi Kristy and Alyssa -

We are in receipt of the City's February 17, 2017 NOP comment letter on the proposed SDSU New Campus Housing Project. Thank you for taking the time to prepare this letter and providing valuable input into this EIR scoping process. As you may know, Dudek has been retained by SDSU to assist with the preparation of an EIR and associated biological resource studies for the proposed project. We are writing this email on behalf of SDSU. Your letter provided substantial input on the City of San Diego's MSCP Subarea Plan and the City's interpretation of the project's relationship with this plan and associated land use designations. The City commented that the project would encroach into land designated as MHPA, land that has been conserved and has been designated as "habitat gain" in Habitrak and that per the City's MSCP Subarea Plan, a formal boundary adjustment to the City's MHPA boundary would be required given the planned impacts in these undeveloped areas.

We have discussed this issue with SDSU and SDSU has no record or knowledge of a conservation easement, deed restriction or other agreement that dedicated portions of the proposed project site (which constitutes SDSU-owned land) to another entity for the purpose of habitat conservation. In order to determine whether there is a conservation easement or other conservation vehicles recorded against this land, SDSU ordered a Title Report for APNs 462-130-06 and 462-130-07 (this report is attached to this email). The Title Report shows that there are no conservation easements, deed restrictions or other agreements that have been recorded with the County Assessor's Office that would warrant including these SDSU-owned parcels as "habitat gains" in the HabiTrak database. Based on this information, we would like to discuss with the City, the City's basis for its comments in the NOP letter. In other words, we would like to discuss whether there is a conservation easement(s), deed restriction(s) or other agreement(s) that the City or SanDAG is aware of that may not have been formally recorded with the County Assessor's Office that justifies the inclusion of portions of these parcels as "habitat gains" in the Habitrak database.

While a portion of these SDSU owned-parcels have been included in the MHPA, which is the area in which the MSCP preserve is intended to be planned, their inclusion is in error. As you know, SDSU is not a signatory to the San Diego MSCP or the City of San Diego's Subarea Plan and is therefore not a "permittee" under this HCP. SDSU was not involved with the preparation of the MSCP program and City's Subarea Plan in the mid-1990s. Therefore because SDSU, as a state agency, was not involved with this planning process and is not a permittee under these plans, designation of MHPA on SDSU's land was not appropriate. Furthermore, because SDSU is not a Permittee to this HCP and because SDSU does not need

to obtain any entitlements that would constitute a discretionary action by the City, adherence to the restrictions typically placed on land within the MHPA as per the City's Biological Resource Guidelines does not apply to SDSU or SDSU-owned land. Similarly, because SDSU is not a permittee under the HCP and would not seek land use entitlements from the City, SDSU is not obligated to prepare a boundary adjustment to correct this mapping/designation error.

Dudek, on behalf of SDSU would like to meet with you to discuss the process for correcting the MHPA designation and, assuming there are no unrecorded conservation easements, deed restrictions or the like, correcting the Habitrak database so that SDSU's land is no longer shown as "habitat gain." Please let us know your availability to schedule a meeting at your earliest convenience. We look forward to meeting with you and discussing these items further.

Thank you for your time,
Sarah Lozano, Principal Planner
Anita Hayworth, Principal/Senior Biologist

SARAH LOZANO, AICP
PRINCIPAL PLANNER

DUDEK
605 THIRD STREET
ENCINITAS, CALIFORNIA 92024
T: 760 . 479 . 4251
F: 760 . 632 . 0164
C: 760 . 685 . 0723

FIGURE 1
SDSU New Housing Project - City of San Diego MSCP Subarea Plan Context Map

Document Path: Z:\Projects\101050\1\MAPDOC\DOCUMENTE\exhibits\MHPA HABITRAK FIGURE 1.mxd

0 175 350 700 Feet

Document Path: Z:\Projects\10105011\MAPDOC\DOCUMENT\Exhibits\MHPA HABITRAK FIGURE 2.mxd

FIGURE 2
SDSU New Housing Project - City of San Diego MSCP Subarea Plan Context Map

Chicago Title Company

2365 Northside Drive, Suite 600, San Diego, CA 92108
Phone: (619) 521-3500 ● Fax: (619) 521-3608

Issuing Policies of Chicago Title Insurance Company

ORDER NO.: **00067720-993-SD2-CFU**

Escrow/Customer Phone: **(619) 521-3500**

San Diego State University
5500 Campanile Drive
San Diego, CA 92182
ATTN: Laura Shinn
Email: lshinn@mail.sdsu.edu
Ref: APN: 462-130-06, 07

Title Officer: **Ken Cyr & Mark Franklin**
Title Officer Phone: **(619) 521-3673**
Title Officer Fax: **(619) 521-3608**
Title Officer Email: **TeamCyrFranklin@ctt.com**

PROPERTY: **REMINGTON RD., SAN DIEGO, CA**

PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein, ***Chicago Title Company*** *hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.*

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Chicago Title Insurance Company, a Nebraska Corporation.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

Chicago Title Company

By: _____
Authorized Signature

By: _____
Randy Quirk, President

Attest: _____
Michael Gravelle, Secretary

Chicago Title Company

2365 Northside Drive, Suite 600, San Diego, CA 92108
Phone: (619) 521-3500 ● Fax: (619) 521-3608

PRELIMINARY REPORT

EFFECTIVE DATE: **February 10, 2017 at 7:30 a.m.**

ORDER NO.: 00067720-993-SD2-CFU

The form of policy or policies of title insurance contemplated by this report is:

A Preliminary Report Only

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

   A FEE

2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

   STATE OF CALIFORNIA

3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:

   See Exhibit A attached hereto and made a part hereof.

EXHIBIT "A"

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN DIEGO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE PORTION OF LOT 67 OF RANCHO MISSION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO PARTITION MAP ON FILE IN THE OFFICE OF THE COUNTY CLERK OF SAID COUNTY, IN ACTION NO. 348, SUPERIOR COURT OF SAID COUNTY, ENTITLED "JUAN M. LUCO, ET AL, VS. THE COMMERCIAL BANK OF SAN DIEGO, ET AL", DESCRIBED AS FOLLOWS"

BEGINNING AT THE NORTHWEST CORNER OF LOT 1 OF LA MESA COLONY, ACCORDING TO MAP THEREOF NO. 348, FILED IN THE OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY; THENCE ALONG SAID NORTHERLY LINE NORTH 86°42'15" EAST 226.07 FEET TO AN ANGLE POINT IN THE BOUNDARY LINE OF COLLWOOD MANOR, ACCORDING TO MAP THEREOF NO. 2686, FILED IN THE OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY; THENCE ALONG SAID BOUNDARY LINE NORTH 22°47'30" WEST 844.00 FEET; THENCE NORTH 9°13'05" WEST 511.12 FEET; THENCE NORTH 60°12'55" EAST 607.85 FEET TO THE MOST NORTHERLY CORNER OF SAID COLLWOOD MANOR, BEING AN ANGLE POINT IN THE BOUNDARY LINE OF THE LAND DESCRIBED IN DEED TO THE STATE OF CALIFORNIA, RECORDED NOVEMBER 25, 1941 IN BOOK 1266, PAGE 475 OF OFFICIAL RECORDS; THENCE ALONG THE BOUNDARY LINE OF SAID LAND AS DESCRIBED IN SAID DEED AS FOLLOWS:

SOUTH 78°36'40" EAST 901.71 FEET; THENCE NORTH 7°38' EAST 1000.00 FEET; THENCE NORTH 70°23'55" WEST 470.00 FEET; THENCE NORTH 86°55'40" WEST 945.70 FEET; THENCE NORTH 77°48'30" WEST 1708.37 FEET TO THE NORTHWESTERLY CORNER OF THE PROPOSED STATE PARK AS SHOWN ON RECORD OF SURVEY MAP NO. 872, FILED IN THE OFFICE OF COUNTY RECORDER OF SAN DIEGO COUNTY; THENCE CONTINUING ALONG SAID BOUNDARY NORTH 77°48'30" WEST 1479.60 FEET TO A POINT OF INTERSECTION OF THE NORTHERLY PROLONGATION OF THE WEST LINE OF THE LAND CONVEYED TO THE STATE OF CALIFORNIA, BY DEED RECORDED IN BOOK 1651, PAGE 252 OF DEEDS; THENCE SOUTHERLY ALONG SAID PROLONGATION TO AND ALONG SAID WESTERLY LINE 1667 FEET TO THE NORTHEASTERLY TERMINUS OF THAT COURSE DESIGNATED "NORTH 42°20'32" EAST 48.49 FEET; IN THE BOUNDARY LINE OF COLLEGE VIEW ESTATES UNIT NO. 3, ACCORDING TO MAP THEREOF NO. 3157, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY; THENCE ALONG THE BOUNDARY LINE OF SAID UNIT NO. 3 AS FOLLOWS:

SOUTH 42°20'32" WEST 48.49 FEET TO A POINT IN THE ARC OF A 200.00 FOOT RADIUS CURVE, CONCAVE WESTERLY, A RADIAL LINE OF SAID CURVE BEARING NORTH 42°20'32" EAST TO SAID POINT; THENCE SOUTHERLY ALONG SAID CURVE 196.69 FEET THROUGH AN ANGLE OF 56°20'48"; THENCE TANGENT TO SAID CURVE SOUTH 8°41'20" WEST 385.97 FEET; THENCE NORTH 83°24'40" WEST 559.30 FEET; THENCE NORTH 16°00'40" WEST 440.00 FEET TO THE MOST EASTERLY CORNER OF COLLEGE VIEW ESTATES, ACCORDING TO MAP THEREOF NO. 3129, FILED IN THE COUNTY RECORDER'S OFFICE, COUNTY OF SAN DIEGO; THENCE ALONG THE BOUNDARY LINE OF SAID MAP NO. 3129, SOUTH 40°02'20" WEST 315 FEET; THENCE SOUTH 16°13'20" WEST, 265 FEET; THENCE SOUTH 78°53'20" WEST 190 FEET; THENCE SOUTH 49°26'20" WEST 195 FEET; THENCE SOUTH 1°23'40" WEST 770 FEET TO THE NORTHERLY LINE OF LOT 22 OF SAID RANCHO MISSION; THENCE EASTERLY ALONG SAID NORTHERLY LINE 2334.31 FEET TO THE NORTHWEST CORNER OF LOT 21 OF SAID RANCHO MISSION; THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID OF SAID LOT 21 OF SAID RANCHO MISSION 2111.04 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION ABOVE DESCRIBED WHICH LIES WITHIN THE LAND DESCRIBED IN THAT CERTAIN DOCUMENT ENTITLED RELINQUISHED OF STATE HIGHWAY, RECORDED OCTOBER 5, 1961 UNDER RECORDER'S FILE NO. 173763.

EXHIBIT A
(Continued)

ALSO EXCEPTING THEREFROM THAT LAND CONVEYED FROM THE STATE OF CALIFORNIA TO THE CITY OF SAN DIEGO IN DEED RECORDED JUNE 21, 1977 AS INSTRUMENT NO. 77-214549 AND DESCRIBED AS FOLLOWS:

A PORTION OF LOT 67 OF THE RANCHO MISSION OF SAN DIEGO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE PARTITION MAP THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF SAID COUNTY IN ACTION NO. 348, IN THE SUPERIOR COURT IN AND FOR SAID SAN DIEGO COUNTY, ENTITLED "JUAN M. LUCO, ET AL VS. THE COMMERCIAL BANK OF SAN DIEGO ET AL", AS SHOWN ON A PLAT ATTACHED HERETO AND MARKED EXHIBIT "A". (BEING TAX PARCEL 462-230-15)

EXCEPTING THEREFROM AND RESERVING THEREFROM, ALL DEPOSITS OF MINERALS, INCLUDING OIL AND GAS, LYING BELOW THE DEPTH OF 500 FEET, WITHOUT HOWEVER, THE RIGHT TO DRILL OR MINE THROUGH THE SURFACE THEREOF.

ALSO EXCEPTING FROM ALL OF THE ABOVE DESCRIBED LAND THAT LAND LYING EAST OF THE EASTERLY LINE OF 55TH STREET.

THE LEGAL DESCRIPTION OF THIS REPORT IS LIMITED TO SAN DIEGO COUNTY TAX PARCELS.

APN: 462-130-06 AND 462-130-07

NOTE:

THE FACT THE LEGAL DESCRIPTION COVERED BY THIS REPORT IS PRELIMINARY AND UNINSURABLE IN ITS PRESENT FORM.

TO PREVENT ERRORS AND TO BE CERTAIN THAT THE PROPER PARCEL OF LAND WILL APPEAR ON THE DOCUMENTS AND ON THE POLICY OF TITLE INSURANCE, WE REQUIRE A NEW LEGAL DESCRIPTION BE SENT TO US, TO BE APPROVED BY OUR ENGINEER DEPARTMENT AND APPROVED BY THE SELLER AND BUYER.

EXCEPTIONS

AT THE DATE HEREOF, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

A. Taxes exempt.

B. The lien of supplemental taxes, if any, assessed pursuant to the provisions of Chapter 3.5 (commencing with Section 75) of the revenue and taxation code of the State of California

1. Water rights, claims or title to water, whether or not shown by the public records.

2. The rights of the public in and to that portion of the herein described land lying within Remington Road or 55TH Street.

3. Rights-of-way for pipe lines and aqueducts of the San Diego Flume Company, including reservoir and storage rights on Lot 67 of Rancho Mission, as provided in Agreement between San Diego Flume Company and Junipero Land and Water Company, recorded May 23, 1887 in Book 99, page 466 of deeds.

   The exact location and extent of said easement is not disclosed of record.

   Note: Quitclaim by City of San Diego recorded August 14, 1969 as File No. 148718 of Official Records.

   Note: Quitclaim by Helix Water District recorded July 27, 1993 as File No. 1993-0477655, Official Records.

   Note: Said easement was quitclaimed from the City of San Diego back to the State of California, by document recorded September 18, 1998 as document no. 1998-059550, Official Records.

4. Easement(s) for the purpose(s) shown below and rights incidental thereto as reserved in a document;

Purpose:	Public highway purposes
Recorded:	July 3, 1929 in Book 1651 Page 251, of Deeds
Affects:	That portion of said land as described in the document attached hereto.
And recorded:	July 3, 1929 as Instrument No. 38185, in Book 1651 Page 252 of deeds

   Note: That portion of the easement above described as the west 25 feet was quitclaimed by Madge Blunt Waring, a widow, to the State of California, in deed recorded November 25, 1941 under File No. 72891 in Book 1279, page 161 of Official Records.

5. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Purpose:.	street purposes
Recorded:.	November 25, 1941 as Instrument No. 72890 of Official Records
Affects:.	The route thereof affects a portion of said land and is more fully described in said document.

6. An easement for the purpose shown below and rights incidental thereto as set forth in a document. (No representation is made as to the present ownership of said easement)

In Favor of:	Madge Blunt Waring
Purpose:	Street purposes
Recorded:	November 25, 1941 as Instrument No. 72892, in Book 1273 Page 293 of Official Records
Affects:	That portion of said land as described in the document attached hereto.

EXCEPTIONS
(Continued)

7. An easement for the purpose shown below and rights incidental thereto as set forth in a document. (No representation is made as to the present ownership of said easement)

In Favor of:	M. Bert Fisher et al
Purpose:	Public street and highway purposes
Recorded:	May 1, 1950 as Instrument No. 49122, in Book 3603 Page 308 of Official Records
Affects:	That portion of said land as described in the document attached hereto.

The exact location and extent of said easement is not disclosed of record.

Note: By deed recorded September 29, 1954, in Book under Recorder's File No. 129676, a portion of said easement was terminated.

8. An easement affecting the portion of said land and for the purposes stated herein, and incidental purposes, condemned by final decree.

Purpose:	Reserved road easement
Case No.:	17247, Superior Court of San Diego County
Recorded:	July 6, 1954 in Book 5290 Page 418, of Official Records
Affects:	That portion of said land as described in the document attached hereto.

9. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted To:.	City of San Diego
Purpose:.	Remington Road, Public Road
Recorded:.	September 20, 1954 as Instrument No. 124987 in Book 5368, page 186 of Official Records
Affects:.	The route thereof affects a portion of said land and is more fully described in said document.

10. An easement for the purpose shown below and rights incidental thereto as set forth in a document. (No representation is made as to the present ownership of said easement)

In Favor of:	City of San Diego
Purpose:	55th Street Public street and highway purposes
Recorded:	September 20, 1954 as Instrument No. 124988 in Book 5368, page 193 of Official Records
Affects:	That portion of said land as described in the document attached hereto.

11. The rights of the public to use that portion of the herein described land which lies within Remington Road and 55th Street.

12. An easement for the purpose shown below and rights incidental thereto as set forth in a document. (No representation is made as to the present ownership of said easement)

In Favor of:	San Diego Gas and Electric Company
Purpose:	Gas pipe lines
Recorded:	April 17, 1959 in Book 7612 Page 379 of Official Records
Affects:	That portion of said land as described in the document attached hereto.

Note: Portion vacated by document recorded February 18, 1976 as File No. 46358, Official Records

EXCEPTIONS
(Continued)

13. An easement for the purpose shown below and rights incidental thereto as set forth in a document. (No representation is made as to the present ownership of said easement)

In Favor of:	San Diego Gas and Electric Company
Purpose:	Public utilities, ingress and egress
Recorded:	May 6, 1959 as Instrument No. 90829, in Book 7646 Page 207 of Official Records
Affects:	That portion of said land as described in the document attached hereto.

14. An easement for the purpose shown below and rights incidental thereto as set forth in a document. (No representation is made as to the present ownership of said easement)

In Favor of:	San Diego Gas and Electric Company
Purpose:	Public utilities, ingress and egress
Recorded:	July 8, 1959 as Instrument No. 138014, in Book 7759 Page 545 of Official Records
Affects:	That portion of said land as described in the document attached hereto.

Note: Portion easement vacated by document recorded January 21, 2005 as Instrument No. 56338 of Official Records.

15. An Encroachment Removal Agreement by and between Darrel Holmes and the City of San Diego Regarding Encroachments of Electrical Systems in Remington Road and 55th Street, recorded May 25, 1960 as File No. 108680, Official Records.

16. An easement for the purpose shown below and rights incidental thereto as set forth in a document. (No representation is made as to the present ownership of said easement)

In Favor of:	City of San Diego
Purpose:	Drainage structures
Recorded:	January 12, 1962 as Instrument No. 6996 of Official Records
Affects:	That portion of said land as described in the document attached hereto.

17. An easement for the purpose shown below and rights incidental thereto as set forth in a document. (No representation is made as to the present ownership of said easement)

In Favor of:	San Diego Gas and Electric Company
Purpose:	Gas pipe lines and incidental purposes
Recorded:	March 26, 1962 as Instrument No. 50637 of Official Records
Affects:	That portion of said land as described in the document attached hereto.

18. An easement electric agreement dated October 25, 1967, executed by and between the State of California as first party and San Diego Gas and Electric Company, a corporation as second party, recorded November 3, 1967 as File No. 172678 of Official Records.

19. An easement for the purpose shown below and rights incidental thereto as set forth in a document. (No representation is made as to the present ownership of said easement)

In Favor of:	San Diego Gas and Electric Company
Purpose:	Public utilities, ingress and egress
Recorded:	November 3, 1967 as Instrument No. 172679 of Official Records
Affects:	That portion of said land as described in the document attached hereto.

EXCEPTIONS
(Continued)

20. An easement for the purpose shown below and rights incidental thereto as set forth in a document. (No representation is made as to the present ownership of said easement)

In Favor of:	The United States of America
Purpose:	Radio telescope calibration facility, together with the right of ingress and egress
Recorded:	December 27, 1968 as Instrument No. 227343 of Official Records
Affects:	That portion of said land as described in the document attached hereto.

21. Effect of Record of Survey map no. 7776, which sets forth, or purports to set forth, certain dimensions and bearings or the herein described property, recorded June 20, 1973.

22. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted To:.	San Diego Gas and Electric Company
Purpose:.	public utilities, ingress, egress
Recorded:.	December 16, 1975 as Instrument No. 75-354685 of Official Records
Affects:.	The exact location and extent of said easement is not disclosed of record

Affects: Electrical Services to Baseball Field Lights, San Diego State University

23. An easement for the purpose shown below and rights incidental thereto as set forth in a document. (No representation is made as to the present ownership of said easement)

In Favor of:	San Diego Gas and Electric Company, a corporation
Purpose:	A pipeline and appurtenances for transmission and distribution of gas
Recorded:	January 25, 1984 as Instrument No. 84-029822 of Official Records
Affects:	That portion of said land as described in the document attached hereto.

24. An agreement between the City of San Diego and San Diego State University, owner, recorded April 29, 1988 as File No. 88-199549 of Official Records, relating to the installation, maintenance and possible removal of telephone conduits in public r/w for the benefit of owner's property over, under, along and across 55th Street North of Hardy St.

25. A document entitled "Encroachment Removal Agreement", dated, February 24, 1992, executed by City of San Diego, subject to all the terms, provisions and conditions therein contained, recorded March 19, 1992 as Instrument No. 92-0151514 of Official Records.

Affects: Remington Road

26. A document entitled "Encroachment Removal Agreement", dated, February 24, 1992, executed by City of San Diego, subject to all the terms, provisions and conditions therein contained, recorded April 16, 1992 as Instrument No. 92-0220971 of Official Records.

Affects: Remington Road

EXCEPTIONS
(Continued)

27. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted To:.	City of San Diego
Purpose:.	water facilities
Recorded:.	October 8, 1992 as Instrument No. 92-0640838 and re-recorded January 8, 1993 as Instrument No. 93-011787, both of Official Records
Affects:.	The route thereof affects a portion of said land and is more fully described in said document.

28. The fact that said land is included within the College Community Redevelopment Project Area, and that proceedings for redevelopment have been instituted.

Recorded: December 9, 1993 as Instrument No. 1993-0829242, of Official Records

And also recorded June 21, 2007 as Instrument No. 2007-0418741 of Official Records

29. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted To:.	Cox Communications, San Diego, Inc., a corporation
Purpose:.	underground and above ground Telecommunication equipment
Recorded:.	September 10, 1997 as Instrument No. 97-0439569 of Official Records
Affects:.	The exact location and extent of said easement is not disclosed of record

Affects: Tax Parcel 462-130-07

30. A document entitled "Agreement and Grant of Easement", dated October 29, 1998 executed by Trustees of the California State University and City of San Diego, subject to all the terms, provision(s) and conditions therein contained, recorded May 16, 2000 as Instrument No. 2000-0253554, Official Records.

Reference is hereby made to said document for full particulars.

31. A document entitled "Agreement and Grant of Easement", dated October 29, 1998 executed by Trustees of the California State University and City of San Diego, a municipal corporation, subject to all the terms, provision(s) and conditions therein contained, recorded October 27, 2000 as Instrument No. 2000-0583249, Official Records.

Reference is hereby made to said document for full particulars.

Affects: Electrical System

32. A document entitled "Agreement and Grant of Easement", dated June 13, 2000 executed by San Diego State University Foundation and City of San Diego, a municipal corporation, subject to all the terms, provision(s) and conditions therein contained, recorded October 27, 2000 as Instrument No. 2000-0583254, Official Records.

Reference is hereby made to said document for full particulars.

Affects: Public Street

EXCEPTIONS
(Continued)

33. A document entitled "Agreement and Grant of Easement", dated October 29, 1998 executed by Trustees of the California State University and City of San Diego, a municipal corporation, subject to all the terms, provision(s) and conditions therein contained, recorded October 27, 2000 as Instrument No. 2000-0583270, Official Records.

Reference is hereby made to said document for full particulars.

Affects: Public Street

34. A document entitled "Agreement and Grant of Easement", dated October 29, 1998 executed by Trustees of the California State University and City of San Diego, a municipal corporation, subject to all the terms, provision(s) and conditions therein contained, recorded October 27, 2000 as Instrument No. 2000-0583289, Official Records.

Reference is hereby made to said document for full particulars.

Affects: water main

35. A document entitled "Encroachment Maintenance and Removal Agreement", dated, August 30, 2001, executed by San Diego State University, subject to all the terms, provisions and conditions therein contained, recorded October 18, 2001 as Instrument No. 2001-0754929 of Official Records.

Affects: 55th Street Right-of-Way and Montezuma Road Right-of-Way

36. An easement for the purpose shown below and rights incidental thereto as set forth in a document. (No representation is made as to the present ownership of said easement)

In Favor of:	San Diego Gas and Electric Company, a California corporation
Purpose:	To enter at all times upon, over, across, and through the grounds, parking areas, pathways, access ways, walkways, elevators, stairways and/or corridors of the hereinbefore described land, buildings and structures to provide "SDG&E" ingress, egress and access to said meters located on Grantor's land. Said easement shall be a floating easement and shall be a route available to SDG&E 24 hrs./day
Recorded:	April 22, 2004 as Instrument No. 2004-0351341 of Official Records
Affects:	That portion of said land as described in the document attached hereto.

Restrictions on the use, by the owners of said land, of the easement area as set forth in the easement shown above.

Reference is hereby made to said document for full particulars.

37. Information in the possession of the Company indicates that a division of land has occurred or is contemplated in the current transaction involving the Land described in this report. Such contemplated division of land appears to fall within the guidelines necessitating approval by the City, County or other applicable government agency. As a prerequisite to the issuance of any title insurance under this application, at least one of the following requirements must be accomplished to the Company's satisfaction:

A Final Map has been recorded in compliance with the City of San Diego related ordinances/requirements.

Evidence of compliance or waiver from the City of San Diego.

Other evidence, satisfactory to the Company, indicating compliance or non-violation must be furnished.

EXCEPTIONS
(Continued)

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

38. The fact the legal description covered by this report is preliminary and uninsurable in its present form.

Said report is limited to Tax Parcels 462-130-06 & 462-130-07

To prevent errors and to be certain that the proper parcel of land will appear on the documents and on the policy of title insurance, we require a new legal description be sent to us, to be approved by our engineer department and approved by the seller and buyer.

39. Matters which may be disclosed by an inspection and/or by a correct ALTA/NSPS Land Title Survey of said Land that is satisfactory to the Company, and/or by inquiry of the parties in possession thereof.

40. Any rights of the parties in possession of a portion of, or all of, said Land, which rights are not disclosed by the public records.

The Company will require, for review, a full and complete copy of any unrecorded agreement, contract, license and/or lease, together with all supplements, assignments and amendments thereto, before issuing any policy of title insurance without excepting this item from coverage.

The Company reserves the right to except additional items and/or make additional requirements after reviewing said documents.

PLEASE REFER TO THE "INFORMATIONAL NOTES" AND "REQUIREMENTS" SECTIONS WHICH FOLLOW FOR INFORMATION NECESSARY TO COMPLETE THIS TRANSACTION.

END OF EXCEPTIONS

REQUIREMENTS SECTION

1. The requirement for submission to this Company of a resolution of the governing body of State of California authorizing the transaction for which this report has been requested together with a copy of such corporation's by laws. The resolution must designate the officers authorized to execute on the corporation's behalf.

END OF REQUIREMENTS

INFORMATIONAL NOTES SECTION

1. None of the items shown in this report will cause the Company to decline to attach CLTA Endorsement Form 100 to an Extended Coverage Loan Policy, when issued.

2. The Company is not aware of any matters which would cause it to decline to attach CLTA Endorsement Form 116 indicating that there is located on said Land Commercial properties, known as Remington Rd., located within the city of San Diego, California, , to an Extended Coverage Loan Policy.

3. Note: The policy of title insurance will include an arbitration provision. The Company or the insured may demand arbitration. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the insured arising out of or relating to this policy, any service of the Company in connection with its issuance or the breach of a policy provision or other obligation. Please ask your escrow or title officer for a sample copy of the policy to be issued if you wish to review the arbitration provisions and any other provisions pertaining to your Title Insurance coverage.

END OF INFORMATIONAL NOTES

Ken Cyr & Mark Franklin/gp

FIDELITY NATIONAL FINANCIAL
PRIVACY NOTICE

At Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF", "our" or "we"), we value the privacy of our customers. This Privacy Notice explains how we collect, use, and protect your information and explains the choices you have regarding that information. A summary of our privacy practices is below. We also encourage you to read the complete Privacy Notice following the summary.

Types of Information Collected. You may provide us with certain personal information, like your contact information, social security number (SSN), driver's license, other government ID numbers, and/or financial information. We may also receive information from your Internet browser, computer and/or mobile device.	**How Information is Collected.** We may collect personal information directly from you from applications, forms, or communications we receive from you, or from other sources on your behalf, in connection with our provision of products or services to you. We may also collect browsing information from your Internet browser, computer, mobile device or similar equipment. This browsing information is generic and reveals nothing personal about the user.
Use of Your Information. We may use your information to provide products and services to you (or someone on your behalf), to improve our products and services, and to communicate with you about our products and services. We do not give or sell your personal information to parties outside of FNF for their use to market their products or services to you.	**Security Of Your Information**. We utilize a combination of security technologies, procedures and safeguards to help protect your information from unauthorized access, use and/or disclosure. We communicate to our employees about the need to protect personal information.
Choices With Your Information. Your decision to submit personal information is entirely up to you. You can opt-out of certain disclosures or use of your information or choose to not provide any personal information to us.	**When We Share Information.** We may disclose your information to third parties providing you products and services on our behalf, law enforcement agencies or governmental authorities, as required by law, and to parties with whom you authorize us to share your information.
Information From Children. We do not knowingly collect information from children under the age of 13, and our websites are not intended to attract children.	**Privacy Outside the Website.** We are not responsible for the privacy practices of third parties, even if our website links to those parties' websites.
Access and Correction. If you desire to see the information collected about you and/or correct any inaccuracies, please contact us in the manner specified in this Privacy Notice.	**Do Not Track Disclosures.** We do not recognize "do not track" requests from Internet browsers and similar devices.
The California Online Privacy Protection Act. Certain FNF websites collect information on behalf of mortgage loan servicers. The mortgage loan servicer is responsible for taking action or making changes to any consumer information submitted through those websites.	**International Use.** By providing us with your information, you consent to the transfer, processing and storage of such information outside your country of residence, as well as the fact that we will handle such information consistent with this Privacy Notice.
Your Consent To This Privacy Notice. By submitting information to us and using our websites, you are accepting and agreeing to the terms of this Privacy Notice.	**Contact FNF.** If you have questions or wish to contact us regarding this Privacy Notice, please use the contact information provided at the end of this Privacy Notice.

FIDELITY NATIONAL FINANCIAL, INC.
PRIVACY NOTICE

FNF respects and is committed to protecting your privacy. We pledge to take reasonable steps to protect your Personal Information (as defined herein) and to ensure your information is used in compliance with this Privacy Notice.

This Privacy Notice is only in effect for information collected and/or owned by or on behalf of FNF, including collection through any FNF website or online services offered by FNF (collectively, the "Website"), as well as any information collected offline (e.g., paper documents). The provision of this Privacy Notice to you does not create any express or implied relationship, nor create any express or implied duty or other obligation, between FNF and you.

Types of Information Collected

We may collect two types of information: Personal Information and Browsing Information.

Personal Information. The types of personal information FNF collects may include, but are not limited to:

- contact information (*e.g.*, name, address, phone number, email address);
- social security number (SSN), driver's license, and other government ID numbers; and
- financial account or loan information.

Browsing Information. The types of browsing information FNF collects may include, but are not limited to:

- Internet Protocol (or IP) address or device ID/UDID, protocol and sequence information;
- browser language;
- browser type;
- domain name system requests;
- browsing history;
- number of clicks;
- hypertext transfer protocol headers; and
- application client and server banners.

How Information is Collected

In the course of our business, we may collect *Personal Information* about you from the following sources:

- applications or other forms we receive from you or your authorized representative, whether electronic or paper;
- communications to us from you or others;
- information about your transactions with, or services performed by, us, our affiliates or others; and
- information from consumer or other reporting agencies and public records that we either obtain directly from those entities, or from our affiliates or others.

We may collect *Browsing Information* from you as follows:

- Browser Log Files. Our servers automatically log, collect and record certain Browsing Information about each visitor to the Website. The Browsing Information includes only generic information and reveals nothing personal about the user.
- Cookies. From time to time, FNF may send a "cookie" to your computer when you visit the Website. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. When you visit the Website again, the cookie allows the Website to recognize your computer, with the goal of providing an optimized user experience. Cookies may store user preferences and other information. You can choose not to accept cookies by changing the settings of your Internet browser. If you choose not to accept cookies, then some functions of the Website may not work as intended.

Use of Collected Information

Information collected by FNF is used for three main purposes:

- To provide products and services to you, or to one or more third party service providers who are performing services on your behalf or in connection with a transaction involving you;
- To improve our products and services; and
- To communicate with you and to inform you about FNF's products and services.

When We Share Information

We may share your Personal Information (excluding information we receive from consumer or other credit reporting agencies) and Browsing Information with certain individuals and companies, as permitted by law, without first obtaining your authorization. Such disclosures may include, without limitation, the following:

- to agents, representatives, or others to provide you with services or products you have requested, and to enable us to detect or prevent criminal activity, fraud, or material misrepresentation or nondisclosure;
- to third-party contractors or service providers who provide services or perform other functions on our behalf;
- to law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoenas or court orders; and/or
- to other parties authorized to receive the information in connection with services provided to you or a transaction involving you.

We may disclose Personal Information and/or Browsing Information when required by law or in the good-faith belief that such disclosure is necessary to:

- comply with a legal process or applicable laws;
- enforce this Privacy Notice;
- investigate or respond to claims that any information provided by you violates the rights of a third party; or
- protect the rights, property or personal safety of FNF, its users or the public.

We make efforts to ensure third party contractors and service providers who provide services or perform functions on our behalf protect your information. We limit use of your information to the purposes for which the information was provided. We do not give or sell your information to third parties for their own direct marketing use.

We reserve the right to transfer your Personal Information, Browsing Information, as well as any other information, in connection with the sale or other disposition of all or part of the

FNF business and/or assets, or in the event of our bankruptcy, reorganization, insolvency, receivership or an assignment for the benefit of creditors. You expressly agree and consent to the use and/or transfer of this information in connection with any of the above-described proceedings. We cannot and will not be responsible for any breach of security by any third party or for any actions of any third party that receives any of the information that is disclosed to us.

Choices With Your Information

Whether you submit your information to FNF is entirely up to you. If you decide not to submit your information, FNF may not be able to provide certain products or services to you. You may choose to prevent FNF from using your information under certain circumstances ("opt out"). You may opt out of receiving communications from us about our products and/or services.

Security And Retention Of Information

FNF is committed to protecting the information you share with us and utilizes a combination of security technologies, procedures and safeguards to help protect it from unauthorized access, use and/or disclosure. FNF trains its employees on privacy practices and on FNF's privacy and information security policies. FNF works hard to retain information related to you only as long as reasonably necessary for business and/or legal purposes.

Information From Children

The Website is meant for adults. The Website is not intended or designed to attract children under the age of thirteen (13). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

Privacy Outside the Website

The Website may contain links to other websites, including links to websites of third party service providers. FNF is not and cannot be responsible for the privacy practices or the content of any of those other websites.

International Users

Because FNF's headquarters is located in the United States, we may transfer your Personal Information and/or Browsing Information to the United States. By using our website and providing us with your Personal Information and/or Browsing Information, you understand and consent to the transfer, processing and storage of such information outside your country of residence, as well as the fact that we will handle such information consistent with this Privacy Notice.

Do Not Track Disclosures

Currently, our policy is that we do not recognize "do not track" requests from Internet browsers and similar devices.

The California Online Privacy Protection Act

For some websites which FNF or one of its companies owns, such as the Customer CareNet ("CCN"), FNF is acting as a third party service provider to a mortgage loan servicer. In those instances, we may collect certain information on behalf of that mortgage loan servicer, including:

- first and last name;
- property address;
- user name and password;
- loan number;
- social security number - masked upon entry;
- email address;
- security questions and answers; and
- IP address.

The information you submit is then transferred to your mortgage loan servicer by way of CCN. **The mortgage loan servicer is responsible for taking action or making changes to any consumer information submitted through this website. For example, if you believe that your payment or user information is incorrect, you must contact your mortgage loan servicer.**

CCN does not share consumer information with third parties, other than those with which the mortgage loan servicer has contracted to interface with the CCN application. All sections of this Privacy Notice apply to your interaction with CCN, except for the sections titled Choices with Your Information, and Access and Correction. If you have questions regarding the choices you have with regard to your personal information or how to access or correct your personal information, contact your mortgage loan servicer.

Access and Correction

To access your Personal Information in the possession of FNF and correct any inaccuracies, please contact us by email at privacy@fnf.com or by mail at:

Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, Florida 32204
Attn: Chief Privacy Officer

Your Consent To This Privacy Notice

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of information by FNF in compliance with this Privacy Notice. We reserve the right to make changes to this Privacy Notice. If we change this Privacy Notice, we will post the revised version on the Website.

Contact FNF

Please send questions and/or comments related to this Privacy Notice by email at privacy@fnf.com or by mail at:

Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, Florida 32204
Attn: Chief Privacy Officer

EFFECTIVE AS OF APRIL 1, 2016

Notice of Available Discounts

Pursuant to Section 2355.3 in Title 10 of the California Code of Regulations Fidelity National Financial, Inc. and its subsidiaries ("FNF") must deliver a notice of each discount available under our current rate filing along with the delivery of escrow instructions, a preliminary report or commitment. Please be aware that the provision of this notice does not constitute a waiver of the consumer's right to be charged the field rate. As such, your transaction may not qualify for the below discounts.

You are encouraged to discuss the applicability of one or more of the below discounts with a Company representative. These discounts are generally described below; consult the rate manual for a full description of the terms, conditions and requirements for each discount. These discounts only apply to transaction involving services rendered by the FNF Family of Companies. This notice only applies to transactions involving property improved with a one-to-four family residential dwelling.

FNF Underwritten Title Company
CTC - Chicago Title Company

FNF Underwriter
CTIC - Chicago Title Insurance Company

Available Discounts

CREDIT FOR PRELIMINARY REPORTS AND/OR COMMITMENTS ON SUBSEQUENT POLICIES (CTIC)
Where no major change in the title has occurred since the issuance of the original report or commitment, the order may be reopened within 12 months and all or a portion of the charge previously paid for the report or commitment may be credited on a subsequent policy charge within the following time period from the date of the report.

DISASTER LOANS (CTIC)
The charge for a lender's Policy (Standard or Extended coverage) covering the financing or refinancing by an owner of record, within 24 months of the date of a declaration of a disaster area by the government of the United States or the State of California on any land located in said area, which was partially or totally destroyed in the disaster, will be 50% of the appropriate title insurance rate.

CHURCHES OR CHARITABLE NON-PROFIT ORGANIZATIONS (CTIC)
On properties used as a church or for charitable purposes within the scope of the normal activities of such entities, provided said charge is normally the church's obligation the charge for an owner's policy shall be 50% to 70% of the appropriate title insurance rate, depending on the type of coverage selected. The charge for a lender's policy shall be 40% to 50% of the appropriate title insurance rate, depending on the type of coverage selected.

EMPLOYEE RATE (CTC and CTIC)
No charge shall be made to employees (including employees on approved retirement) of the Company or its underwritten, subsidiary title companies for policies or escrow services in connection with financing, refinancing, sale or purchase of the employees' bona fide home property. Waiver of such charges is authorized only in connection with those costs which the employee would be obligated to pay, by established custom, as a party to the transaction.

ATTACHMENT ONE

CALIFORNIA LAND TITLE ASSOCIATION
STANDARD COVERAGE POLICY – 1990

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
   (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
   (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
   (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
   (c) resulting in no loss or damage to the insured claimant;
   (d) attaching or created subsequent to Date of Policy; or
   (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate of interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART I

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
   Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (12-02-13)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE

EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
   a. building;
   b. zoning;
   c. land use;
   d. improvements on the Land;
   e. land division; and
   f. environmental protection.
   This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
4. Risks:
   a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
   b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;

c. that result in no loss to You; or
d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.

5. Failure to pay value for Your Title.
6. Lack of a right:
   a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
   b. in streets, alleys, or waterways that touch the Land.

   This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.
8. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
9. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 16, 18, 19, and 21 Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	Your Deductible Amount	Our Maximum Dollar Limit of Liability
Covered Risk 16:	1.00% % of Policy Amount Shown in Schedule A or $2,500.00 (whichever is less)	$ 10,000.00
Covered Risk 18:	1.00% % of Policy Amount Shown in Schedule A or $5,000.00 (whichever is less)	$ 25,000.00
Covered Risk 19:	1.00% of Policy Amount Shown in Schedule A or $5,000.00 (whichever is less)	$ 25,000.00
Covered Risk 21:	1.00% of Policy Amount Shown in Schedule A or $2,500.00 (whichever is less)	$ 5,000.00

2006 ALTA LOAN POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions, or location of any improvement erected on the Land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
   (a) created, suffered, assumed, or agreed to by the Insured Claimant;
   (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13 or 14); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
   (a) a fraudulent conveyance or fraudulent transfer, or
   (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

(Except as provided in Schedule B - Part II,(t(or T)his policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses, that arise by reason of:

(PART I

(The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.

PART II

In addition to the matters set forth in Part I of this Schedule, the Title is subject to the following matters, and the Company insures against loss or damage sustained in the event that they are not subordinate to the lien of the Insured Mortgage:)

2006 ALTA OWNER'S POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions, or location of any improvement erected on the Land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
   (a) created, suffered, assumed, or agreed to by the Insured Claimant;
   (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
   (a) a fraudulent conveyance or fraudulent transfer; or
   (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses, that arise by reason of:

(The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown in the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and that are not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.
7. (Variable exceptions such as taxes, easements, CC&R's, etc. shown here.)

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (12-02-13)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions, or location of any improvement erected on the Land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
   (a) created, suffered, assumed, or agreed to by the Insured Claimant;
   (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
   (a) a fraudulent conveyance or fraudulent transfer, or
   (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.
10. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
11. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

SDSU NEW STUDENT HOUSING PROJECT
MEETING NOTES

Meeting Date:	March 23, 2017
Time:	11:00 am – 12:00 pm
Subject:	Relationship of Proposed SDSU New Student Housing Project Site to City of San Diego MSCP
Location:	City of San Diego Planning Department
Attendees:	**City of San Diego**: Kristy Forburger, Rebecca Malone, Alyssa Muto (on the phone); **SDSU**: Laura Shinn; **Dudek**: Anita Hayworth, Sarah Lozano, Callie Amoaku

- **Prior to the meeting, Sarah Lozano, Dudek sent an email and several attachments to Alyssa Muto and Kristy Forburger, City of San Diego, outlining SDSU's MSCP questions and requesting a meeting. Documents submitted prior to and discussed at the meeting, and attached to this memo, included:**
    - Email dated March 10, 2017 from Sarah Lozano, Dudek to Kristy Forburger/Alyssa Muto, City of San Diego
    - February 10, 2017 Title Report for APNs 462-130-06 & 07
    - Figure 1, MSCP Context Map (dated March 10, 2017)
    - Figure 2, MSCP Context Map – Focus (dated March 10, 2017)
- **Inclusion of SDSU-owned land within proposed New Student Housing Project Site in the City of San Diego Subarea Plan's MHPA –** Kristy reviewed the original hardline maps which were used to base the MHPA preserve (also referred to as the "brown maps") to confirm that the area in question was indeed included in the original MHPA in 1997. She also confirmed that the inclusion was in error because a non-participating state agency's lands, like California State University/San Diego State University (CSU/SDSU) in this case, should not have been included within the MHPA.
    - All meeting participants agreed that this designation has no meaning relative to SDSU's land due to its lack of permittee status to the MSCP. Kristy noted that the surrounding areas not under ownership of SDSU are designated MHPA. Kristy acknowledged that keeping this designation on SDSU's land does not require SDSU's participation or compliance with the MSCP and/or City's Subarea Plan nor can SDSU necessarily obtain take through the City's Subarea Plan. Kristy noted that more recent City conservation planning documents such as the draft Vernal Pool Habitat Conservation Plan (HCP) acknowledge that school districts and other similar agencies, including CSU/SDSU, are not signatory to these plans. Kristy

noted, however, that the MSCP Implementing Agreement has no discussion of making corrections to the MHPA.

- **Inclusion of SDSU-owned land within the proposed New Student Housing Project Site in the MSCP Habitrak as a "habitat gain" -** Kristy confirmed that these portions of these parcels were included as "habitat gains" as part of the "hard line"/existing conserved lands map prepared during MSCP planning in 1997. Kristy confirmed that the City has no record of a conservation easement or other deed restriction that would indicate preservation of this land for habitat/multi-species conservation purposes. Kristy stated that inclusion of this land as a "habitat gain" was a mistake and should be corrected in the Habitrak database.
    - Within the immediate timeframe, this "habitat gain" should be removed from SDSU's land. If this portion of these parcels are eventually developed/impacted by SDSU, SDSU will notify the City who then can code these areas as "habitat loss" in the Habitrak system.
    - Kristy indicated that the US Fish and Wildlife Service and California Department of Fish and Wildlife will want to know about this change to the Habitrak database. They will be concerned about the City's ability to meeting MSCP goals for conserved habitat. Kristy noted that the City has achieved 95% of their goal for conservation of coastal sage scrub habitat (habitat that is onsite and would be affected by the proposed project) so the removal of several acres would not likely make a meaningful change in the overall preserve-wide "habitat gain" database.
    - Kristy would like to discuss this amendment to the Habitrak database with the US Fish and Wildlife Service and California Department of Fish and Wildlife at the quarterly MSCP Coordination Meeting scheduled for April 21, 2017. SDSU agreed to attend this meeting with the City to discuss this project. In order to prepare for this meeting on April 21, 2017, Kristy asked that SDSU, with assistance from Dudek, prepare the following in advance of the meeting with the wildlife agencies:
        - Historic or current survey data for the project site (Dudek-conducted survey data, California Natural Diversity Database point data, any available historical data for California gnatcatcher specifically, etc.)
        - Draft Biological Resources Technical Report which indicates existing conditions, proposed impacts and proposed mitigation measures or more simply, a summary table of the habitats and acreage impacted and impacts to MSCP covered species along with the proposed site plan.
        - Information about SDSU's ability/interest in utilizing the City's Land Use Adjacency Guidelines during site planning and development.

From: Forburger, Kristen [mailto:KForburger@sandiego.gov]
Sent: Wednesday, April 12, 2017 9:22 AM
To: Sarah Lozano <slozano@dudek.com>; Muto, Alyssa <AMuto@sandiego.gov>; Malone, Rebecca <RMalone@sandiego.gov>
Cc: Laura Shinn <lshinn@mail.sdsu.edu>; Anita Hayworth <ahayworth@dudek.com>; Callie Ford <cford@dudek.com>; Michael Haberkorn <MHaberkorn@gdandb.com>; Aarti Kewalramani (AKewalramani@gdandb.com) <AKewalramani@gdandb.com>
Subject: RE: Follow-up to the 3/23/17 meeting re: SDSU New Student Housing Project

Hi Sarah,

Thank you for the information, the minutes are accurate. After hearing back from both CDFW and USFWS, a meeting might not be necessary. Both agencies understood that State University land was not intended to be included within the City's MHPA.

I will forward the information you have provided that demonstrates through substantial evidence that the State not City has been the property owner since before the MSCP was adopted in 1997 and the HabiTrak data was entered in error. I'll provide a summary of our meeting stating that the MHPA LUAG's are being incorporated into the design of the project.

I'm out of the office 4/13 returning 4/20. Therefore, if the WA's would like to meet I will ask you to send the additional information to them directly.. The individuals will be included in my forthcoming email.

Thank you,

Kristy Forburger
Senior Planner
City of San Diego
Planning Department/Multiple Species Conservation Program (MSCP)
T (619) 236-6583
www.sandiego.gov

From: Sarah Lozano [mailto:slozano@dudek.com]
Sent: Wednesday, April 12, 2017 9:00 AM
To: Forburger, Kristen <KForburger@sandiego.gov>; Muto, Alyssa <AMuto@sandiego.gov>; Malone, Rebecca <RMalone@sandiego.gov>
Cc: Laura Shinn <lshinn@mail.sdsu.edu>; Anita Hayworth <ahayworth@dudek.com>; Callie Ford <cford@dudek.com>; Michael Haberkorn <MHaberkorn@gdandb.com>; Aarti Kewalramani (AKewalramani@gdandb.com) <AKewalramani@gdandb.com>
Subject: Follow-up to the 3/23/17 meeting re: SDSU New Student Housing Project

Hi Kristy, Alyssa and Rebecca,

Thank you for meeting with me, Callie, Anita and Laura on March 23, 2017 to discuss the SDSU New Student Housing project's relationship to the City's MSCP Subarea Plan. As a follow-up, we prepared the attached meeting notes. Please let us know if you have any comments or thoughts on these meeting notes. We are assembling the materials you requested to prepare for the meeting with the wildlife agencies on April 21, 2017 and will send those over in the next day or so. Thank you again for your time, the meeting on March 23 was very helpful.

Thank you,
Sarah

Sarah Lozano, AICP
Principal

DUDEK
605 Third Street
Encinitas, CA 92024
T: 760 . 479 . 4251
F: 760 . 632 . 0164
C: 760 . 685 . 0723

www.dudek.com

Click HERE to send me a file

Hello BLA Team,

A MHPA Boundary Line Correction is proposed for San Diego State University (SDSU) Student Housing Project. Currently, the state owned university property is mapped MHPA and shown on HabiTak as "Existing City Lands" Gain. The attached evidence my further research demonstrate the University's property was included in the MHPA and added as a Habitat Gain in error.

The forthcoming environmental document for SDSU Student Housing (EIR) would fully disclose the MHPA BLC and address how the project would incorporate the City's MHPA land use adjacency guidelines. The City's habitrak database would be corrected to remove the state property from the City's Habitrak gain cumulative conservation. Removing the minor acreage from the MHPA would not affect the City's overall MHPA conservation goal.

The University and DUDEK are willing to meet to discuss further, but after reviewing all the supporting information I believe a meeting may not be necessary.

We have a MHPA BLA meeting scheduled for April 21, 2017 and this would be the only project. Further project related biological impact information could be provided by DUDEK, but again, I don't believe this would be necessary.

I will be out of the office returning 4/20. Please let Holly and DUDEK know in my absence if the meeting needs to be scheduled and DUDEK will provide the additional information to you directly.

Thank you,

Kristy Forburger
Senior Planner
City of San Diego
Planning Department/Multiple Species Conservation Program (MSCP)
T (619) 236-6583
www.sandiego.gov

Attachments:

Figure 1 – MSCP Context Map – 3-10-17
Figure 2 – MSCP Context Map – focus – 3-10-17
Email from K Forburger to S Lozano – 4-12-17
SDSU New Stud Housing – City of SD Mtg – Notes – 3-23-17
Title Report – APNs 462-130-06 & 07 – 2-10-17

From: Sarah Lozano [mailto:slozano@dudek.com]
Sent: Wednesday, April 12, 2017 9:00 AM
To: Forburger, Kristen <KForburger@sandiego.gov>; Muto, Alyssa <AMuto@sandiego.gov>; Malone, Rebecca <RMalone@sandiego.gov>
Cc: Laura Shinn <lshinn@mail.sdsu.edu>; Anita Hayworth <ahayworth@dudek.com>; Callie Ford <cford@dudek.com>; Michael Haberkorn <MHaberkorn@gdandb.com>; Aarti Kewalramani (AKewalramani@gdandb.com) <AKewalramani@gdandb.com>
Subject: Follow-up to the 3/23/17 meeting re: SDSU New Student Housing Project

Hi Kristy, Alyssa and Rebecca,

Thank you for meeting with me, Callie, Anita and Laura on March 23, 2017 to discuss the SDSU New Student Housing project's relationship to the City's MSCP Subarea Plan. As a follow-up, we prepared the attached meeting notes. Please let us know if you have any comments or thoughts on these meeting notes. We are assembling the materials you requested to prepare for the meeting with the wildlife agencies on April 21, 2017 and will send those over in the next day or so. Thank you again for your time, the meeting on March 23 was very helpful.

Thank you,
Sarah

Sarah Lozano, AICP
Principal

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