December 18, 2023

Mr. Lindsay Brown
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RE: Biological Resources Letter Report for the Proposed La Costa Hotel Project, City of Encinitas, San Diego County, California

Mr. Brown:

Busby Biological Services, Inc. (BBS) has prepared this biological resources letter report on behalf of DM La Costa, LLC for the proposed La Costa Hotel project (project) located in the City of Encinitas (City), immediately south of the City of Carlsbad (Carlsbad), California (Attachment 1: Figures 1 through 3). This biological resources letter report provides relevant information for the project in accordance with the City's Draft Multiple Habitat Conservation Program (MHCP) Subarea Plan (Subarea Plan; Ogden Environmental and Energy Services Co., Inc. [Ogden] 2001) to provide the City with information necessary to assess potentially significant impacts to biological resources and determine appropriate avoidance, minimization, and/or mitigation measures.

1.0 INTRODUCTION

Project location and background information are provided in this section.

1.1 Project Location

The project is located at 516 La Costa Avenue (Assessor's Parcel Number 216-030-48-00; project site), within the community of Leucadia in the northwestern portion of the City (Attachment 1: Figure 1). It is situated in Township 12 South, Range 4 West, and Section 33 of the U.S. Geological Survey (USGS) Encinitas 7.5-minute quadrangle (USGS 2023a; Attachment 1: Figure 2). It lies immediately south of Carlsbad, approximately 0.1 mile west of Interstate 5, 0.25 mile south of Batiquitos Lagoon, and 0.7 mile east of the Pacific Ocean (Attachment 1: Figure 3). The latitude and longitude of the approximate center of the project site is 33.084816, -117.300305.

The project site lies within the boundaries of the City's Draft MHCP Subarea Plan and is located inside the Coastal Zone. The project site is primarily composed of undeveloped, disturbed land, with the surrounding areas consisting of an existing gas station on the adjacent parcel to the east, active construction on the parcel to the west, single-family homes on the parcels to the south, and California Department of Transportation (Caltrans) Right-of-Way (ROW) along Interstate 5 within Carlsbad to the north.

1.2 Project Background

The project site consists of a previously graded lot with a parking area and several small shed structures. The entire site will be graded to accommodate the construction of a new boutique hotel with a restaurant and a 39-space parking area. The hotel will include 17 hotel rooms located within 9 detached bungalow structures, a full-service public restaurant with a full kitchen and bar, a private outdoor spa with a deck, and 5 separate private outdoor spas serving select rooms.

Landscaping, including native plants, will be integrated throughout to provide visual interest and reflect the shapes and lines of the property and walkways. A sound barrier will be constructed at the northern end of the lot to reduce noise from Interstate 5.

2.0 RELEVANT REGULATIONS

Relevant federal, state, and local regulations are discussed in this section.

2.1 Federal Regulations

Applicable federal regulations are summarized below.

Federal Endangered Species Act

The Federal Endangered Species Act (FESA) provides the legal framework for the listing and protection of species (and their habitats) that are identified as being endangered or threatened with extinction. Actions that jeopardize endangered or threatened species and the habitats upon which they rely are considered 'take,' which is defined in FESA Section 9(a) as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct." FESA is administered by the U.S. Fish and Wildlife Service (USFWS) for freshwater fish and terrestrial wildlife and the National Oceanic and Atmospheric Administration (NOAA) for marine and anadromous species. The project, as designed, will comply with FESA.

Migratory Bird Treaty Act

All native migratory bird species are protected under the federal Migratory Bird Treaty Act (MBTA), as amended under the Migratory Bird Treaty Reform Act of 2004. The MBTA prohibits the killing or transport of native migratory birds or any part, nest, or egg unless allowed by another regulation adopted in accordance with the MBTA. The MBTA is administered by USFWS. Although no permit is issued under the MBTA, compliance generally requires avoidance measures to prevent impacts on nesting birds and raptors. The project, as designed, will comply with the MBTA.

2.2 State Regulations

Applicable state regulations are summarized below.

California Environmental Quality Act

The California Environmental Quality Act (CEQA) requires an environmental review for projects with potentially adverse impacts on the environment. Unavoidable, adverse environmental impacts are typically mitigated in accordance with state laws and regulations. The project, as designed, will comply with CEQA.

California Endangered Species Act

The California Endangered Species Act (CESA) is administered by the California Department of Fish and Wildlife (CDFW). It provides the legal framework for the listing and protection of species (and their habitats) within California that are identified as being endangered or threatened with extinction. The project, as designed, will comply with CESA.

California Fish and Game Code

Under Section 3503 of the California Fish and Game Code (CFGC), it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird except as otherwise provided by the CFGC or any regulation made pursuant thereto. Section 3503.5 of the CFGC prohibits the taking, possession, or destruction of any birds in the orders Falconiformes (raptors) or Strigiformes (owls) or of their nests and eggs. Section 3513 of the CFGC states that it is unlawful to take or possess any migratory non-game bird as designated in the MBTA. To comply with CFGC Sections 3503, 3503.5, and 3513, the project would be required to prevent impacts to nesting birds. The project, as designed, will comply with the CFGC.

California Native Plant Protection Act

The California Native Plant Protection Act (NPPA) is administered by CDFW and preserves, protects, and enhances rare and endangered plant species within California. CDFW requires a permit pursuant to Section 2081(a and b) of CESA for the take of plant species designated as candidate, rare, threatened, or endangered. The project, as designed, will comply with the NPPA.

Natural Community Conservation Planning

The California Natural Community Conservation Planning (NCCP) program is administered by CDFW in cooperation with numerous public and private partners. It takes a broad-scale approach to planning for the protection and perpetuation of California's biological diversity by protecting both habitats and species while also accommodating compatible land use. There are currently 23 active NCCP plans, and several Draft NCCP plans, including the City's Draft MHCP Subarea Plan, are pending approval (see the detailed discussion in Section 2.3, below). The project, as designed, will comply with the NCCP.

2.3 Local Regulations

Applicable local regulations and policies are summarized below.

Multiple Habitat Conservation Program

The MHCP is a comprehensive, multiple-jurisdiction planning program designed to develop an ecosystem preserve in northwestern San Diego County (AMEC Earth and Environmental, Inc. 2003). It is one of three subregional plans that will contribute to a regional preserve system in the County of San Diego (County). It is intended to protect viable populations of key sensitive plant and wildlife species and their habitats as well as ecosystem function while accommodating continued economic growth. The MHCP intends to conserve approximately 19,000 acres of habitat, of which roughly 8,800 acres (46 percent) are already in public ownership, and contribute toward the habitat preserve system for the protection of more than 80 rare, threatened, or endangered species. The MHCP encompasses the cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista.

Biologically valuable areas within the MHCP area are designated as Focused Planning Areas (FPAs), from which the preserve system will be assembled and managed for its biological resources. Additionally, the MHCP includes a Wetlands Protection Program, which requires wetlands protection through project entitlement reviews and the CEQA process. Each jurisdiction within the MHCP area will implement the program through its respective subarea plan, which will describe specific mechanisms required to implement the MHCP in their jurisdictions. As discussed below, the project is anticipated to comply with the City's Draft MHCP Subarea Plan (Ogden 2001) and Carlsbad Habitat Management Plan (HMP; Carlsbad 2004).

Encinitas Draft MHCP Subarea Plan

The City's Draft MHCP Subarea Plan addresses how the City conserves natural vegetation communities and protects 32 sensitive plant and wildlife species pursuant to the NCCP, MHCP, FESA, and CESA (Ogden 2001). The City's Draft MHCP Subarea Plan also provides mitigation guidance for potential impacts to native vegetation communities and listed or covered species. The City's Draft MHCP Subarea Plan is divided into four primary areas - Encinitas North, Encinitas South, Encinitas East, and Sphere of Influence. The project site is located in Encinitas North in the northwestern corner of the City.

The MHCP and City's Draft MHCP Subarea Plan identifies large contiguous areas of habitat, important linkages, and wildlife movement corridors within the City as the Biological Core and Linkage Areas (BCLAs; Ogden 2001). The BCLAs are used as a planning tool to target areas for conservation. These permanent preserve areas, referred to as FPAs, are preserved cooperatively by the City, USFWS, CDFW, and private property owners. The FPAs are divided into "hardline" areas, "softline" areas, and Homeowner's Association (HOA) Open Space areas. Hardline areas occur on properties that have approved development agreements, wherein designated biological open space areas are 100 percent conserved. Softline areas do not have development approval, and conservation standards and criteria will be applied based on mitigation ratios for each vegetation community tier per Table 4-4 of the City's Draft MHCP Subarea Plan. HOA Open Space areas are maintained according to HOA guidelines. The project site is not located within any identified FPA; however, there is a narrow strip of Softline Preserve north of several developed parcels, a minimum of 700 feet northwest of the project site; an HOA Open Space approximately 850 feet to the southeast of the project site; and a large Softline Preserve area 1,250 feet to the east of the project site (Attachment 1: Figure 4).

The City's Draft MHCP Subarea Plan has not been adopted; however, the City applies applicable provisions, to the extent practical, during environmental review for development projects. With approval and adoption of the City's Draft MHCP Subarea Plan, the City will be authorized to issue permits for the take of natural habitats and associated species for public or private projects within its jurisdiction. However, until the City's Draft MHCP Subarea Plan is adopted, projects must comply with other state and federal regulations, and must be coordinated with CDFW and/or USFWS to obtain incidental take permits. The project is anticipated to comply with the City's Draft MHCP Subarea Plan and other local, state, and federal regulations as required by the regulatory agencies.

Carlsbad HMP

The Carlsbad HMP, Carlsbad's subarea plan under the MHCP, provides a comprehensive program to identify how Carlsbad, in cooperation with federal and state wildlife agencies, preserves habitat diversity and protects sensitive biological resources while allowing for new development (Carlsbad 2004). The Carlsbad HMP allows issuance of citywide permits and authorization for the incidental take of sensitive species in conjunction with private development projects, public projects, and other activities, which are consistent with the Carlsbad HMP.

The Carlsbad HMP preserve system is designed to conserve approximately 6,400 acres of native habitat. It identifies lands of high biological value targeted for conservation as FPAs. These FPAs include HMP Cores, Linkage Areas, and Special Resource Areas. HMP Cores consist of blocks of native habitat that reliably support breeding populations of native species or that are sufficiently large to form ecologically functional areas for preserve design. Linkages consist of conserved habitat intended to provide connectivity between HMP Cores. Special Resource Areas are areas outside the HMP Cores and Linkages that conserve vernal pools, significant populations of sensitive plant species, and other movement corridors for large mammals. During the development of the Carlsbad HMP, specific properties were identified as hardline conservation areas, including existing state lands preserved for biological resources, existing mitigation lands preserved for approved projects, and existing open space easements.

The northern tip of the Caltrans ROW to the north of the project site as well as Batiquitos Lagoon and the surrounding upland habitat has been identified as Carlsbad HMP Core 8. Core 8 was designed to protect the estuarine and salt marsh habitats within Batiquitos Lagoon known to support Nuttall's acmispon (*Acmispon prostratus*), wandering skipper (*Panoquina errans*), white faced-ibis (*Plegadis chihi*), light-footed Ridgway's rail (*Rallus obsoletus levipes*), western snowy plover (*Charadrius alexandrinus nivosus*), California least tern (*Sternula antillarum browni*), and Belding's Savannah sparrow (*Passerculus sandwichensis beldingi*) as well as critical areas of maritime succulent scrub and southern maritime chaparral in the surrounding areas (Attachment 1: Figure 4). The project is anticipated to comply with the Carlsbad HMP.

Encinitas General Plan

The City's General Plan is a long-range, public policy document used to guide the private and public development of lands within the City while preserving natural resources (City 1995). As a majority of the City is located within the Coastal Zone, issues and policies related to requirements of the California Coastal Act are included within the General Plan.

Additionally, the project site is located within an area designated by the City's General Plan as a Special Study Overlay area (Attachment 1: Figure 4). Special Study Overlay areas have been determined to be ecologically significant and may have more stringent development standards. The General Plan contains goals and policies for various issues affecting the natural and built environment. The City's General Plan Land Use Element, Public Safety Element, Resource Management Element, and Recreation Element are particularly applicable to conservation and open space, as discussed below (City 1995).

The City's General Plan Land Use Element identifies goals and policies regarding the development of sensitive lands and slopes. Applicable goals include Goals 8 and 9:

- **Goal 8** addresses the preservation of environmentally and topographically constrained areas, including steep slopes (over 25 percent); areas with unstable soils; coastal and floodplain areas; lands within Special Study Overlay areas supporting environmentally sensitive lands (i.e., drainage courses, wetland and riparian areas, bluffs, rock outcroppings, steep slopes, trees, viewsheds, cultural resources); and parks. The project is anticipated to be consistent with this goal.
- **Goal 9** discusses the preservation of natural open spaces, slopes, bluffs, and lagoon areas, as well as the maintenance of view corridors. It encourages low-density development within the Interstate- 5 corridor and use of landscaping to enhance the natural features of the surrounding areas. The project is anticipated to be consistent with this goal.

The City's General Plan Public Safety Element identifies goals and policies to minimize risks associated with natural and human-caused hazards. Many of the policies resemble those of the Land Use Element with respect to limiting development in sensitive areas, such as steep slopes and bluffs. Hazard areas associated with risk of fire and flood are also identified. The project is anticipated to be consistent with the City's General Plan Public Safety Element.

The City's General Plan Resource Management Element identifies goals and policies for management, wise utilization, and preservation of water quality and groundwater resources, trees, habitat areas, community views and aesthetic amenities, air quality, cultural resources, coastal areas, plant resources, and environmentally sensitive areas. This element specifically states the need for management of wetland resources at San Elijo Lagoon, Batiquitos Lagoon, Escondido Creek, and Encinitas Creek, and their significant upstream feeder creeks. Applicable goals include Goals 3, 9, 10, and 14:

- **Goal 3** discusses preservation of significant mature trees, vegetation, and wildlife habitat. No mature trees, sensitive vegetation, or wildlife habitat would be affected by the project; therefore, the project is anticipated to be consistent with this goal.
- **Goal 9** discusses the use of native and drought tolerant landscaping in new development and the preservation of natural vegetation and natural stream courses in undeveloped areas. It encourages the use of bridges in lieu of pipes, box culverts, or underground channels to preserve the integrity of the natural stream courses. The project is anticipated to be consistent with this goal.
- **Goal 10** discusses preserving the integrity, function, productivity, and long-term viability of sensitive habitats. This goal requires no net loss of wetlands for land development. It also requires conservation of as much southern maritime chaparral and coastal sage scrub as feasible; minimizing fragmentation of natural areas; connecting existing natural areas to maintain local wildlife movement corridors;

clustering of residential or other uses near the edge of the natural areas; conservation of physical and biotic conditions to maintain diverse habitats; and preservation of rare and endangered species. The project is anticipated to be consistent with this goal.

- **Goal 14** discusses controlling erosion and sedimentation during development to protect lagoons and other sensitive habitats. The project will be consistent with this goal through incorporation of temporary and permanent erosion control Best Management Practices (BMPs) to prevent erosion or sedimentation of adjacent habitat areas.

The City's General Plan Recreation Element identifies goals and policies that overlap with the Land Use Element and Resource Management Element and relate to the maintenance and preservation of open space resources (Goals 1 and 2). The project is anticipated to be consistent with the City's General Plan Recreation Element.

Avian Building Collisions

An estimated 365 to 988 million birds are killed annually in the U.S. as a result of collisions with buildings (Loss et al. 2014), although no federal, state, or local agency standards or thresholds of significance have been established. This section presents a brief summary of existing literature on avian building collisions and the factors that affect avian building collisions, which include, but are not limited to, building height, prevalence of windows, proximity to dense vegetation, and lighting.

Building height is one of the primary factors leading to avian building collisions. One study that looked at the effects of building height on avian mortality (Loss et al 2014) estimated, that 61 percent of all avian mortality from building collisions occurs from collisions with taller buildings (four or more stories), which comprise just 11 percent of the buildings in the U.S. Conversely, while shorter buildings (one to three stories) make up 89 percent of the buildings in the U.S. collisions with these buildings cause just 38 percent of all avian collision mortality.

Avian building collisions are also affected by the presence and abundance of windows. Birds in flight can collide with windows because they are often unable to detect clear or reflective glass as a barrier; misinterpret reflections of the clouds, sky, vegetation, or ground as habitat; or see through the window to perceived habitat inside buildings or beyond the buildings (Evans Ogden 1996, Klem 1989, Klem and Saenger 2013, USFWS 2021). Avian collisions are more frequent with buildings with a larger proportion of windows than with buildings that have fewer windows (Hager et al 2013).

The presence of vegetation, including dense landscaping and natural habitats, can also affect the frequency of avian building collisions. Typically, buildings close to dense vegetation have higher collision rates than structures further from dense vegetation (Gelb and Delacretaz 2006). In addition, more avian collisions occur with windows directly facing dense vegetation than occur with windows facing urban areas or less dense vegetation (Evans Ogden 1996).

The presence of bright lighting on structures can affect avian building collisions. Birds have been shown to be attracted to light. Nocturnally migrating birds are particularly susceptible to collisions with artificially illuminated buildings (Evans Ogden 1996, USFWS 2021). It should be noted that resident species are likely less susceptible to building collisions at night than migratory species (Evans Ogden 1996). This may be because they are more familiar with the structures in their resident areas, or because they are flying at lower speeds.

Based on these factors, illuminated buildings of four or more stories with large window surfaces facing dense vegetation appear to represent the highest risk of bird mortality from building collisions, while smaller, unlit buildings with fewer windows facing less dense vegetation represent a lower risk.

3.0 METHODS

Methods used for the literature and database review and for the biological reconnaissance survey are described below.

3.1 Literature and Database Review

BBS reviewed existing and historical aerial photographs of the project site (Google Earth 2023; Nationwide Environmental Title Research, LLC 2023). BBS also conducted a review of existing biological data for the project vicinity, including searches of the CDFW California Natural Diversity Database (CNDDB; CDFW 2023a), the USFWS all species occurrences database (USFWS 2023), and the County SanBIOS database (County 2023) for records of sensitive species within 2 miles of the project site. BBS also reviewed the *La Costa Hotel Biologist Survey and Habitat Mapping* memorandum prepared by Marine Taxonomic Services, Ltd. (MTS; 2023). In addition, BBS reviewed the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) soil survey maps (USDA 2023) and USGS National Hydrography Dataset (NHD) data (USGS 2023).

3.2 Biological Reconnaissance Survey

BBS conducted a biological reconnaissance survey within the project site plus an off-site survey area that included all land within 100 feet to the east, south, and west of the project site plus the entire Caltrans ROW to the north (collectively referred to as the survey area) to document existing biological resources and assess the potential for sensitive biological resources to occur within the survey area. The Caltrans ROW was included in the survey area at the request of the City.

The survey was conducted on foot and with the aid of binoculars. BBS mapped vegetation communities by hand onto aerial imagery and later digitized them using Geographic Information Systems (GIS) software. All plant and wildlife species that were apparent within the survey area were noted based on direct observation or indirect detection through sign (e.g., scat, tracks, burrows, vocalization). In addition, the survey area was assessed for potential to support sensitive plant and wildlife species as well as potentially jurisdictional aquatic resources. Digital photographs of representative areas taken during the survey are provided in Attachment 2.

Vegetation community classifications follow Holland (1986) as modified by Oberbauer (2008). Plant nomenclature follows the Jepson Online Interchange (University of California 2023) for native and naturalized species and Sunset Western Garden Book (Brenzel 2012) for ornamental species. Wildlife nomenclature follows Crother et al. (2017) for amphibians and reptiles, American Ornithological Society Checklist (Chesser et al. 2023) and the San Diego Bird Atlas (Unitt 2004) for birds, San Diego Natural History Museum (2002) and Evans (2007) for invertebrates, and Bradley et al. (2014) and Tremor et al. (2017) for mammals. Sensitive species status is based on CDFW (2023a through c).

A formal aquatic resource delineation was not performed; however, the survey area was investigated for potentially jurisdictional aquatic resources during the reconnaissance survey. Areas with depressions, drainage patterns, and/or wetland vegetation within the project site were evaluated, with a focus on defined channels, wetland vegetation, soils, and/or hydrology, to determine the location and extent of aquatic resources potentially under the jurisdiction of the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and/or CDFW.

The survey results reflect existing conditions during the time of the surveys, and such conditions can naturally change over time. The biological survey was conducted during the daytime when nocturnal species are less detectable. The survey was conducted in mid-fall, when many annual plants and migratory bird species may not have been apparent or present at the time of the survey. Focused surveys were not performed; therefore, the lists of plant and wildlife species are not intended to be all-inclusive.

4.0 RESULTS

BBS biologists Brian Parker and Andrew Kort conducted a biological reconnaissance survey on September 29, 2023, between the hours of 0850 and 1300, with temperatures ranging from 67 to 74 degrees Fahrenheit, wind speeds from 1 to 6 miles per hour, and cloud cover ranging from 90 to 100 percent. The following sections present the physical characteristics, vegetation communities and land cover types, plant and wildlife species, and potentially occurring sensitive biological resources within the survey area.

4.1 Physical Characteristics

The survey area consists of a flat mesa top that includes most of the project site as well as the adjacent properties to the east, west, and south, plus northeast-facing slopes leading down from the mesa top into a swale running southeast to northwest through the Caltrans ROW, and a southwest-facing embankment along Interstate 5 in the northeastern portion of the Caltrans ROW (Attachment 1: Figure 5). Elevations range from 8 feet above mean sea level (amsl) near the northern tip of the Caltrans ROW to 76 feet amsl along the northern boundary of the project site.

The undeveloped portion of the gas station property to the west has several drain outlets that lead to a 15-inch corrugated plastic pipe running down the slope to the north and into a brow ditch within the Caltrans ROW that directs flows to the north (Attachment 1: Figure 5).

Three soil types are mapped within the survey area, including Corralitos loamy sand, 9 to 15 percent slopes and Marina loamy coarse sand, 2 to 9 percent slopes, and terrace escarpments (USDA 1973). These soil types are described as follows:

- **Corralitos loamy sand**, 9 to 15 percent slopes, is the dominant soil type within the Caltrans ROW, underlying the northern third of the survey area. This is somewhat excessively drained, very deep loamy sand that formed in alluvium derived from marine sandstone. This soil type occurs in narrow valleys.
- **Marina loamy coarse sand**, 2 to 9 percent slopes, occurs within the southern half of the survey area, including most of the project site. This soil type consists of somewhat excessively drained, very deep loamy coarse sand originally derived from wind-blown sand. It is commonly found on coastal ridges.

- **Terrace escarpments** occur as a strip along the northern edge of the project site and the southern portion of the Caltrans ROW. This soil type consists of steep eroded slopes forming terraces along the edges of canyons or floodplains. Soils are generally loamy or gravelly soil over marine sediments.

4.2 Botanical Resources – Flora

Seven vegetation communities and land cover types were mapped within the survey area, including restored Diegan coastal sage scrub (Habitat Group C); disturbed Diegan coastal sage scrub (Habitat Group C); coastal salt marsh (Habitat Group A); and eucalyptus woodland, disturbed land, non-native vegetation, and urban/developed land (Habitat Group F) (Attachment 1: Figure 5). These vegetation communities and land cover types are summarized in Table 1, below.

Table 1. Vegetation Communities and Land Cover Types*

Vegetation Community/ Land Cover Type	Project site	Off-Ste Survey Area	Total
Habitat Group A			
Coastal Salt Marsh	--	0.19	0.19
Habitat Group C			
Restored Diegan Coastal Sage Scrub	--	1.43	1.43
Disturbed Diegan Coastal Sage Scrub	--	0.48	0.48
Habitat Group F			
Eucalyptus Woodland	--	0.45	0.45
Disturbed Land	1.17	2.10	3.27
Non-native Vegetation	--	0.05	0.05
Urban/Developed Land	0.02	1.82	1.84
Total	**1.19**	**6.52**	**7.71**

*All areas are presented in acre(s), rounded to the nearest hundredth.

A total of **114 plant species** were recorded within the survey area, including 41 native (36 percent) and 73 non-native (64 percent) species (Attachment 3). No sensitive plant species were observed or have been recorded within the survey area. The potential for sensitive species to occur within the survey area is discussed in detail in Section 4.4, below. The plant species, vegetation communities, and land cover types mapped within the Caltrans ROW to the north are largely consistent with the mapping shown in the MTS biological survey report (MTS 2023). The vegetation and land cover types within the survey area are described below.

Coastal Salt Marsh (Habitat Group A)

Coastal salt marsh is a coastal wetland community characterized by salt-loving herbaceous wetland plants. It occurs in bays, lagoons, and estuaries, as well as areas subject to regular cycles of inundation and drying, creating salty soil conditions. It occurs along the coast from about Point Conception to the U.S/Mexico border (Oberbauer et al. 2008). Coastal salt marsh is considered a sensitive vegetation community in Habitat Group A per the City's Draft MHCP Subarea Plan (Ogden 2001).

A total of **0.19 acre of coastal salt marsh** occurs in a strip of low-lying land in the northern portion of the survey area (Attachment 1: Figure 5; Attachment 2: Photograph 1). This vegetation community is dominated by saltgrass (*Distichlis spicata*), Pacific pickleweed (*Salicornia pacifica*), and alkali-heath (*Frankenia salina*).

Restored Diegan Coastal Sage Scrub (Habitat Group C)

Diegan coastal sage scrub consists of low-growing, drought-deciduous shrubs with an average height of up to 4 feet. It occurs in coastal areas from Los Angeles to Baja California, Mexico (Oberbauer et al. 2008). Diegan coastal sage scrub is considered a sensitive vegetation community in Habitat Group C per the City's Draft MHCP Subarea Plan (Ogden 2001).

A total of **1.43 acres of restored Diegan coastal sage scrub** occurs within the survey area. Areas that were mapped as restored Diegan coastal sage scrub occur within the Caltrans ROW, along the embankment of Interstate 5. This area contains an active irrigation system with irrigation pipes and sprinklers as well as numerous ornamental pine trees (*Pinus* spp.) recently installed at regular intervals on the slope. Vegetation coverage in this area was approximately 85 percent at the time of the biological reconnaissance survey, and few non-native plants were present at the time of the biological reconnaissance survey (Attachment 1: Figure 5; Attachment 2: Photographs 2, 3, and 4). Dominant species within the restored Diegan coastal sage scrub include white nightshade (*Solanum americanum*), California encelia (*Encelia californica*), broom baccharis (*Baccharis sarothroides*), California buckwheat (*Eriogonum fasciculatum*), California sagebrush (*Artemisia californica*), and several installed pine trees.

Disturbed Diegan Coastal Sage Scrub (Habitat Group C)

Disturbed Diegan coastal sage scrub is similar to Diegan coastal sage scrub, as described above, but with obvious anthropomorphic disturbances and typically with more non-native species.

A total of **0.48 acre of disturbed Diegan coastal sage scrub** occurs within the survey area, entirely within the off-site survey area. Three areas were mapped as disturbed Diegan coastal sage scrub, including one patch to the north and one to the south of the restored Diegan coastal sage scrub along the embankment of Interstate 5, and one patch on the northeast-facing slope to the east of the northern property boundary. The disturbed Diegan coastal sage scrub has lower overall vegetation cover than the restored Diegan coastal sage scrub and supports a higher proportion of non-native species. The two patches along Interstate 5 embankment have approximately 70 percent vegetation cover, and the patch on the northeast-facing slope has approximately 30 percent vegetation cover (Attachment 1: Figure 5; Attachment 2: Photographs 1 and 5). Dominant species within the disturbed Diegan coastal sage scrub include lemonade berry (*Rhus integrifolia*), goldenbush (*Isocoma menziesii*), and non-native grasses.

Eucalyptus Woodland (Habitat Group F)

Eucalyptus woodland is characterized by stands of gum trees (*Eucalyptus* spp.) that may exist as monotypic stands with little or no shrubby understory or scattered trees over a well-developed herbaceous and shrubby understory. Eucalyptus woodland is in Habitat Group F per the City's Draft MHCP Subarea Plan and is not considered sensitive (Ogden 2001).

A total of **0.45 acre of eucalyptus woodland** occurs in several patches of low-lying portions of the Caltrans ROW in the northern portion of the survey area (Attachment 1: Figure 5; Attachment 2: Photograph 4). This vegetation community is dominated by silver dollar gum

(*Eucalyptus polyanthemos*) and river red gum (*Eucalyptus camaldulensis*) with an understory of dense leaf litter as well as scattered common sow thistle (*Sonchus oleraceus*) and freeway iceplant (*Carpobrotus edulis*).

Disturbed Land (Habitat Group F)

Disturbed land is a common land cover type that includes areas that have been physically altered by previous human activity or are dominated by non-native, invasive plant species and are no longer recognizable as a native or naturalized habitat. Disturbed land is in Habitat Group F per the City's Draft MHCP Subarea Plan and is not considered sensitive (Ogden 2001).

A total of **3.27 acres of disturbed land** occur throughout the southern two-thirds of the survey area (Attachment 1: Figure 5; Attachment 2: Photographs 6, 7, 8, 9, 10, and 11). This land cover type includes areas of bare ground and mulch, leaf-litter as well as areas with non-native species, such as tocalote (*Centaurea melitensis*), garland daisy (*Glebionis coronaria*), curly dock (*Rumex crispus*), tree tobacco (*Nicotiana glauca*), and Russian thistle (*Salsola tragus*).

Non-native Vegetation (Habitat Group F)

Non-native vegetation is characterized by ornamental species that either naturally recruited or were installed as landscaping but have naturalized and are not maintained or irrigated. This land cover type is in Habitat Group F per the City's Draft MHCP Subarea Plan and is not considered sensitive (Ogden 2001).

A total of **0.05 acre of non-native vegetation** occurs within the survey area and is characterized by a monotypic stand of everblooming acacia (*Acacia retinodes*) in the northern portion (Attachment 1: Figure 5).

Urban/Developed Land (Habitat Group F)

Urban/developed land is a common land cover type that includes areas with manufactured structures, pavement, or hardscape, and maintained landscaped areas. This land cover type typically contains permanent or semi-permanent structures, pavement, hardscape, unvegetated areas, and actively maintained and irrigated landscaped areas. Urban/developed land is in Habitat Group F habitat per the City's Draft MHCP Subarea Plan and is not considered sensitive (Ogden 2001).

A total of **1.84 acres of urban/developed land** occur within the survey area, consisting of an asphalt driveway in the southern portion of the project site, La Costa Avenue off-site to the south, the existing gas station off-site to the east, an old building foundation and driveways off-site to the west, and concrete brow ditches and rip rap lined boxes within the Caltrans ROW (Attachment 1: Figure 5; Attachment 2: Photographs 11 and 12). These areas are largely unvegetated but contain areas of ornamental landscaping and other ornamental vegetation.

4.3 Zoological Resources – Fauna

A total of **22 wildlife species** were detected within the survey area, including 11 invertebrate, 1 reptile, 9 bird, and 1 mammal species (Attachment 4). These are common species that

occur in native and non-native habitats within suburban areas of western San Diego County. Sensitive wildlife species are discussed in more detail in Section 4.4.

4.4 Sensitive Biological Resources

The following sections define and describe the sensitive biological resources occurring or potentially occurring within the survey area.

Sensitive Vegetation Communities

For purposes of this report, sensitive vegetation communities include those identified as Habitat Groups A through E in the City's Draft MHCP Subarea Plan (Ogden 2001) that occur within a preserve area or FPA per the City's Draft MHCP Subarea Plan or that have been designated as critical habitat by the USFWS. Per this definition, three sensitive vegetation communities – restored Diegan coastal sage scrub, disturbed Diegan coastal sage scrub, and coastal salt marsh – occur within the survey area. The project site has not been designated as a preserve area or FPA per the City's Draft MHCP Subarea Plan, and there is no critical habitat for any species within the project site.

Sensitive Plant Species

Plant species are considered sensitive if they are listed by state or federal agencies as threatened or endangered or are proposed for listing (CDFW 2023a through c); designated as covered species or narrow endemic species under the City's Draft MHCP Subarea Plan (Ogden 2001); or identified as California Rare Plant Rank (CRPR) 1B through 4 on the California Native Plant Society (CNPS) Inventory of Rare and Endangered Vascular Plants of California (CNPS 2023).

Based on the literature review and database search, 23 sensitive plant species have historical species occurrence records within 2 miles of the survey area and were assessed for their potential to occur within the survey area (County 2023, CDFW 2023a, CNPS 2023). **No sensitive plant species were detected during the biological survey conducted by BBS, and none are expected or have moderate to high potential to occur** within the project site or off-site survey area due to lack of suitable habitat, prevalence of developed and disturbed conditions, and lack of historical or known occurrences in the vicinity. Attachment 5 provides a summary table of all 23 sensitive plant species that were assessed for their potential to occur within the survey area.

Sensitive Wildlife Species

For purposes of this report, sensitive wildlife species include those that are listed as threatened or endangered or proposed for listing by USFWS or CDFW; designated as "Fully Protected" or a Species of Special Concern" by CDFW; and/or identified as a covered species or narrow endemic species under the City's Draft MHCP Subarea Plan (Ogden 2001).

Based on the literature review and database search, 21 sensitive wildlife species have historical species occurrence records within 2 miles of the survey area and were assessed for their potential to occur within the survey area (County of San Diego 2023, CDFW 2023a, CNPS 2023). **No sensitive wildlife species were detected during the biological reconnaissance survey, and none are expected or have moderate to high potential to**

occur within the survey area due to lack of suitable habitat, prevalence of developed and disturbed conditions, and lack of historical or known occurrences in the vicinity. Attachment 6 provides a summary table of all 21 sensitive wildlife species that were assessed for their potential to occur within the survey area.

Nesting Birds

The Diegan coastal sage scrub, coastal salt marsh, non-native vegetation, eucalyptus woodland, and disturbed land within the survey area have the potential to support nesting birds. While many avian species do not meet the sensitivity criteria listed for sensitive wildlife above, most native bird species are protected under the MBTA and/or CFGC, as discussed previously in this letter report.

Wildlife Corridors

Wildlife corridors are considered sensitive by local, state, and federal resource and conservation agencies, because they are essential to maintain populations of healthy and genetically diverse wildlife species by allowing wildlife to move between adjoining open space areas that are becoming increasingly isolated as open space becomes fragmented from urbanization, rugged terrain, and/or changes in vegetation (Beier and Loe 1992).

The project site itself is not designated as an FPA or BCLA per the City's Draft MHCP Subarea Plan (Ogden 2001), nor are the areas bounding the project site to the west, south, and east. However, the habitat within the Caltrans ROW has connectivity to Carlsbad HMP Core 8, approximately 500 feet off-site to the north. This strip of habitat within the Caltrans ROW is bounded to the south and west by disturbed and developed areas and to the east by Interstate 5. As a result, this area likely serves primarily for local wildlife use and as a buffer between the habitat within HMP Core 8 around Batiquitos Lagoon and the surrounding developed areas but contributes little to the wildlife corridor functions within the City's Draft MHCP Subarea Plan or Carlsbad HMP.

Jurisdictional Aquatic Resources

The area mapped as coastal salt marsh within the Caltrans HMP in the northern portion of the survey area (Attachment 1: Figure 5) would likely be considered a wetland under the jurisdiction of the USACE, CDFW, and RWQCB. This patch of coastal salt marsh is located a minimum of 350 feet north of the project site. The concrete brow ditch within the Caltrans ROW, approximately 125 feet northeast of the project site, transports runoff from the freeway and adjacent properties as well as irrigation from the restored Diegan coastal sage scrub to a rip rap-lined box. The water flows from there into a field-like swale area mapped as coastal salt marsh. This brow ditch and rip rap would likely not be considered jurisdictional.

5.0 PROJECT IMPACTS ANALYSIS

Biological resources may be impacted directly or indirectly. These types of impacts are defined as follows:

- **Direct impacts** are impacts occurring from any disturbance, alteration, or destruction of biological resources that could result from project-related activities. Examples of direct impacts include diverting surface water flows, encroaching into wetlands,

clearing vegetation, and taking an individual species and/or its associated plant communities.

- **Indirect impacts** are impacts on biological resources that are not a direct result of the project. They are often separated spatially or temporally from construction activities. Examples of indirect impacts include increased human activity, elevated noise and dust levels, decreased water quality, soil compaction, and the introduction of invasive animals (e.g., domestic cats and dogs) and plants.

A summary of the proposed project features and potential biological impacts associated with sensitive vegetation communities, sensitive plant and wildlife species, nesting birds, wildlife corridors, and potentially jurisdictional aquatic resources are discussed below.

5.1 Direct Impacts

Direct impacts that may occur from project implementation are described below.

Vegetation Communities

Project implementation would result in direct impacts to a total of 1.11 acres within the project site, including 1.09 acres of disturbed land and 0.02 acre of urban/developed land (Table 2; Attachment 1: Figure 6). Disturbed land and urban/developed land are Habitat Group F land cover types and are not considered sensitive (Ogden 2001). Therefore, no sensitive vegetation communities would be impacted. Furthermore, the project would not impact any land within any City FPA or Carlsbad HMP Core or preserve area. As such, no additional avoidance, minimization, and/or mitigation measures would be required for sensitive vegetation communities.

Table 2. Proposed Project Impacts*

Vegetation Community/Land Cover Type	Existing On-site	Existing In Off-Site Survey Area	Impacts**
Habitat Group A			
Coastal Salt Marsh	--	0.19	--
Habitat Group C			
Restored Diegan Coastal Sage scrub	--	1.43	--
Disturbed Diegan Coastal Sage Scrub	--	0.48	--
Habitat Group F			
Eucalyptus Woodland	--	0.45	
Disturbed Land	1.17	2.10	1.09
Non-native Vegetation	0.02	0.05	
Urban/Developed Land	--	1.82	0.02
Total	**1.19**	**6.52**	**1.11**

* All areas are presented in acre(s) rounded to the nearest hundredth.
** All impacts would occur within the project site.

Sensitive Plant Species

No sensitive plant species were observed or are expected to occur within the survey area. Therefore, the project would not result in direct or indirect impacts to sensitive plant species, and no additional avoidance, minimization, and/or mitigation measures would be required for sensitive plant species.

Sensitive Wildlife Species

No sensitive wildlife species were detected or are expected to occur within the survey area. Therefore, the project would not result in direct or indirect impacts to sensitive wildlife species, and no additional avoidance, minimization, and/or mitigation measures would be required for sensitive wildlife species.

Nesting Birds

Nesting bird species covered under the MBTA and CFGC have the potential to be directly impacted if project-related vegetation clearing or construction activities occur during the avian breeding season (February 15 to September 15). **Direct impacts to nesting birds would be considered significant and would require implementation of avoidance, minimization, and/or mitigation measures**.

Wildlife Corridors

The project site is not designated as an FPA or BCLA under the City's Draft MHCP Subarea Plan, but the northern tip of the Caltrans ROW off-site to the north is within Carlsbad HMP Core 8 (Ogden 2001; Carlsbad 2004). That habitat provides some value for wildlife use and acts as a buffer between Batiquitos Lagoon and the surrounding developed areas but contributes little to the wildlife corridor functions within the City's Draft MHCP Subarea Plan or Carlsbad HMP. **Because the project would not impact the Carlsbad HMP Core 8, no impacts to local or regional wildlife corridors are expected, and no additional avoidance, minimization, and/or mitigation would be required**.

Jurisdictional Aquatic Resources

While the coastal salt marsh in the Caltrans ROW off-site to the north would be considered a potentially jurisdictional aquatic resource, it lies a minimum of 350 feet north of the proposed impact footprint and would not be subject to direct or indirect impacts. **Therefore, the project is not expected to impact jurisdictional resources, and no additional avoidance, minimization, and/or mitigation measures would be required for potentially jurisdictional resources**.

5.2 Indirect Impacts

Indirect impacts that may occur from project implementation are described below.

Increased Human Activity

Land development can result in increased human activity within adjacent habitat areas, which could lead to increased trampling of vegetation and soil compaction and could affect the viability of plant communities and the suitability of habitat for wildlife species. Trampling can damage individual native plants, including special-status species; create gaps in native vegetation, leading to an increase in soil erosion; and introduce or spread non-native, invasive plant species. Trampling may also affect the rate of rainfall interception and evapotranspiration, soil moisture, water penetration pathways, and surface flows. Increased human presence increases the risk for the collection of and damage to plant species, and

thus the risk of damage to suitable habitat for wildlife species. In addition, increased human activity can deter wildlife from using habitat areas in the project vicinity.

As a small boutique hotel with a limited number of guests, the project is not expected to result in a substantial increase of human activity in the adjacent habitat within the Caltrans ROW to the north. Moreover, the project would include security personnel patrolling exterior areas during the day and evening hours. These measures will prevent hotel guests from intruding on the adjacent habitat within the Caltrans ROW. **Consequently, the project is not expected to increase unauthorized human activity in the adjacent habitat; therefore, the project would not result in indirect impacts associated with increased human activity. As such, no avoidance, minimization, and/or mitigation measures would be required for increased human activity**.

Invasive Species

Invasive species have the potential to displace and dominate native species, hybridize with native plant species, provide food and habitat for invasive animal species, and disturb normal ecosystem functions, such as nutrient cycling, wetland hydrology, sedimentation, fire frequency, and erosion. Disturbances adjacent to natural open space, such as grading and vegetation management, create opportunities for non-native species to invade and establish themselves.

The project would not result in the additional introduction of invasive plants (i.e., plant species on the California Invasive Plant Council [Cal-IPC] "high" and "moderate" list; Cal-IPC 2023) into the surrounding areas, including the habitat within the Caltrans ROW off-site to the north. One Cal-IPC "high" rated species – freeway iceplant – and five Cal-IPC "moderate" rated species – wild oats (*Avena fatua*), common ripgut grass (*Bromus diandrus*), tocalote, panic veldtgrass (*Ehrharta erecta*), and Brazilian pepper tree (*Schinus terebinthifolius*) – are already present in the project site and off-site survey area. Project landscaping would not include these or any other Cal-IPC "high" or "moderate" species, and project development is not expected to result in expansion nor further introduction of these or other invasive species into the surrounding areas. **Therefore, the project is not expected to contribute to any increase in invasive species in adjacent habitats. As such, no avoidance, minimization, and/or mitigation measures would be required for invasive species**.

Hydrology Alteration

Hydrologic alterations include changes in water levels, flow rates, and patterns in waterways and dewatering, each of which may affect resources and vegetation communities located downslope of the project site. Adverse water-quality impacts include chemical compound pollution (discussed below), erosion, increased turbidity, and excessive sedimentation. Removal of native vegetation and increased runoff from roads and other paved surfaces can result in increased erosion and transport of surface matter into areas that support sensitive biological resources. 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 the habitat for ground-dwelling fauna that may disperse seed.

The project will incorporate temporary and permanent erosion control BMPs to direct flows away from the undeveloped habitat areas to the north. An Erosion Control Plan will be

designed as part of the Grading Plan application to the City. The Erosion Control Plan will include temporary and permanent measures to prevent discharge of sediment and other pollutants onto adjacent streets and into the storm drain system. Appropriate stormwater pollution prevention and control practices per the City's BMP Design Manual (City 2016) will be implemented during construction. Construction BMPs, including, but not limited to, a stabilized construction entrance, silt fence, gravel bags, fiber rolls, inlet protection, hydroseeding or straw matting for exposed areas, wind erosion measures, waste management, and street sweeping will be implemented per California Stormwater Quality Association standards and will remain in place for the duration of construction. These BMPs will be included as conditions of project approval.

With implementation of the measures described above, **the project would not result in significant indirect impacts associated with altered hydrology. As such, no avoidance, minimization, and/or mitigation measures would be required for hydrology alteration**.

Chemical and Particulate Pollution

The release of fuels, oils, sediment, and other construction-related chemicals into adjacent areas has the potential to impact sensitive natural resources downslope of the project site. Accidental spills of hazardous chemicals could contaminate the lagoon water and groundwater and could indirectly affect wildlife species through poisoning or alteration of suitable habitats.

The following temporary and permanent engineering conditions will be included as conditions approval for the project:

- To prevent erosion on the slope to the north of the project site, no drainage shall be permitted over the slope without proper conveyance structures. All stormwater shall be captured and allowed to infiltrate on-site; however, off-site emergency drainage conveyance shall be provided to the toe of the slope, or to an appropriate drainage conveyance system. Agency approval or a private drainage easement shall be obtained prior to building permit issuance, or the construction of any impervious surface areas.

- A drainage system shall be designed to retain and dispose of all surface water originating within the project site or that may flow onto the project site from adjacent lands. This drainage system shall include any easements and structures required by the Development Services Department to accommodate the drainage.

- Stormwater pollution and flow control BMPs shall be utilized per the City's BMP Design Manual (City 2016) to the satisfaction of the Development Services Department. All landscape areas designed for stormwater pollution control shall be identified on grading plans and shall identify and incorporate Low Impact Development BMPs. The plans shall include a note indicating that the BMPs shall be privately maintained and the facilities not modified or removed without a permit from the City.

- Permanent post-construction stormwater quality treatment BMP facilities shall be provided to collect and treat all runoff generated by any impervious surfaces prior to discharge from the project site. The plans shall include a note indicating that the

BMPs shall be privately maintained, and the facilities not modified or removed without a permit from the City.

- All runoff from all roof drains shall discharge onto grass and/or landscaped areas prior to collection and discharge onto the street and/or into the public storm drain system unless directly connected to an adequately designed BMP facility to the maximum extent practical. No grass, landscape areas, or BMPs designated for stormwater pollution control shall be modified without a permit from the City. The plans shall include a note indicating that the BMP's are to be privately maintained and the facilities not modified or removed without a permit from the City.

With implementation of these engineering conditions, **, the project would not result in significant indirect impacts associated with chemical and particulate pollution. As such, no avoidance, minimization, and/or mitigation measures would be required for chemical and particulate pollution**.

Noise

Noise can have a variety of indirect impacts on wildlife species. Examples of indirect impacts include increased stress and weakened immune systems, altered foraging behavior, interference with adult birds communicating with fledglings, displacement due to startle, degraded communication with conspecifics, and increased vulnerability to predators.

As a small boutique hotel, the operation of the project is not anticipated to result in noise impacts within the adjacent habitats; however, construction noise has the potential to affect wildlife breeding within the project site and the surrounding habitats. Indirect noise impacts to non-sensitive wildlife species would be considered less than significant. In addition, no sensitive wildlife species are expected or have moderate to high potential to occur in the habitat surrounding the project site and any wildlife in the surrounding area is already subject to substantial ambient vehicular noise associated with Interstate 5. **Therefore, potential indirect impacts from construction noise would be less than significant. As such, no avoidance, minimization, and/or mitigation measures would be required for noise**.

Lighting

Nighttime lighting can disrupt wildlife behavior and can attract certain species while deterring others. Additionally, nighttime lighting can improve visibility, attracting or assisting predators. Construction is planned to occur during daylight hours, so no nighttime lighting is anticipated. The project does not propose any new lighting along the roadways.

No night lighting is expected to be used during construction. Following construction, permanent lighting would be the minimum illumination necessary for safety and would be directed down and away from undeveloped habitat areas to the north to minimize effects on wildlife. **Therefore, indirect impacts from lighting would be less than significant and no avoidance, minimization, and/or mitigation measures would be required for lighting**.

Avian Building Collisions

No federal, state, or local agency has established standards or thresholds of significance for avian mortality from building collisions. This section describes how project design would

affect the frequency of such collisions, with respect to building height, prevalence of windows, proximity to dense vegetation, and lighting, the primary factors affecting collisions.

The construction plans include 10 small, two-story buildings, including 9 detached two-story bungalow structures and a restaurant/bar. These buildings are of similar height and dimensions as the numerous existing homes and other buildings in the project vicinity.

Of the 10 buildings included in the project, only 4 buildings – the restaurant/bar and the 3 northernmost bungalows – will be located adjacent to undeveloped areas, while the remaining 6 bungalow structures will be adjacent to the existing gas station to the east (Attachment 1: Figure 6). Two sides of the restaurant/bar will be dominated by windows, one side facing north and one side facing northeast. The nearest dense vegetation to the northern side of the restaurant/bar is a patch of eucalyptus woodland, located 170 feet to the north and at approximately the same elevation as the restaurant/bar. The nearest dense vegetation to the northeastern side of the restaurant/bar is a patch of eucalyptus woodland 100 feet to the north and below the restaurant/bar. The 3 northern bungalows will face a graded, maintained yard behind the gas station. The yard is surrounded by a 7-foot-high chain link privacy fence and contains several small landscaping trees and a mix of bare ground and very low herbaceous vegetation (Attachment 2: Photograph 9). The nearest dense vegetation to these bungalows is a patch of disturbed Diegan coastal sage scrub a minimum of 100 feet to the northeast, below and on the other side of the fenced yard. The privacy fence and land contours will reduce or prevent direct line of site between the bungalows and the disturbed Diegan coastal sage scrub. Due to the low heights and the position of the restaurant/bar and bungalows relative to the nearest patches of dense vegetation, the frequency of collisions and level of consequent avian mortality are not expected to be substantially different from those for other existing or permitted buildings in the project vicinity.

As shown in the project plans, all permanent lighting on the northern and eastern portions of the site would be the minimum illumination necessary for guest safety and would consist of frosted landscaping lights and bollards, wall sconces, recessed ceiling lights, or floor lights, with no lights directed up toward the buildings or out toward off-site habitat. The only upward-facing lights would be two landscaping floodlights located along La Costa Drive to the south. This design would minimize attraction and potential building collisions by nocturnal birds.

While construction of these 10 two-story structures may result in a small number of avian fatalities from building collisions, the number would be similar to that caused by other small two-story homes. Given the low heights of the buildings, distance from nearby dense vegetation, and lack of bright illumination, the number of birds affected would be small and would not have a substantial adverse effect on, or jeopardize the population of, any common or sensitive avian species. Based on the elements of the project design described above and in the construction plans for the project, **indirect impacts from avian building collisions would be less than significant, and no avoidance, minimization, and/or mitigation would be required**.

6.0 PROJECT AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

Project implementation would not result in significant direct or indirect impacts to sensitive vegetation communities, sensitive plant or animal species, wildlife corridors, or potentially jurisdictional resources. As such, no avoidance, minimization, and/or mitigation measures would be required for these sensitive resources.

Potentially significant impacts to nesting birds may occur. Therefore, the project would be required to implement avoidance measures to prevent impacts on nesting birds in compliance with the MBTA and CFGC. To prevent impacts to nesting birds, construction, including vegetation clearing and grubbing, should begin outside the bird/raptor breeding season (January to July). If construction must start during this period, a qualified biologist, retained by the project applicant and approved by the Development Services Department, shall perform a pre-construction survey for active nests no more than 3 days prior to the initiation of construction. If an active nest is identified on-site or in the immediate vicinity (area of potential noise impact to species), construction shall be postponed until the nest is no longer active or a City-approved biologist decides on the appropriate separation distance between the nest and active construction areas. Results of the pre-construction survey shall be submitted in a report to the Development Services Department for review and approval and to the City's construction inspector at the pre-construction meeting, which shall occur prior to construction activities. This mitigation measure shall be included on construction plans, to the satisfaction of the Development Services Department, prior to construction permit issuance.

With the implementation of this avoidance measure, potential impacts to nesting birds would be avoided, and no additional minimization and/or mitigation measures would be required.

7.0 CONCLUSION

The project has been designed to avoid and/or minimize impacts to sensitive biological resources to the maximum extent feasible. With the implementation of the avoidance measure described above, all potentially significant direct and indirect impacts would be reduced to below a level of significance. As such, no minimization and/or mitigation measures would be required for the project.

On behalf of BBS, thank you for the opportunity to work with you on this project. Attachment 7 provides a summary of the qualifications of the biologists contributing to this report. Please contact me at andrew@busbybiological.com or 619.922.7583 if you have any questions or concerns regarding this biological resource letter report.

Sincerely,

Andrew Kort
Biologist

ATTACHMENTS

Attachment 1: Figures
Attachment 2: Representative Survey Area Photographs
Attachment 3: Plant Species Observed
Attachment 4: Wildlife Species Detected
Attachment 5: Sensitive Plant Species with Potential to Occur
Attachment 6: Sensitive Wildlife Species with Potential to Occur
Attachment 7: Summary of Preparers' Qualifications

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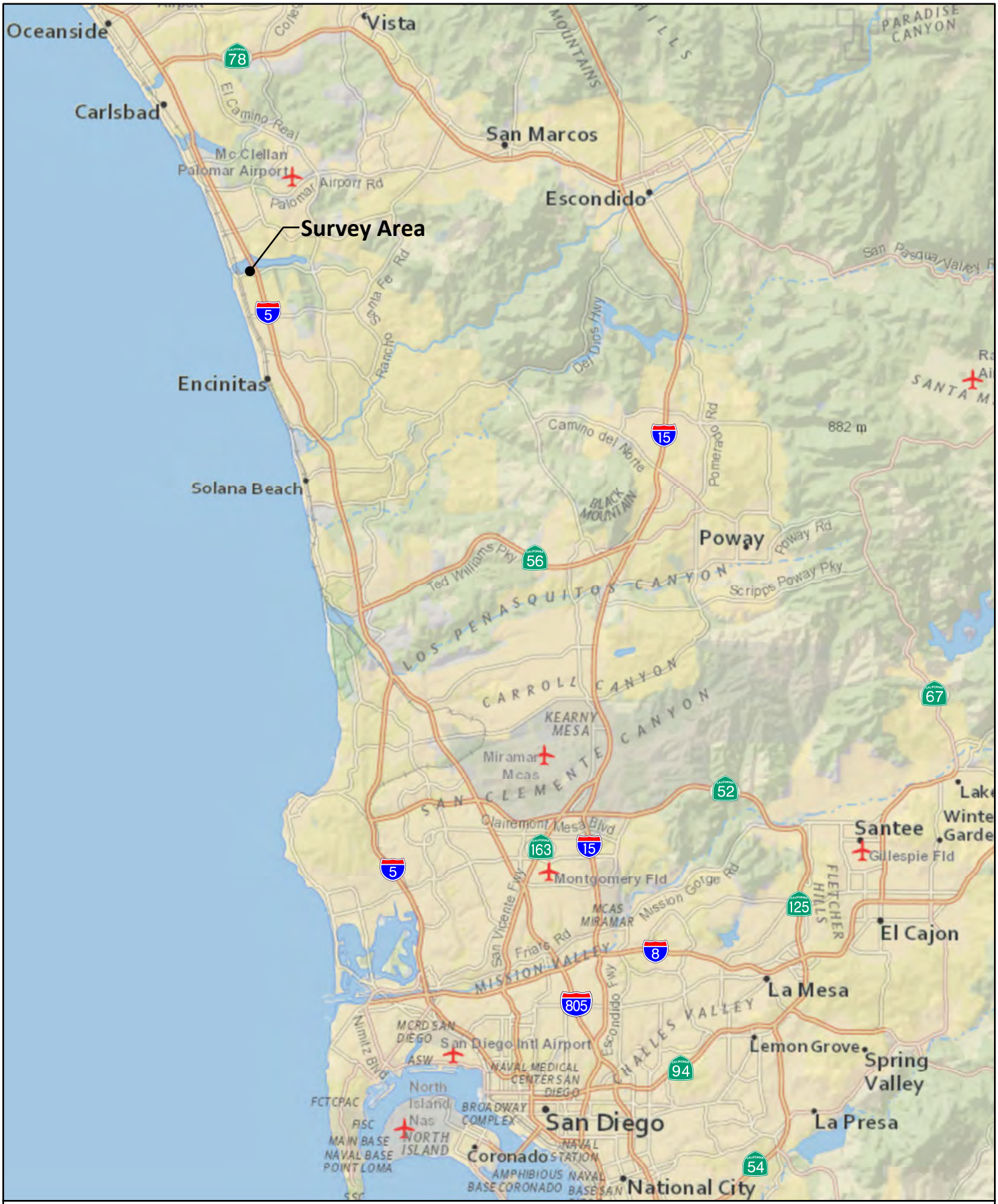
ATTACHMENT 1
Figures



Source: National Geographic, Esri

BUSBY Biological Services

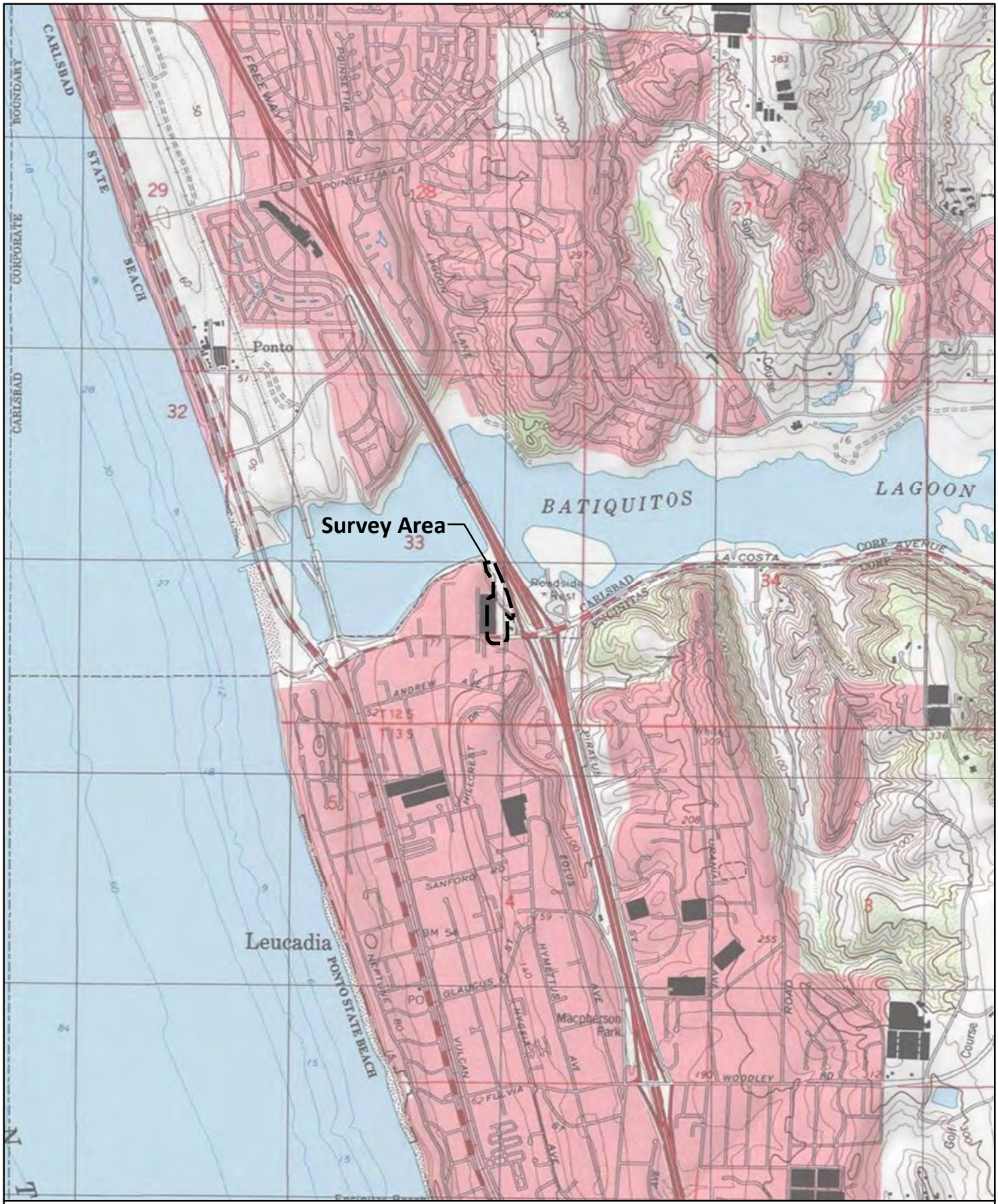
N

0 2 4 Miles

Regional Location

LA COSTA HOTEL

Figure 1



Source: USGS 7.5' Quadrangle (Encinitas)

BUSBY Biological Services

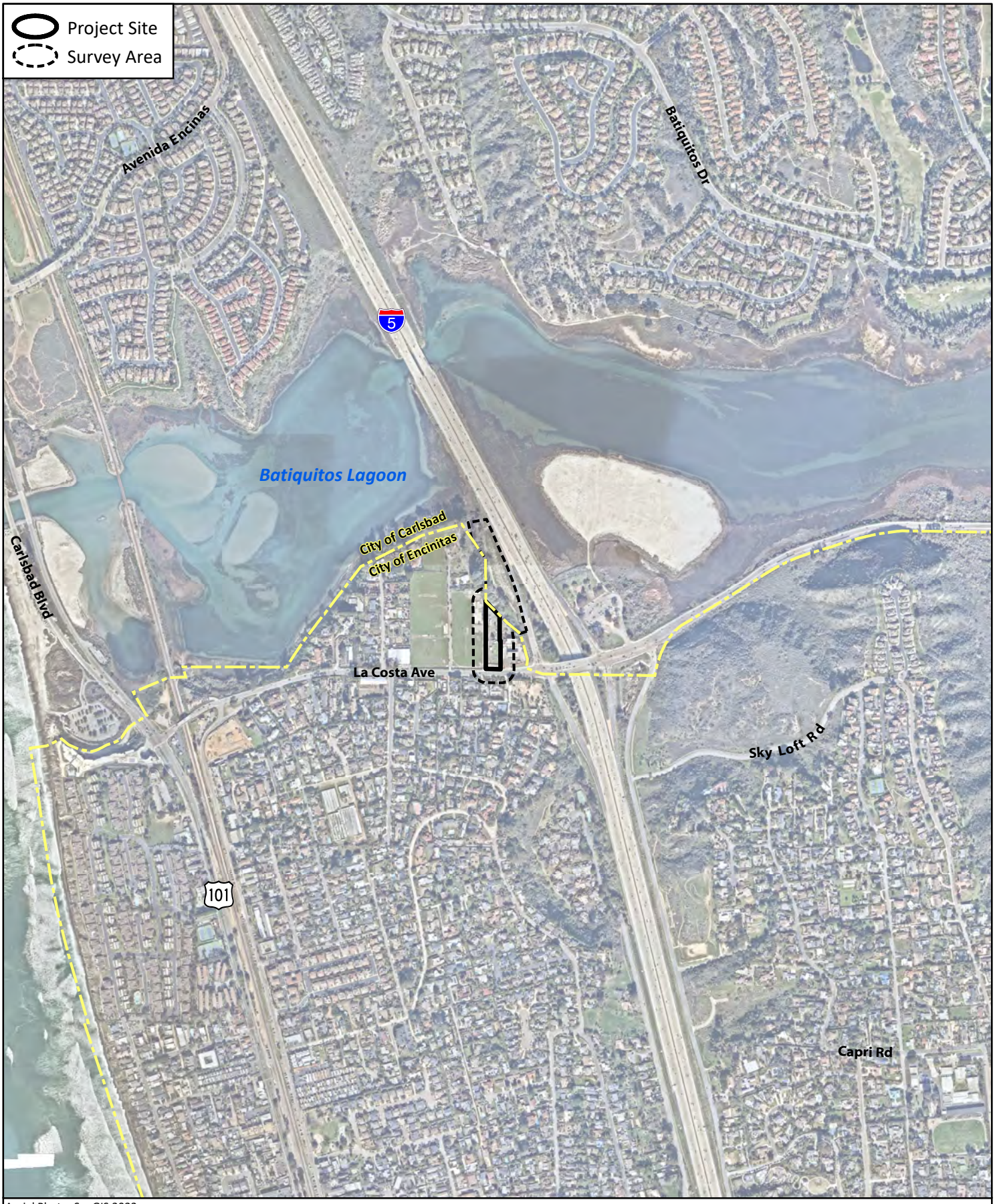
N

0 1,000 2,000 Feet

Project Vicinity (USGS)

LA COSTA HOTEL

Figure 2



Aerial Photo: SanGIS 2023

BUSBY Biological Services

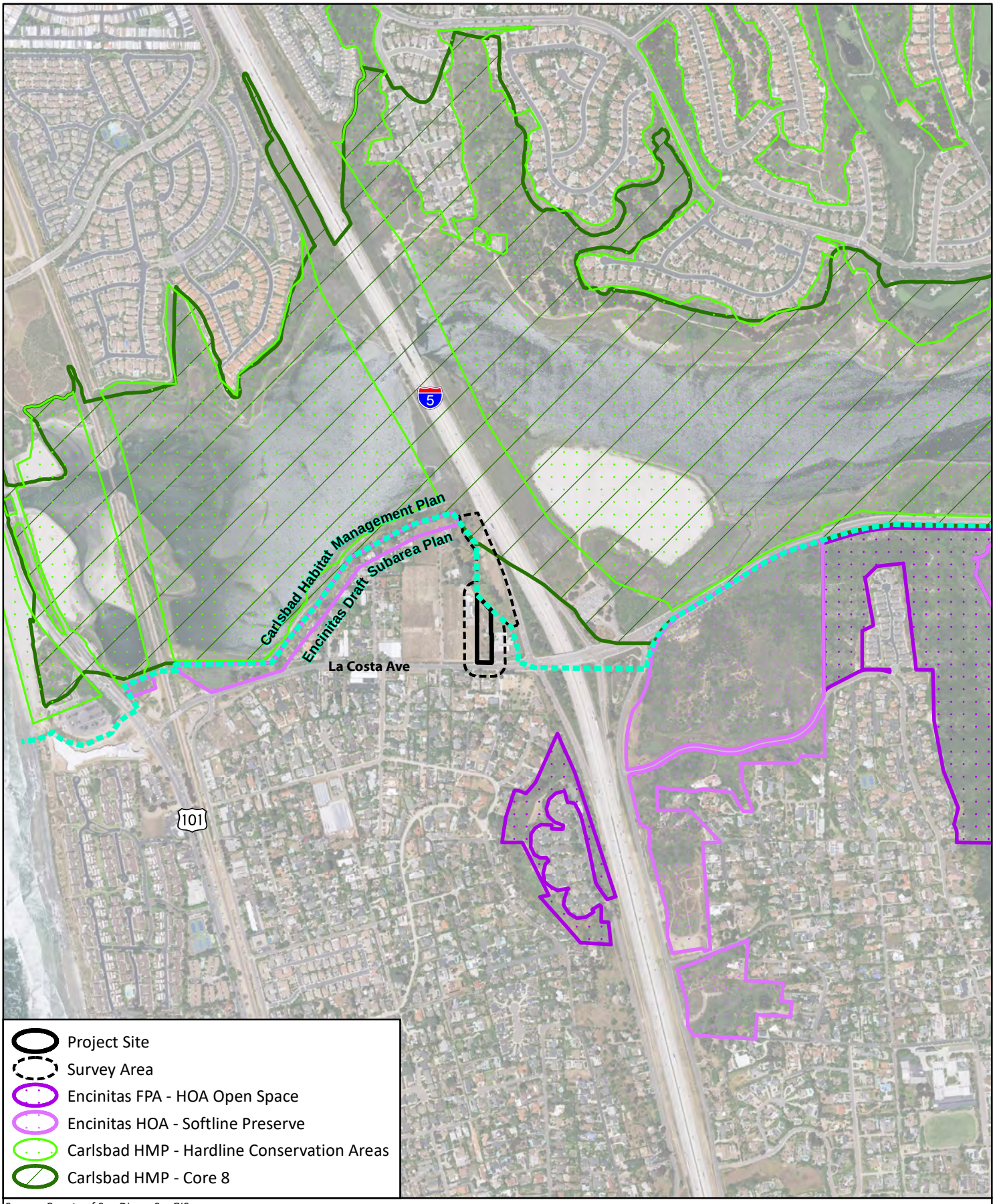
N

0 500 1,000 Feet

Project Vicinity (Aerial)

LA COSTA HOTEL

Figure 3



Source: County of San Diego, SanGIS

BUSBY Biological Services

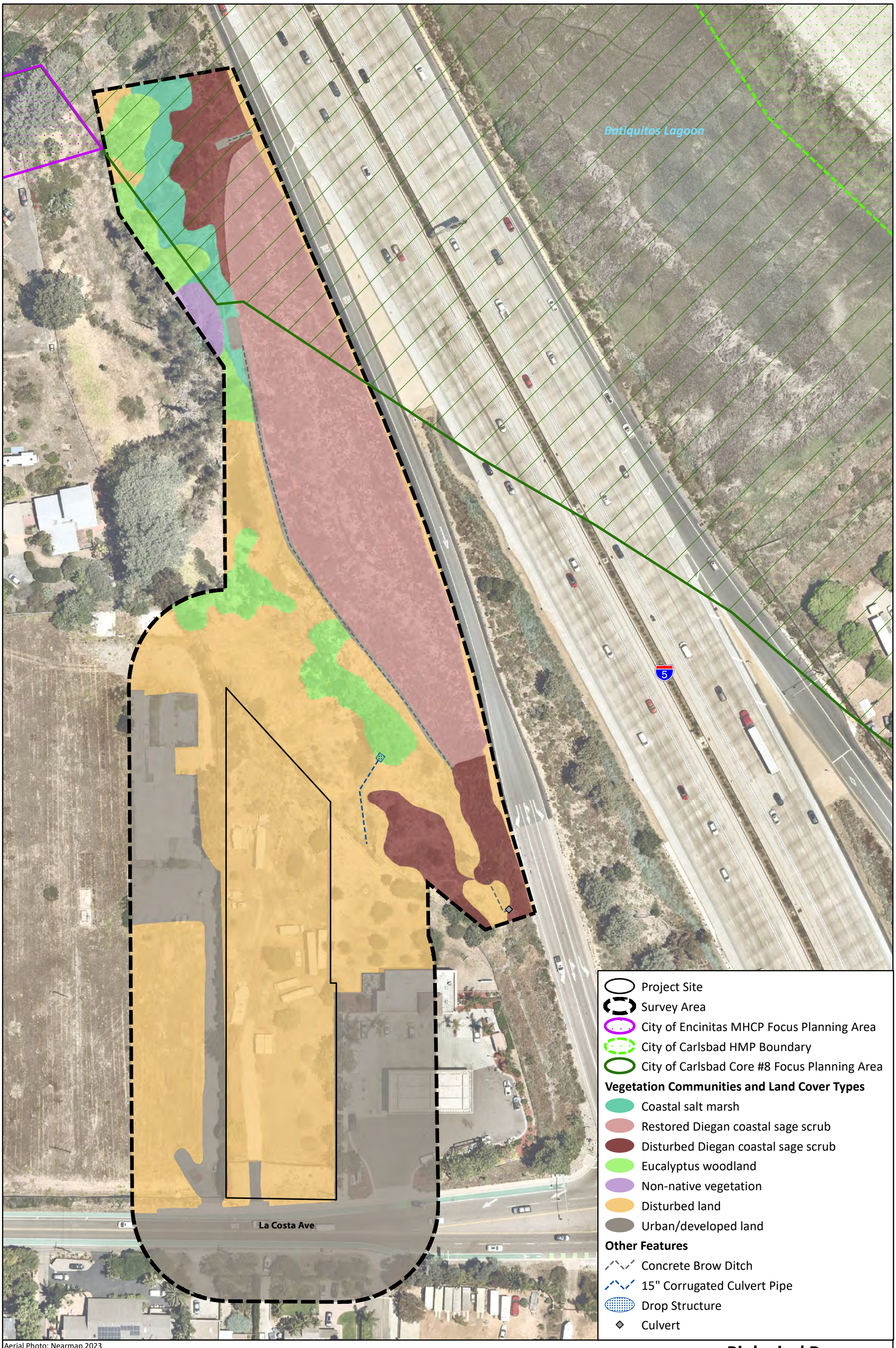
N

0 500 1,000 Feet

Conservation Context

LA COSTA HOTEL

Figure 4



Aerial Photo: Nearmap 2023

BUSBY Biological Services

N 0 45 90 Feet

Biological Resources

LA COSTA HOTEL

Figure 5

La Costa Ave

Project Site
Survey Area
Project Impacts

Vegetation Communities and Land Cover Types

Restored Diegan coastal sage scrub
Disturbed Diegan coastal sage scrub
Eucalyptus woodland
Disturbed land
Urban/developed land

Other Features

Concrete Brow Ditch
15" Corrugated Culvert Pipe
Drop Structure
Culvert

Aerial Photo: Nearmap 2023

BUSBY Biological Services

N

0 25 50 Feet

Impacts to Biological Resources

LA COSTA HOTEL

Figure 6

ATTACHMENT 2
Representative Survey Area Photographs

Photograph 1. View of the Caltrans ROW in the northern portion of the survey area, showing coastal salt marsh in the foreground, eucalyptus woodland to the left, and disturbed Diegan coastal sage scrub to the right (facing north; September 29, 2023).

Photograph 2. View of restored Diegan coastal sage scrub on the slope along Interstate 5, within the Caltrans ROW in the northeastern portion of the survey area (facing east; September 29, 2023).

Photograph 3. View of restored Diegan coastal sage scrub along the slope within the Caltrans ROW, showing installed sprinklers and the adjacent brow ditch (facing south; September 29, 2023).

Photograph 4. View of the southern portion of the Caltrans ROW in the east-central portion of the survey area, showing restored Diegan coastal sage scrub and eucalyptus woodland (facing south; September 29, 2023).

Photograph 5. View of disturbed Diegan coastal sage scrub within the Caltrans ROW to the east of the project site (facing south; September 29, 2023).

Photograph 6. Overview of center of the project site with view of disturbed land with a storage container, staged equipment, and non-native plant species (facing north; September 29, 2023).

Photograph 7. View of the western portion of the project site, showing disturbed land with castor bean and other weeds (facing south; September 29, 2023).

Photograph 8. Overview of the project site from the northwestern corner, showing disturbed land with freeway iceplant (facing south; September 29, 2023).

Photograph 9. View of disturbed land in the undeveloped northern portion of the gas station property to the east of the project site (facing southeast; September 29, 2023).

Photograph 10. View of 15-inch corrugated plastic pipe in disturbed land within the Caltrans ROW off-site to the northeast (facing southwest; September 29, 2023).

Photograph 11. Overview of urban/developed land and disturbed land on the property to the west, which is currently under development (facing northwest; September 29, 2023).

Photograph 12. View of southern edge of the project site from La Costa Avenue, showing landscaping in a developed area with multiple century plants (facing northwest; September 29, 2023).

ATTACHMENT 3
Plant Species Observed

Family	Scientific Name	Common Name	Vegetation Community/ Land Cover Type
Agavaceae	*Agave americana**	century plant	DL, DEV
Agavaceae	*Agave attenuata**	foxtail agave	DL
Agavaceae	*Yucca schidigera*	Mohave yucca	CSS-D
Aizoaceae	*Carpobrotus edulis**	freeway iceplant	SM, CSS-R, DL, EW
Aizoaceae	*Mesembryanthemum crystallinum**	crystalline iceplant	DL
Alliaceae	*Allium praecox*	common wild onion	CSS-D
Alliaceae	*Allium sativum**	garlic	DL
Alliaceae	*Tulbaghia violacea**	society garlic	DEV
Anacardiaceae	*Rhus integrifolia*	lemonade berry	CSS-D. DL
Anacardiaceae	*Schinus molle**	Peruvian pepper tree	DL
Anacardiaceae	*Schinus terebinthifolius**	Brazilian pepper tree	DL, DEV
Apiaceae	*Foeniculum vulgare**	fennel	DL
Arecaceae	*Syagrus romanzoffiana**	queen palm	DEV
Arecaceae	*Washingtonia robusta**	Mexican fan palm	CSS-D
Arecaceae	*Washingtonia* sp.*	palm	DEV
Asphodelaceae	*Hemerocallis fulva**	orange day-lily	DEV
Asteraceae	*Achillea millefolium*	pacific yarrow	CSS-R
Asteraceae	*Ambrosia psilostachya*	western ragweed	CSS-D., DL
Asteraceae	*Artemisia californica*	California sagebrush	CSS-D, CSS-R
Asteraceae	*Baccharis pilularis*	coyote brush	CSS-D, DL
Asteraceae	*Baccharis sarothroides*	broom baccharis	CSS-R
Asteraceae	*Bidens pilosa**	common beggar's tick	DL
Asteraceae	*Centaurea melitensis**	tocalote	DL
Asteraceae	*Encelia californica*	California encelia	CSS-D, CSS-R
Asteraceae	*Erigeron canadensis*	horseweed	SM, CSS-D, CSS-R, DL
Asteraceae	*Glebionis coronaria**	garland daisy	DL
Asteraceae	*Helminthotheca echioides**	bristly ox-tongue	DL
Asteraceae	*Heterotheca grandiflora*	telegraph weed	CSS-R, DL
Asteraceae	*Isocoma menziesii*	goldenbush	CSS-D, CSS-R
Asteraceae	*Pluchea odorata*	salt marsh fleabane	DEV
Asteraceae	*Pseudognaphalium beneolens*	fragrant everlasting	DL
Asteraceae	*Pseudognaphalium biolettii*	bicolor cudweed	CSS-D
Asteraceae	*Sonchus asper**	prickly sow thistle	SM, CSS-R, DL
Asteraceae	*Sonchus oleraceus**	common sow thistle	EW
Asteraceae	*Stephanomeria diegensis*	San Diego wreath-plant	CSS-D, DL
Betulaceae	*Alnus rhombifolia**	white alder	DL

Family	Scientific Name	Common Name	Vegetation Community/ Land Cover Type
Boraginaceae	*Phacelia cicutaria* var. *hispida*	caterpillar phacelia	CSS-D, DL
Boraginaceae	*Phacelia ramosissima*	branching phacelia	DL
Brassicaceae	*Brassica tournefortii**	Sahara mustard	DL
Brassicaceae	*Diplotaxis* sp.*	wall rocket	DL
Brassicaceae	*Hirschfeldia incana**	short-pod mustard	CSS-D, DL
Brassicaceae	*Lobularia maritima**	sweet alyssum	DL
Brassicaceae	*Raphanus sativus**	wild radish	CSS-D, CSS-R, DL
Brassicaceae	*Sisymbrium irio**	London rocket	CSS-D, DL
Cactaceae	*Opuntia* sp.*	ornamental cactus	DL
Cactaceae	*Opuntia ficus-indica**	Indian-fig	DEV
Cactaceae	*Opuntia littoralis*	coastal prickly pear	CSS-D
Chenopodiaceae	*Amaranthus cruentus**	red amaranth	DL
Chenopodiaceae	*Atriplex prostrata**	fat-hen	DL
Chenopodiaceae	*Chenopodium album**	pigweed	CSS-R, DL
Chenopodiaceae	*Chenopodium murale**	nettle-leaf goosefoot	DL
Chenopodiaceae	*Dysphania pumilio**	Tasmania goosefoot	DL
Chenopodiaceae	*Salicornia pacifica*	Pacific pickleweed	SM, CSS-R
Chenopodiaceae	*Salsola tragus**	Russian thistle	DL
Convolvulaceae	*Calystegia macrostegia*	morning-glory	CSS-D
Crassulaceae	*Crassula ovata**	jade plant	DL
Cyperaceae	*Cyperus eragrostis*	tall flatsedge	SM, DEV
Euphorbiaceae	*Chamaesyce maculata**	spotted spurge	CSS-R, DL, DEV
Euphorbiaceae	*Croton californicus*	California croton	CSS-D
Euphorbiaceae	*Euphorbia ingens**	African candelabra tree	DL
Euphorbiaceae	*Euphorbia peplus**	petty spurge	DL
Euphorbiaceae	*Euphorbia tirucalli**	milk bush	DL
Euphorbiaceae	*Ricinus communis**	castor bean	CSS-D, DL
Fabaceae	*Acacia retinodes**	everblooming acacia	NNV
Fabaceae	*Acmispon glaber*	deerweed	CSS-R
Fabaceae	*Melilotus indicus**	Indian sweet clover	SM
Fabaceae	*Senna* sp.*	cassia tree	CSS-D
Fagaceae	*Quercus agrifolia* var. *agrifolia*	coast live oak	CSS-R, DL
Frankeniaceae	*Frankenia salina*	alkali-heath	SM
Geraniaceae	*Erodium cicutarium**	redstem filaree	CSS-R, DL
Geraniaceae	*Erodium moschatum**	green-stem filaree	DL
Lamiaceae	*Salvia apiana*	white sage	CSS-D, CSS-R

Family	Scientific Name	Common Name	Vegetation Community/ Land Cover Type
Lamiaceae	*Salvia mellifera*	black sage	CSS-R
Liliaceae	*Aloe arborescens**	candelabra aloe	DL
Malvaceae	*Malva parviflora**	cheeseweed	DL
Myrsinaceae	*Lysimachia arvensis**	scarlet pimpernel	DL
Myrtaceae	*Eucalyptus camaldulensis**	river red gum	EW
Myrtaceae	*Eucalyptus polyanthemos**	silver dollar gum	DL, EW
Nyctaginaceae	*Bougainvillea* sp.*	bougainvillea	DL
Onagraceae	*Camissoniopsis* sp.	sun cup	DL
Pinaceae	*Pinus* sp.*	ornamental pine	CSS-R
Pittosporaceae	*Pittosporum* sp.*	cheesewood	DL
Plantaginaceae	*Antirrhinum nuttallianum*	Nuttall's snapdragon	CSS-D
Plantaginaceae	*Plantago lanceolata**	English plantain	DL
Platanaceae	*Platanus racemosa*	western sycamore	DEV
Plumbaginaceae	*Limonium californicum*	western marsh-rosemary	DL, DEV
Poaceae	*Arundo donax**	giant reed	DL
Poaceae	*Avena fatua**	wild oats	CSS-D
Poaceae	*Bromus diandrus**	common ripgut grass	DL
Poaceae	*Bromus hordeaceus**	soft brome	DL
Poaceae	*Bromus madritensis**	foxtail chess	CSS-D
Poaceae	*Cynodon dactylon**	Bermuda grass	DEV, DEV
Poaceae	*Digitaria californica*	Arizona cottontop	Ditch
Poaceae	*Distichlis spicata*	saltgrass	SM, DL
Poaceae	*Ehrharta erecta**	panic veldtgrass	CSS-R, DL, DEV
Poaceae	*Pennisetum setaceum**	purple fountain grass	CSS-D
Poaceae	*Polypogon monspeliensis**	annual beardgrass	SM, DEV
Poaceae	*Polypogon viridis**	water bentgrass	SM
Polygonaceae	*Eriogonum fasciculatum*	California buckwheat	CSS-R
Polygonaceae	*Rumex crispus**	curly dock	DL
Polypodiaceae	*Polypodium californicum*	California polypody	CSS-D
Portulacaceae	*Portulaca oleracea**	common purslane	DL
Rosaceae	*Heteromeles arbutifolia*	toyon	DL
Rosaceae	*Pyracantha coccinea**	scarlet firethorn	DL
Rutaceae	*Citrus sinensis**	orange	DL
Sapindaceae	*Cupaniopsis anacardioides**	carrotwood	DL
Scrophulariaceae	*Myoporum laetum**	ngaio tree	DL, DEV
Solanaceae	*Datura wrightii*	jimson weed	DL

Family	Scientific Name	Common Name	Vegetation Community/ Land Cover Type
Solanaceae	*Nicotiana glauca**	tree tobacco	DL
Solanaceae	*Solanum americanum*	white nightshade	CSS-R
Tropaeolaceae	*Tropaeolum majus**	nasturtium	CSS-D, DL
Typhaceae	*Typha latifolia*	broad-leaved cattail	DEV
Urticaceae	*Urtica urens**	dwarf nettle	DL
Verbenaceae	*Lantana camara**	lantana	DL

* non-native species

Vegetation Communities
CSS-D = disturbed Diegan coastal sage scrub
CSS-R = restored Diegan coastal sage scrub
DL = disturbed land
SM = coastal salt marsh
DEV = developed
EW = eucalyptus woodland
NNV = non-native vegetation

ATTACHMENT 4
Wildlife Species Detected

Family	Scientific Name	Common Name	Vegetation Community	Evidence of Occurrence
INVERTEBRATES				
Araneidae	*Neoscona crucifera*	spotted orb-weaver	DL, CSS-D	O
Coccinellidae	*Coccinella septempunctata*	seven-spot ladybird beetle	DL	O
Scarabaeidae	*Cotinis mutabilis*	fig-eater beetle	CSS-R	O
Tenebrionidae	unidentified	darkling beetle	DL	O
Culicidae	unidentified	mosquito	DEV	O
Porcellionidae	*Porcellio laevis*	swift woodlouse	DL	O
Apidae	*Apis mellifera*	western honey bee	DL, CSS-R	O
Lycaenidae	*Leptotes marina*	marine blue	DL	O
Nymphalidae	*Vanessa virginiensis*	American lady	CSS-D	O
Pieridae	*Pieris rapae*	cabbage white	DL, CSS-D, CSS-R	O
Sphingidae	*Hyles lineata*	white-lined sphinx moth	DL	O
VERTEBRATES				
Reptiles				
Phrynosomatidae	*Sceloporus occidentalis*	western fence lizard	DL	O
Birds				
Trochilidae	*Calypte anna*	Anna's hummingbird	CSS-R	O, V
Columbidae	*Zenaida macroura*	mourning dove	DL, DEV	O, V
Corvidae	*Aphelocoma californica*	California scrub-Jay	CSS-D	V
Corvidae	*Corvus brachyrhynchos*	American crow	DEV	V
Fringillidae	*Haemorhous mexicanus*	house finch	DL	O, V
Passerellidae	*Junco hyemalis*	dark-eyed junco	DL	V
Passerellidae	*Melospiza melodia*	song sparrow	DL	O, V
Passerellidae	*Melozone crissalis*	California towhee	DH, CSS-R	V, O
Tyrannidae	*Sayornis nigricans*	black phoebe	DEV, CSS-R	O, V
Mammals				
Sciuridae	*Otospermophilus beecheyi*	California ground squirrel	DL, CSS-D	B, V

Evidence of Occurrence
O = Observed
V = Vocalizing
B = Burrow

Vegetation Communities
CSS = Diegan coastal sage scrub
NNG = non-native grassland
DH = disturbed habitat
NNV = non-native vegetation

ATTACHMENT 5
Sensitive Plant Species with Potential to Occur

Species Name	Status	Habitat Description	Potential to Occur
Nuttall's acmispon (*Acmispon prostratus*) (formerly *Lotus nuttallianus*)	CRPR 1B.1 MHCP	Annual herb. Blooms Mar-Jun. Coastal dunes and bluffs, coastal sage scrub. Elev 0-98ft.	Not expected. Coastal sage scrub is present within the Caltrans ROW in the off-site survey area; however, this area lacks suitable sandy soils. There are two records within 2 miles of the project site, including a 2016 observation approximately 0.6 mile to the west (CDFW 2023).
California adolphia (*Adolphia californica*)	CRPR 2B.1	Deciduous shrub. Blooms Dec-May. Chaparral, coastal sage scrub, grassland. Elev 0–1,312ft.	Not expected. Although potentially suitable habitat occurs within the Caltrans ROW in the off-site survey area, this is a conspicuous, moderate-sized shrub that would have been detected if present. There are several records within 2 miles of the project site, including a 2012 observation approximately 0.6 mile to the south (CDFW 2023).
Del Mar manzanita (*Arctostaphylos glandulosa* ssp. *crassifolia*)	FE CRPR 1B.1 MHCP NE	Evergreen shrub. Blooms Dec-Jun. Chaparral. Elev 0-328ft.	Not expected. This is a conspicuous shrub that would have been detected if present. There are three records within 2 miles of the project site, including a 2010 observation approximately 1.9 miles to the east (CDFW 2023).
Encinitas baccharis (*Baccharis vanessae*)	FT SE CRPR 1B.1 MHCP NE	Deciduous shrub. Blooms Aug-Nov. Maritime chaparral. Elev 260-2,920ft.	Not expected. No suitable habitat is present. This species would have been apparent if present. The nearest record of this species is a 2017 observation approximately 2.0 miles southwest (CDFW 2023).
thread-leaf brodiaea (*Brodiaea filifolia*)	FT SE CRPR 1B.1 MHCP NE	Bulbiferous herb. Blooms May-Jul. Valley grasslands, foothill woodlands, coastal sage scrub, freshwater wetlands, vernal pools. Elev 130-2,820ft.	Not expected. Habitat and soils within the project site and off-site survey area too disturbed to provide suitable habitat. The only record within 2 miles of the project site is 2019 observation 1.7 miles to the north (CDFW 2023).
Orcutt's brodiaea (*Brodiaea orcuttii*)	CRPR 1B.1 MHCP	Bulbiferous herb. Blooms May-Jul. Found on mesic clay in vernal pools within chaparral, cismontane woodland, coniferous forest, meadows, or grassland. Elev 330-5,740ft.	Not expected. No suitable vernal pools are present. The only record within 2 miles of the project site is a 2017 observation approximately 1.7 miles to the north (CDFW 2023).

Species Name	Status	Habitat Description	Potential to Occur
wart-stemmed ceanothus (*Ceanothus verrucosus*)	CRPR 2B.2 MHCP	Evergreen shrub. Blooms Jan-Apr. Chaparral. Elev 25-2,165ft.	Not expected. This is a moderate-sized, conspicuous shrub that would have been detected if present. There are several records of this species within 2 miles of the project site, including a 2017 observation approximately 2.0 miles to the east (CDFW 2023).
Orcutt's pincushion (*Chaenactis glabriuscula* var. *orcuttiana*)	CRPR 1B.1	Annual herb. Blooms Jan-Aug. Sandy soils in coastal dunes, coastal bluff scrub. Elev 0-230ft.	Not expected. No suitable habitat is present. There are two records within 2 miles of the project site, including a 2015 observation approximately 0.6 mile to the west (CDFW 2023).
summer-holly (*Comarostaphylis diversifolia* ssp. *diversifolia*)	CRPR 1B.2 MHCP	Evergreen shrub. Blooms Apr-Jun. Chaparral. Elev 100-2,690ft.	Not expected. This is a large, conspicuous shrub that would have been detected if present. There are several records within 2 miles of the project site, including a 2005 observation approximately 1.7 miles to the east (CDFW 2023).
Del Mar mesa sand aster (*Corethrogyne filaginifol*ia var. *linifolia*)	CRPR 1B.1 MHCP NE	Perennial herb. Blooms May-Sep. Coastal sage scrub and chaparral. Elev 0-425ft.	Not expected. No suitable soils present. There are three records within 2 miles of the project site, including a 2005 observation approximately 1.7 miles to the east (CDFW 2023).
Palmer's goldenbush (*Ericameria palmeri* var. *palmeri*)	CRPR 1B.1	Evergreen Shrub. Blooms Sep-Nov. Coastal sage scrub. Elev 165-1,705ft.	Not expected. This is a moderate-sized shrub and would have been detected if present. The only record within 2 miles is a 2009 observation approximately 0.6 mile to the north (CDFW 2023).
San Diego button-celery (*Eryngium aristulatum* var. *parishii*)	FE SE CRPR 1B.1 MHCP NE	Annual/perennial herb. Blooms Apr-Jun. Vernal pools in coastal sage scrub, grassland. Elev 395-2,525ft.	Not expected. No vernal pools present. The nearest record is a 2017 observation approximately 2.0 miles to the north (CDFW 2023).
San Diego barrel cactus (*Ferocactus viridescens*)	CRPR 2B.1 MHCP	Stem succulent. Blooms May-Jun. Found in sandy or gravelly soils in chaparral, coastal sage scrub, grassland. Elev 25-1,245ft.	Not expected. This is a conspicuous species and would have been detected if present. The only record within 2 miles is an observation from an unknown date 0.5 mile to the north (CDFW 2023).

Species Name	Status	Habitat Description	Potential to Occur
decumbent goldenbush (*Isocoma menziesii* var. *decumbens*)	CRPR 1B.2	Shrub. Blooms Apr-Nov. Sandy, often disturbed, areas in coastal sage scrub. Elev 0-1,475ft.	Not expected on project site; low potential in off-site survey buffer. Although potentially suitable habitat occurs within the Caltrans ROW in the off-site area buffer, the only database record within 2 miles is from 1895 and lacks specific location data (CDFW 2023).
San Diego marsh-elder (*Iva hayesiana*)	CRPR 2B.2 MHCP	Perennial herb. Blooms Apr-Oct. Marshes, playas. Elev 0-2,885ft.	Not expected. Although potentially suitable habitat is present, this moderate-sized shrub would have been detected if present. The only record within 2 miles of the project site is a 2005 observation approximately 0.4 mile to the east (CDFW 2023).
Coulter's salt-marsh daisy (*Lasthenia glabrata* ssp. *coulteri*)	CRPR 1B.1	Annual herb. Blooms Feb-Jun. Coastal salt marsh, playas, vernal pools. Elev 0-3,640ft.	Not expected on project site; low potential in off-site survey buffer. Salt marsh habitat present within the Caltrans ROW in the off-site survey area, but the only record within 2 miles is 1935 observation 1.8 miles to the east (CDFW 2023).
sea dahlia (*Leptosyne maritima*)	CRPR 2B.2	Perennial herb. Blooms Mar-May. Coastal sage scrub along coastal bluffs. Elev 15-625ft.	Not expected. Although coastal sage scrub occurs within the Caltrans ROW in the off-site survey area, no coastal bluffs are present. There are several records within 2 miles of the project site, including a 2013 observation at Leucadia State Beach approximately 0.8 mile to the southwest (CDFW 2023).
little mousetail (*Myosurus minimus* ssp. *apus*)	CRPR 3.1 MHCP NE	Annual herb. Blooms Mar-Jun. Alkaline soils in vernal pools found in grasslands and coastal sage scrub. Elev 100-2,525ft.	Not expected. No vernal pools present. The only record within 2 miles of the project site is from an unspecified date approximately 2.0 miles to the north (CDFW 2023).
spreading navarretia (*Navarretia fossalis*)	FT CRPR 1B.1 MHCP NE	Annual herb. Blooms Apr-Jun. Clay soils associated with marshes, playas, vernal pools. Elev 295-3,510ft.	Not expected. No suitable habitat present. The only record of this species within 2 miles of the site is a 1989 observation approximately 2.0 miles to the north (CDFW 2023).

Species Name	Status	Habitat Description	Potential to Occur
coast woolly-heads (*Nemacaulis denudata* var. *denudata*)	CRPR 1B.2	Annual herb. Blooms Apr-Sep. Coastal dunes. Elev 0-260ft.	Not expected. No suitable habitat present. There are two records within 2 miles of the project site, including a 2015 observation approximately 0.6 mile to the west (CDFW 2023).
California Orcutt grass (*Orcuttia californica*)	FE SE CRPR 1B.1 MHCP NE	Annual grass. Blooms Apr-Aug. Vernal pools. Elev 195-2,165ft.	Not expected. No vernal pools present. The nearest record is a 2005 observation approximately 2.0 miles to the north (CDFW 2023, USFWS 2023).
Nuttall's scrub oak (*Quercus dumosa*)	CRPR 1B.1 MHCP	Evergreen shrub. Blooms Feb-Apr. Sandy or clay loam soils associated with chaparral and coastal sage scrub. Elev 45-6,855ft.	Not expected. Although potentially suitable coastal sage scrub is present, this is a large, conspicuous shrub and would have been detected if present. There are several records within 2 miles of the project site, including a 2005 observation approximately 1.7 miles to the east (CDFW 2023).
estuary seablite (*Suaeda esteroa*)	CRPR 1B.2	Perennial herb. Blooms May-Oct. Coastal salt marsh in clay, silt, and sandy substrates. Elev 0-395ft.	Not expected on project site; low potential in off-site survey buffer. Potentially suitable habitat is present in the Caltrans ROW in the off-site survey area, but suitable soils are lacking. The nearest record of this species is a 2005 observation in an unspecified location in the vicinity of Interstate 5 and Batiquitos Lagoon (CDFW 2023).

Species Name	Status	Habitat Description	Potential to Occur

STATUS CODES

Federal

FE = Federally listed endangered species
FT = Federally listed threatened species

State

SE = State-listed endangered species

California Native Plant Society Rare Plant Ranking (CRPR)

1B = Species rare, threatened, or endangered in California and elsewhere. These species are eligible for state listing.
2B = Species rare, threatened, or endangered in California but more common elsewhere. These species are eligible for state listing.
3 = A review list for plants about which more information is needed. These species lack necessary data to assign them to another list or reject them.

.1 = Species seriously threatened in California (over 80% of occurrences threatened; high degree and immediacy of threat)
.2 = Species fairly threatened in California (20-80% occurrences threatened; moderate degree and immediacy of threat)
.3 = Species not very threatened in California (<20% of occurrences threatened; low degree and immediacy of threat or no current threats known

City of Encinitas

MHCP = City's Draft MHCP Subarea Plan covered species
NE = MSCP Narrow Endemic species

ATTACHMENT 6
Sensitive Wildlife Species with Potential to Occur

Common Name	Status	Habitat Description	Potential to Occur
Invertebrates			
San Diego fairy shrimp (*Branchinecta sandiegonensis*)	FE MHCP	Vernal pools, swales, ditches, road ruts. Adults emerge typically mid-December to early May.	Not expected. No vernal pools or other suitable ephemeral basins present. Several records exist within 2 miles of the project site, including one observation from 2010 approximately 1.4 miles to the north (CDFW 2023, USFWS 2023).
Riverside fairy shrimp (*Streptocephalus woottoni*)	FE MHCP	Vernal pools, swales, ditches, road ruts that are long-lasting (i.e., several months).	Not expected. No vernal pools or other suitable ephemeral basins present. Two records exist within 2 miles of the project site, including one observation from 2005 approximately 1.5 miles to the north (CDFW 2023, USFWS 2023).
western beach tiger beetle (*Cicindela latesignata*)	MHCP NE	Herbaceous wetland, tidal flat/shore, sand/dune, Playa/salt flat. Uses a range of coastal habitats. Would be expected on salt flats only around estuaries etc., not inland.	Not expected. No suitable habitat present. The only record of this species within 2 miles of the project site is a 1967 observation in an unspecified location (CDFW 2023).
Reptiles			
San Diegan legless lizard (*Anniella stebbinsi*)	SSC	Found in leaf litter and loose soil on beaches and in coastal scrub, chaparral, and open riparian habitats. Sandy washes and beach dunes are used for burrowing, while logs and leaf litter are used for cover and feeding.	Not expected on project site; low potential in off-site survey buffer. Project site is too disturbed and lacks native habitat. Off-site survey area contains coastal sage scrub with abundant leaf litter; however, it is a narrow strip with limited connectivity to other habitat areas. There are two records within 2 miles of the project site (CDFW 2023, County 2023).
California glossy snake (*Arizona elegans occidentalis*)	SSC	Arid scrub, rocky washes, grasslands, chaparral.	Not expected. Although coastal sage scrub occurs within the off-site survey area, the only record of this species within 2 miles of the project site is a 1946 observation from an unspecified location (CDFW 2023).

Common Name	Status	Habitat Description	Potential to Occur
red diamond rattlesnake (*Crotalus ruber*)	SSC	Coastal sage scrub, open chaparral, woodland, grassland, and cultivated areas.	Not expected. Although coastal sage scrub habitat occurs within the off-site survey area, this area is a narrow strip of habitat that lacks connectivity to other areas of suitable habitat. The only record of this species within 2 miles of the project site is a museum voucher specimen from 1965 (County 2023).
orange-throated whiptail (*Aspidoscelis hyperythra*)	WL MHCP	Inhabits low-elevation coastal scrub, chamise-redshank chaparral, mixed chaparral, and valley-foothill hardwood habitats. Surface debris is used for feeding, while dense vegetation, rocks, logs, decaying vegetation, and boards are used for cover.	Not expected on project site; low potential in off-site survey buffer. Coastal sage scrub habitat occurs within the off-site survey area. There are three records within 2 miles of the project site, including a 1989 observation in an unspecified location (CDFW 2023, County 2023).
Birds			
Cooper's hawk (*Accipiter cooperii*)	WL MHCP (Nesting)	Mature forest, open woodlands, wood edges, river groves. Parks and residential areas.	Low potential. There are gum trees in the off-site survey area; however, the trees did not show any evidence of nesting raptors. There are three records within 2 miles of the project site from 1998 approximately 0.8 mile north-northeast (County 2023).
American peregrine falcon (*Falco peregrinus anatum*)	FP MHCP (Nesting)	Nests on cliff ledges, old raptor or raven nests, and manufactured structures. Forages in open coastal areas, mud flats. Rare inland. Rare fall and winter resident, casual in late spring and early summer.	Not expected. No suitable cliffs or structures for nesting are present. There are three records within 2 miles of the project site, including an observation approximately 1.2 miles north-northeast, north of Batiquitos Lagoon and south of the intersection of Batiquitos Drive and Spoonbill Lane (County 2023).
light-footed Ridgway's rail (*Rallus obsoletus levipes*)	FE SE FP MHCP	Salt marshes primarily dominated by cordgrass.	Not expected. No suitable habitat present. The only record of this species within 2 miles of the project site is a 2007 observation approximately 0.3 mile to the east (CDFW 2023).

Common Name	Status	Habitat Description	Potential to Occur
western snowy plover (*Charadrius alexandrinus nivosus*)	FT SSC MHCP (Nesting)	Sandy beaches, lagoon margins, tidal mud flats. Migrant and winter resident. Localized breeding.	Not expected. No suitable habitat present. Several records exist within 2 miles of the project site, including one observation from 1998 approximately 0.3 mile to the east (CDFW 2023, County 2023, USFWS 2023).
black skimmer (*Rynchops niger*)	SSC (Nesting colony)	Mud flats, dikes. Resident. Common in south San Diego Bay. Localized breeding.	Not expected. No suitable habitat present. Three records exist within 2 miles of the project site, including one observation approximately 1.7 miles to the east (County 2023).
California least tern (*Sternula antillarum browni*)	FE SE FP MHCP (Nesting colony)	Bays, estuaries, lagoons, shoreline. Resident. Localized	Not expected. No suitable habitat present. Several records exist within 2 miles of the project site, including one observation from 1996 approximately 1.6 miles to the east (CDFW 2023, County 2023, USFWS 2023).
least Bell's vireo (*Vireo bellii pusillus*)	FE SE MHCP (Nesting)	Willow-dominated successional woodland or scrub, Baccharis scrub, mixed oak/willow woodland, and elderberry scrub in riparian habitat. Nests and forages in vegetation along streams and rivers that measures approximately 3 to 6 feet in height and has a dense, stratified canopy.	Not expected. No suitable habitat present. The only record of this species within 2 miles of the project site is a 2023 observation approximately 1.9 miles to the east (CDFW 2023).
coastal cactus wren (*Campylorhynchus brunneicapillus sandiegensis*)	SSC MHCP NE	Maritime succulent scrub, coastal sage scrub with Opuntia thickets. Rare, localized resident.	Not expected on project site; low potential in off-site survey buffer. The disturbed coastal sage scrub in the Caltrans ROW contains one patch of coastal prickly pear (*Opuntia littoralis*). However, this patch is too small and isolated from other areas of potentially suitable habitat. The only record of this species within 2 miles of the project site is a 1984 observation 0.8 mile to the north (CDFW 2023).

Common Name	Status	Habitat Description	Potential to Occur
white-tailed kite (*Elanus leucurus majusculus*)	FP (Nesting)	Nest in riparian woodland, oaks, sycamores. Forage in open, grassy areas. Year-round resident.	Not expected. No suitable habitat present. The only record of this species within 2 miles of the project site is a 2001 observation approximately 0.8 mile north-northeast (County 2023).
western burrowing owl (*Athene cunicularia hypugaea*)	SSC MHCP	Grassland, agricultural land, coastal dunes. Declining resident.	Not expected. No suitable habitat present. There are two records of this species within 2 miles of the project site, both from 1982, approximately 1.8 miles to the north (County 2023).
coastal California gnatcatcher (*Polioptila californica californica*)	FT SSC MHCP	Coastal sage scrub, maritime succulent scrub. Resident.	Not expected on project site; low potential in off-site survey buffer. No suitable habitat is present on-site. The restored and disturbed coastal sage scrub in the off-site survey area to the north are small and subject to noise and other disturbance from adjacent Interstate 5. There are several records of this species within 2 miles of the project site, including a 2000 observation approximately 0.5 mile to the north (CDFW 2023, County 2023, USFWS 2023).
southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*)	WL MHCP	Coastal sage scrub, chaparral, grassland. Resident.	Not expected on project site; low potential in off-site survey buffer. No suitable habitat occurs on-site. The patches of restored and disturbed coastal sage scrub occur within the off-site survey area are small and occur adjacent to a busy freeway. The only record of this species within 2 miles of the project site is a 1998 observation approximately 1.0 mile to the east (CDFW 2023).
Belding's savannah sparrow (*Passerculus sandwichensis beldingi*)	SE MHCP	Salt marsh, lagoons dominated by Salicornia. Resident.	Not expected. No suitable habitat present. Several records exist within 2 miles of the project site, including one observation from 1977 approximately 0.6 mile to the west (CDFW 2023, County 2023).

Common Name	Status	Habitat Description	Potential to Occur
Mammals			
pocketed free-tailed bat (*Nyctinomops femorosaccus*)	SSC	Variety of habitats, including desert scrub and pine-oak forests Forages over stock ponds and other water bodies. Roosts in crevices of cliffs and high rocky outcrops.	Not expected. No suitable foraging or roosting habitat is present. The only record within 2 miles of the project site is a 1998 observation approximately 1.2 miles to the south (County 2023).

STATUS CODES

Federal

FE: Federal-listed endangered species
FT: Federal-listed threatened species

State

SE: State-listed endangered species
SSC: Species of special concern
FP: Fully protected species
WL: State-watch list species

Other

MHCP: City's Draft MHCP Subarea Plan covered species
NE: Narrow Endemic species

ATTACHMENT 7
Summary of Preparers' Qualifications

BUSBY
Biological Services

Brian D. Parker, Senior Biologist

PROFESSIONAL SUMMARY

Mr. Parker has been a project manager and field biologist in southern California since 1999. He has managed a wide variety of biological projects, including residential subdivisions, single-family homes, public infrastructure and roadways, and large-scale utility projects. He is experienced at vegetation mapping, species surveys, habitat restoration, wetland delineations, and technical reporting. He has demonstrated skill communicating with construction managers and field crews, ensuring construction projects in environmentally sensitive areas comply with Mitigation Monitoring and Reporting Program requirements.

He has a Federal Endangered Species Act 10(a)(1)(A) recovery permit for Quino checkerspot butterfly and coastal California gnatcatcher and conducts surveys for western burrowing owl, least Bell's vireo, desert tortoise, flat-tailed horned lizard, arroyo toad, and Hermes copper butterfly. He also has formal field training in ecology, field capture, and acoustic monitoring of bat species, as well as wildlife movement and tracking.

Mr. Parker managed a $3 million environmental on-call contract with the County of San Diego Department of Public Works, where he managed and coordinated technical specialists in numerous subject areas, including biological resources, archaeological resources, noise, air quality, greenhouse gas, traffic, hazardous materials, and visual analysis. In addition, he has functioned as biological task lead for on-call contracts with the City of San Diego Departments of Public Utilities and Engineering and Capital Projects, Eastern Municipal Water District, Olivenhain Water District, and Vallecitos Water District. He has successfully prepared numerous biological assessments, biological technical reports, resource management plans, habitat conservation plans, and restoration plans.

PERMITS, CERTIFICATIONS

- USFWS Permit (#115373) – Approved to survey for coastal California gnatcatcher, Quino checkerspot butterfly, and all California vernal pool branchiopods (fairy shrimp)
- CDFW Scientific Collecting Permit (#191710001) – Approved to survey for invertebrates, mammals, amphibians, and reptiles
- BLM – Approved to survey, handle, and monitor for flat-tailed horned lizard
- County of San Diego Approved CEQA Consultants List for Biological Resources

EDUCATION

- M.B.A. University of California, Davis Graduate School of Management
- M.A. Biology, University of California, Los Angeles
- B.S. Ecology, University of California, San Diego

BUSBY
Biological Services

Andrew Kort, Biologist

PROFESSIONAL SUMMARY

Mr. Kort is a Biologist with 9 years of experience as an ecologist and biological consultant. He is proficient at conducting general biological surveys, focused sensitive species surveys, and biological construction/compliance monitoring. He has experience preparing a variety of technical documents, including biological technical reports, survey summary reports, daily construction monitoring forms, USACE permit compliance checklists, among others. He has performed focused surveys for fairy shrimp, Quino checkerspot butterfly, Crotch's bumblebee, arroyo toad, least Bell's vireo, coastal California gnatcatcher, and western burrowing owl. In addition, he has experience with seining, soil core sample testing, and wetland invertebrate identification.

EDUCATION

- B.S. Environmental Management, University of Maryland Global Campus (formerly University of Maryland University College) (2013)

PERMITS

- USFWS Permit (#115373) – Approved to survey for all California vernal pool branchiopods (fairy shrimp)